

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,

Petitioner,

v.

**BRISTOL-MYERS SQUIBB COMPANY and
PFIZER INC.,**

Patent Owners.

Case IPR2018-00892

Patent No. 9,326,945

**JOINT REQUEST THAT SETTLEMENT AGREEMENTS BE TREATED
AS BUSINESS CONFIDENTIAL INFORMATION AND BE KEPT
SEPARATE PURSUANT TO 35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74**

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner Mylan Pharmaceuticals Inc. (“Mylan” or “Petitioner”) and Patent Owners Bristol-Myers Squibb Company (“BMS”) and Pfizer Inc. (“Pfizer” and, collectively with BMS “Patent Owners”) jointly request that the Settlement Agreements between the parties (Exs. 1047, 1048) filed concurrently herewith, as referenced in the Joint Motion to Terminate Proceeding, (a) be treated as business confidential information, (b) be kept separate from the file of the involved patent, and (c) be made available only as permitted pursuant to the provisions of 37 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

January 9, 2019

Respectfully submitted,

By: /Robert L. Florence/
Robert L. Florence
Reg. No. 54,933
PARKER POE ADAMS & BERNSTEIN
LLP
1180 Peachtree Street, N.E.
Suite 3300
Atlanta, GA 30309
robertflorence@parkerpoe.com
Tel: (678) 690-5701

*Counsel for Petitioner Mylan
Pharmaceuticals Inc.*

January 9, 2019

Respectfully submitted,

By: /Heather M. Petruzzi/

Heather M. Petruzzi

Reg. No. 71,270

WILMER CUTLER PICKERING

HALE AND DORR LLP

1875 Pennsylvania Avenue, NW

Washington, DC 20006

Heather.Petruzzi@wilmerhale.com

Tel: (202) 663-6028

Fax: (202) 663-6363

*Counsel for Patent Owners Bristol-
Myers Squibb Co. & Pfizer Inc.*

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on January 9, 2019, the foregoing document is being served by E-mail by agreement of the parties to the following counsel of record for the Patent Owners:

Heather M. Petruzzi

Michael E. Nelson

Amy K. Wigmore

Wilmer Cutler Pickering Hale and Dorr LLP

1875 Pennsylvania Ave, NW

Washington, DC 20006

E-mail: Heather.Petruzzi@wilmerhale.com

E-mail: Michael.Nelson@wilmerhale.com

E-mail: Amy.Wigmore@wilmerhale.com

Timothy A. Cook

Kevin M. Yurkerwich

Kevin S. Prussia

Wilmer Cutler Pickering Hale and Dorr LLP

60 State Street

Boston, MA 02109

E-mail: Tim.Cook@wilmerhale.com

E-mail: Kevin.Yurkerwich@wilmerhale.com

E-mail: Kevin.Prussia@wilmerhale.com

Jason M. Okun

Fitzpatrick, Cella, Harper & Scinto

1290 Avenue of the Americas

New York, NY 10104-3800

E-mail: JOkun@fchs.com

January 9, 2019

Respectfully submitted,

By: /Robert L. Florence/

Robert L. Florence

Reg. No. 54,933

PARKER POE ADAMS & BERNSTEIN
LLP

1180 Peachtree Street, N.E.

Suite 3300

Atlanta, GA 30309

robertflorence@parkerpoe.com

Tel: (678) 690-5701

*Counsel for Petitioner Mylan
Pharmaceuticals Inc.*