

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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MYLAN PHARMACEUTICALS INC.,  
Petitioner,

v.

COSMO TECHNOLOGIES LIMITED,  
Patent Owner.

U.S. Patent No. 9,320,716

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*Inter Partes* Review No.: IPR2017-01035

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**JOINT REQUEST TO TREAT AGREEMENT AS BUSINESS**  
**CONFIDENTIAL UNDER 35 U.S.C. § 317 (B) AND 37 C.F.R. § 42.74(C)**

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Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner Mylan Pharmaceuticals, Inc. (“Petitioner”) and Patent Owner Cosmo Technologies Limited (“Patent Owner”), collectively the “Parties,” hereby jointly request that a true copy of the settlement agreement, filed concurrently herewith as Exhibit 2037 be treated as business confidential information and be kept separate from the file of IPR2017-01035 involving U.S. Patent 9,320,716. Exhibit 2037 is being submitted in the PRPS system as “Parties and Board Only.” As the Parties consider the settlement agreement to be business confidential information that would substantially harm their business interests if publicly disclosed, the Parties jointly request that this settlement agreement shall only be available pursuant to the conditions of 37 C.F.R. § 42.74(c)(1)-(2). The parties further jointly request that the Board further order that in the event a person or entity makes a written request, as stated in 37 C.F.R. § 42.74(c)(1)-(2), for access to the settlement agreement, that any such written request be served upon the parties on the day the written request is provided to the Board.

Dated: November 15, 2017

Respectfully submitted,

/s/ Gary Frischling

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Case No. IPR2017-01034

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on November 15, 2017, a copy of the foregoing document was served upon the following, by email to:

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Case No. JPB2017-01024