UNITED STATES PATENT AND TRADEMARK OFFICE
_____

BEFORE THE PATENT TRIAL AND APPEAL BOARD
_____

MYLAN PHARMACEUTICALS INC.
Petitioner,

v.

COSMO TECHNOLOGIES LIMITED
Patent Owners.
_____

Case IPR2017-01035
U.S. Patent No. 9,320,716

_____

PATENT OWNER'S MOTION TO SEAL AND FOR ENTRY OF A PROTECTIVE ORDER PURSUANT TO 37 C.F.R. § 42.54

Mail Stop: PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. INTRODUCTION

Pursuant to 37 C.F.R. Sections 42.14, 42.54, and 42.55, Patent Owner

Cosmo Technologies Limited ("Patent Owner") hereby moves for entry of the

Protective Order attached below as Addendum A and further moves to seal the

Patent Owner Preliminary Response and an exhibit submitted with its Patent

Owner Preliminary Response as described herein. Petitioner Mylan

Pharmaceuticals Inc. ("Mylan") has advised Patent Owner that it does not oppose

the motion for entry of the Protective Order attached as Addendum A.

II. GOOD CAUSE EXISTS FOR ENTRY OF A PROTECTIVE ORDER.

Patent Owner and Mylan conferred regarding the entry of a protective order

in this case. The parties agreed to adopt the Board's default protective order. *See*

Office Patent Trial Practice Guide, 77 Fed. Reg. 48756-01 at 48771 (Aug. 14,

2012). Addendum A, attached to this motion, incorporates the terms of the Board's

default protective order. Accordingly, Patent Owner moves for entry of the

Protective Order attached below as Addendum A. Patent Owner agrees to abide by

the terms of the Protective Order.

III. GOOD CAUSE EXISTS TO SEAL THE PATENT OWNER RESPONSE AND THE TRIAL TRANSCRIPT.

Pursuant to the protective order and 37 C.F.R. Sections 42.54 and 42.55,

Patent Owner moves to seal (i) the Patent Owner Preliminary Response and (ii)

excerpts from the trial transcript in *Cosmo Techs. Ltd. v. Actavis Labs. FL*, No. 15-

IPR2017-01035

164-LPS (D. Del. May 23, 2017) (the "Transcript"). Patent Owner has also concurrently filed a redacted version of the Patent Owner Preliminary Response. Patent Owner has served Mylan with the Transcript and both the redacted and unredacted versions of the Patent Owner Preliminary Response.

"Good cause" exists to seal the Transcript because it is not available on the public docket. Furthermore, good cause exists to seal the unredacted Patent Owner Preliminary Response because that document quotes the Transcript.

IV.   CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that the Board grant this motion to seal and for entry of a protective order.

<div align="right">Respectfully submitted,</div>

Dated: June 22, 2017

By: */s/ Gary N. Frischling*
Gary N. Frischling, Reg. No. 35,515
Yite John Lu, Reg. No. 63,158
IRELL & MANELLA LLP

Attorneys for Patent Owner
Cosmo Technologies Limited

IPR2017-01035

ADDENDUM A

STIPULATED PROTECTIVE ORDER

This standing protective order governs the treatment and filing of confidential information, including documents and testimony.

1. Confidential information shall be clearly marked "PROTECTIVE ORDER MATERIAL."

2. Access to confidential information is limited to the following individuals who have executed the acknowledgment appended to this order:

(A) Parties. Persons who are owners of a patent involved in the proceeding and other persons who are named parties to the proceeding.

(B) Party Representatives. Representatives of record for a party in the proceeding.

(C) Experts. Retained experts of a party in the proceeding who further certify in the Acknowledgement that they are not a competitor to any party, or a consultant for, or employed by, such a competitor with respect to the subject matter of the proceeding.

(D) In-house counsel. In-house counsel of a party.

(E) Other Employees of a Party. Employees, consultants or other persons performing work for a party, other than in-house counsel and in-house counsel's support staff, who sign the Acknowledgement shall be

IPR2017-01035

extended access to confidential information only upon agreement of the parties or by order of the Board upon a motion brought by the party seeking to disclose confidential information to that person. The party opposing disclosure to that person shall have the burden of proving that such person should be restricted from access to confidential information.

(F) The Office. Employees and representatives of the Office who have a need for access to the confidential information shall have such access without the requirement to sign an Acknowledgement. Such employees and representatives shall include the Director, members of the Board and their clerical staff, other support personnel, court reporters, and other persons acting on behalf of the Office.

(G) Support Personnel. Administrative assistants, clerical staff, court reporters and other support personnel of the foregoing persons who are reasonably necessary to assist those persons in the proceeding shall not be required to sign an Acknowledgement, but shall be informed of the terms and requirements of the Protective Order by the person they are supporting who receives confidential information.

3. Persons receiving confidential information shall use reasonable efforts to maintain the confidentiality of the information, including:

DOCKET ALARM

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts

Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research

With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips

Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming inter-face) to developers that want to integrate case filings into their apps.

LAW FIRMS
Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS
Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS
Sync your system to PACER to automate legal marketing.

fastcase
Smarter legal research.