

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

BIOCON BIOLOGICS INC.,  
Petitioner,

v.

REGENERON PHARMACEUTICALS, INC.,  
Patent Owner.

---

IPR2024-00298  
Patent 11,253,572 B2

---

Before SUSAN L. C. MITCHELL, ROBERT A. POLLOCK, and  
RYAN H. FLAX, *Administrative Patent Judges*.

FLAX, *Administrative Patent Judge*.

ORDER  
Conduct of the Proceeding Documenting Conference Call  
*37 C.F.R. § 42.5(a)*

IPR2024-00298  
Patent 11,253,572 B2

This Order commemorates a conference call held on January 26, 2024, between the Panel, and counsel for Celltrion, Inc. (“Celltrion”), Biocon Biologics Inc. (“Biocon”), Samsung Bioepis Co., Ltd. (“Samsung”), and Regeneron Pharmaceuticals, Inc. (“Regeneron”), as no court reporter was provided for the call and no other recording of the call was made. Biocon is the petitioner in this proceeding. Celltrion is the petitioner in related IPR2024-00260. Samsung is the petitioner in related IPR2023-00884. Finally, Regeneron is the owner of U.S. Patent 11,253,572 B2, which is the challenged patent in each proceeding.

The purpose of the conference call was to discuss the pending motions for joinder in the above-referenced proceedings directed to and requesting joinder with IPR2023-00884. The Panel noted during the conference call that the deadline for Regeneron opposing these motions has passed. The Panel further noted that Regeneron’s preliminary responses for IPR2024-00260 and IPR2024-00298 are due on March 28 and 29, 2024, respectively. Upon inquiry, neither point was disputed by the parties.

The Panel inquired of Regeneron about its intentions with respect to the aforementioned motions for joinder and for filing a preliminary response in either of IPR2024-00260 and IPR2024-00298. To this, Regeneron indicated that it did not oppose either motion for joinder and that it does not intend and waives its right to file a preliminary response in either proceeding, for the sake of efficiency. In response, the Panel indicated that it would proceed in due course to grant institution of trial in IPR2024-00260 and IPR2024-00298, and grant the respective motions for joinder of those proceedings with IPR2023-00884. Upon inquiry by the Panel, no objection from any party was heard.

IPR2024-00298  
Patent 11,253,572 B2

Also discussed during the conference call was the status of what has been identified as a related matter, that is, *Regeneron Pharmaceuticals, Inc. v. Mylan Pharmaceuticals Inc.*, No. 1:22-cv-00061-TSK (N.D. W. Va.). The parties informed the Panel that a decision has been entered by the District Court in this bench trial and the parties await a public version of that decision, which will be entered of record in these *inter partes* review proceedings.

In consideration of the above it is:

ORDERED that this paper will be entered in the record as a summary of the January 26, 2024, conference call between the Panel and the parties of this proceeding and of IPR2023-00884 and IPR2024-00260; and

FURTHER ORDERED that the Panel will proceed with action in this proceeding as indicated above, in due course.

IPR2024-00298  
Patent 11,253,572 B2

FOR PETITIONER

Paul Molino  
Jeffrey Marx  
Neil McLaughlin  
Steven Birkos  
Deanne Mazzochi  
Thomas Ehrich  
RAKOCZY MOLINO MAZZOCHI SIWIK LLP  
paul@rmmslegal.com  
jmarx@rmmslegal.com  
nmclaughlin@rmmslegal.com  
sbirkos@rmmslegal.com  
dmazzochi@rmmslegal.com  
tehrich@rmmslegal.com

FOR PATENT OWNER

Adam Brausa  
Rebecca Weires  
MORRISON & FOERSTER LLP  
abrausa@mofocom  
rweires@mofocom