

**Filed On Behalf Of:**

Novartis AG and  
Hikma Pharmaceuticals International Limited

**By:**

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ARGENTUM PHARMACEUTICALS LLC, and WEST-WARD  
PHARMACEUTICALS INTERNATIONAL LIMITED n/k/a HIKMA  
PHARMACEUTICALS INTERNATIONAL LIMITED  
Petitioners,

v.

NOVARTIS AG  
Patent Owner.

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Case IPR2016-01479<sup>1</sup>  
Patent No. 9,006,224

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**HIKMA AND NOVARTIS'S JOINT MOTION  
TO TERMINATE IPR AS TO HIKMA  
PURSUANT TO 35 U.S.C. § 317**

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<sup>1</sup> IPR2017-01063 and IPR2017-01078 have been joined to this proceeding (Paper 33, September 25, 2017). Par Pharmaceutical Inc. has been terminated as a party to this proceeding (Paper 52, February 7, 2018).

Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74, and pursuant to the authorization to file this motion provided by the Board in an email dated September 30, 2020, Petitioner West-Ward Pharmaceuticals International Limited n/k/a Hikma Pharmaceuticals International Limited (“Hikma”) and Patent Owner Novartis AG (“Novartis”) jointly request the termination of this *inter partes* review of U.S. Patent No. 9,006,224 as to Petitioner Hikma. Petitioner Argentum Pharmaceuticals LLC (“Argentum”) is not a party to this motion.

Hikma and Novartis have settled their dispute, and have reached agreement to terminate this *inter partes* review as to Hikma. Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), the parties’ settlement agreement has been made in writing, and a true and correct copy is being filed concurrently herewith as Exhibit 2119. The parties are also filing concurrently herewith (1) a joint request to treat the settlement agreement as business confidential information and keep it separate from the files of the IPR and the involved patent pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), and (2) a proposed protective order designated as Exhibit 2120.

Termination of this *inter partes* review as to Hikma is proper under 35 U.S.C. § 317(a) because the Board has not yet decided the merits of the proceeding.

No other party's rights will be prejudiced by the termination of this *inter partes* review as to Hikma. One other party, Petitioner Argentum, remains in this *inter partes* review. Argentum was joined as a party via a Motion for Joinder in IPR2017-01063. Argentum's rights will not be impacted by the termination of this *inter partes* review as to Hikma.

There is no pending litigation relating to this patent between Novartis and Hikma or Argentum.

For the foregoing reasons, Hikma and Novartis respectfully jointly request termination of this *inter partes* review as to Hikma.

Date: October 2, 2020

Respectfully submitted,

/Nicholas N. Kallas/  
Nicholas N. Kallas (Reg. No. 31,530)

## CERTIFICATE OF SERVICE

I certify that a copy of the foregoing HIKMA AND NOVARTIS'S JOINT MOTION TO TERMINATE IPR AS TO HIKMA PURSUANT TO 35 U.S.C. § 317 was served on October 2, 2020, by causing it to be sent by email to counsel for Petitioners at the following email addresses:

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Dated: October 2, 2020

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