

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

QUALICAPS CO., LTD,
Patent Owner

IPR2017-00203
Patent 6,649,180 B1

**PATENT OWNER'S UNOPPOSED MOTION TO EXPUNGE
CONFIDENTIAL INFORMATION**

As authorized by the Board in an email dated December 20, 2017, and in view of the Board's Order terminating this proceeding (Paper 60, Dec. 19, 2017), Patent Owner moves for the expungement of all confidential documents under 37 C.F.R. § 42.56.

Specifically, Patent Owner moves for expungement of the following confidential exhibits: **2064** (unredacted version marked "Under Seal" in PTAB E2E), **2067**, **2068**, **2069**, **2070**, **2071**, and **2072**. Each of these exhibits was filed on August 30, 2017, in response to the Board's Order granting-in-part Petitioner's motion for additional discovery. Paper 35. Petitioner does not oppose Patent Owner's motion to expunge.

The parties do not dispute that the material in these exhibits sought to be redacted constitutes Patent Owner's confidential information. Paper 36 at 6 (Petitioner does not challenge Patent Owner's confidentiality designations, and the parties stipulate that good cause exists to seal the evidence). The Board did not rely on any of this evidence in deciding to institute trial, and now that the proceeding has been terminated, the confidential information will not be used by the Board in making any patentability determination. Consequently, retaining the confidential information in the record serves no purpose but runs the risk of accidental public disclosure. Thus Patent Owner's

interest in expunging the information outweighs the public's interest in maintaining a complete and understandable file history of this proceeding.

For these reasons, good cause exists to grant Patent Owner's motion to expunge.

Respectfully submitted,

Dated: December 20, 2017

/Scott E. Kamholz/

Jessica L. Parezo, Reg. No. 50,286
Andrea G. Reister, Reg. No. 36,253
Scott E. Kamholz, Reg. No. 48,543
Michael N. Kennedy, *pro hac vice*
Megan P. Keane, *pro hac vice*
Covington & Burling LLP
One CityCenter, 850 Tenth St., NW
Washington DC 20001

MaryAnne Armstrong, Reg. No. 40,069
Lynde F. Herzbach, Reg. No. 74,886
Birch, Stewart, Kolasch & Birch, LLP
8110 Gatehouse Rd, Ste 100 East
Falls Church VA 22042

Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I certify that on the date listed below, a copy of this paper and every exhibit filed with this paper was served on the Petitioner at the address listed below by email:

Mitchell G. Stockwell
D. Clay Holloway
Miranda C. Rogers
Mylan-WC-IPR@kilpatricktownsend.com
Kilpatrick Townsend & Stockton LLP
1100 Peachtree Street, Suite 2800
Atlanta, GA 30309

Dated: December 20, 2017

/Scott E. Kamholz/
Scott E. Kamholz, Reg. No. 48,543