

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APOTEX INC.,  
Petitioner

v.

NOVO NORDISK A/S,  
Patent Owner

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Case IPR2024-00631  
Patent 10,335,462

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**PATENT OWNER'S MOTION TO SEAL**

## **I. Introduction**

Pursuant to the default protective order and 37 C.F.R. §§ 42.14, 42.54, and 42.55, Patent Owner Novo Nordisk A/S (“Novo”) hereby moves to seal its Reply to Petitioner’s Reply to Patent Owner’s Preliminary Response (the “Reply”).

Petitioner Apotex Inc. (“Apotex”) has advised Novo that Apotex does not oppose this motion to seal.

## **II. Good Cause Exists to Seal the Reply**

Pursuant to the default protective order (filed by Apotex at Appendix A of Paper 3) and 37 C.F.R. §§ 42.14, 42.54 and 42.55, Novo moves to seal its Reply submitted concurrently with this motion.

Based on Apotex’s representations, “good cause” exists to seal the Reply because it includes material that Apotex has represented is non-public business information. *See Celltrion, Inc. v. Genentech, Inc.*, IPR2016-01667, Pap.31, 4 (July 23, 2018); *Greene’s Energy Grp., LLC v. Oil States Energy Servs., LLC*, IPR2014-00216, Pap.27, 5 (Sept. 23, 2014); 37 C.F.R. § 42.54. Specifically, portions of the Reply contain information that Apotex has designated confidential in Apotex’s Third Motion to Seal and Apotex’s Motion to Seal and for Entry of a Protective Order Pursuant to 37 C.F.R. § 42.54. Petitioner has stated that this information, if “publicly disclosed[,] would likely cause competitive business harm to Apotex.” Paper 19 at 2.

Novo has filed and served on Apotex an unredacted, nonpublic version of the corresponding Reply with this motion. Novo will coordinate with Apotex with respect to the filing of a redacted version of the Reply once Apotex has the opportunity to identify any redactions Apotex believes are necessary.

### **III. Conclusion**

For the foregoing reasons, Novo respectfully requests that the Board grant this motion to seal.

Respectfully submitted by:

Dated: July 15, 2024

*/Megan Raymond/*

J. Steven Baughman (Reg. No. 47,414)

Megan Raymond (Reg. No. 72,997)

Michael Milea (Reg. No. 71, 863)

Joshua Reich (Reg. No. 75,338)

*Attorneys For Patent Owner*

*Novo Nordisk A/S*

**CERTIFICATE OF PAGE COUNT**

The undersigned certifies that the foregoing PATENT OWNER'S MOTION TO SEAL complies with the 15-page limitation in 37 C.F.R. §42.24(a)(1)(v).

Dated: July 15, 2024

Respectfully Submitted,

By: /Megan Raymond/  
Megan Raymond (Reg. No. 72,997)  
GROOMBRIDGE, WU, BAUGHMAN &  
STONE LLP  
801 17<sup>th</sup> Street, NW, Suite 1050  
Washington, DC, 20006  
P: (202)-505-5878  
[megan.raymond@groombridgewu.com](mailto:megan.raymond@groombridgewu.com)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of **PATENT OWNER'S MOTION TO SEAL** has been served in its entirety by causing the aforementioned document to be electronically mailed to the following attorneys of record for the Petitioner listed below:

John J. Molenda  
Lawrence Kass  
Kyler Doh  
Michael I. Green  
Semaglutide@Steptoe.com

Dated: July 15, 2024

Respectfully submitted,

By: /Sayem Osman/  
Sayem Osman