

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PFIZER, INC. and
SAMSUNG BIOEPIS CO., LTD.,
Petitioners,

v.

GENENTECH, INC.,
Patent Owner.

Case IPR2017-01488
Patent 6,407,213 B1¹

Before SHERIDAN K. SNEDDEN, ZHENYU YANG, and
ROBERT A. POLLOCK, *Administrative Patent Judges*.

POLLOCK, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Renewed Motion to Seal

37 C.F.R. § 42.55

¹ IPR2017-02139 has been joined to this case.

In our Final Written Decision, we denied Petitioner’s motion to exclude Exhibits 2001–2005 without prejudice to Patent Owner, and invited Patent Owner to file or renew its motions to seal “any presently redacted or otherwise confidential portions of Exhibits 1198, 1199, 1200, 1201, 1202, 2001–2018, Paper 44, and Paper 67 not directly or indirectly relied on” in our Decision. Paper 87, 66–67. In response, Patent Owner now seeks to seal selected portions of Exhibits 2001, 2002, 2005, and 2006, in accord with the redacted versions of those exhibits submitted with its motion. *See* Paper 88, and supporting exhibits submitted December 13, 2018.

The subject exhibits are laboratory notebooks authored by Dr. Leonard Presta (Exhibits 2001, 2002), and Mr. John Ridgeway Brady (Exhibits 2005, 2006). Patent Owner attests that “the materials sought to be protected [are] not directly or indirectly relied on in the Board’s Final Written Decision,” and that “the only information that Patent Owner is seeking to redact in Exhibits 2001, 2002, 2005, and 2006 are the details of confidential experiments unrelated to the issues in this proceeding.” Paper 88, 4–5. Patent Owner further avers that Petitioners do not oppose the requested relief. *Id.* at 6.

Having considered Patent Owner’s arguments for sealing selected portions of Exhibits 2001, 2002, 2005, and 2006, we determine that Patent Owner has demonstrated good cause for its request. *See* 37 C.F.R. § 42.54(a).

ORDER

In consideration of the foregoing, it is:

ORDERED that Patent Owner’s motion to exclude selected portions of Exhibits 2001, 2002, 2005, and 2006 is granted;

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FURTHER ORDERED that the originally-filed versions of Exhibits 2001, 2002, 2005, and 2006 shall be expunged such that the redacted versions of Exhibits 2001, 2002, 2005, and 2006, submitted December 13, 2018, shall serve as record in these proceedings.

PETITIONER:

Amanda Hollis
Stefan M. Miller
Micah Rappazzo
Mark C. McLennan
Christopher J. Citro
Benjamin A. Lasky
KIRKLAND & ELLIS LLP
amanda.hollis@kirkland.com
stefan.miller@kirkland.com
micah.rappazzo@kirkland.com
mark.mclennan@kirkland.com
christopher.citro@kirkland.com
benjamin.lasky@kirkland.com

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PATENT OWNER:

David L. Cavanaugh
Owen Allen
Adam Brausa
Robert J. Gunther, Jr.
Lisa J. Pirozzolo
Kevin S. Prussia
Andrew J. Danford
Lauren Blakely

WILMER CUTLER PICKERING HALE AND DORR LLP

david.cavanaugh@wilmerhale.com

owen.allen@wilmerhale.com

abrausa@durietangri.com

Robert.Gunther@wilmerhale.com

Lisa.Pirozzolo@wilmerhale.com

Kevin.Prussia@wilmerhale.com

Andrew.Danford@wilmerhale.com

lauren.blakely@wilmerhale.com

Adam R. Brausa

Daralyn J. Durie

DURIE TANGRI LLP

abrausa@durietangri.com

DDurie@durientangri.com