

U.S. Patent No. 8,859,623
Petitioner's Motion to Seal

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Altaire Pharmaceuticals, Inc.

Petitioner

v.

Paragon BioTeck, Inc.

Patent Owner

U.S. Patent No. 8,859,623
Issue Date: October 14, 2014
Entitled: METHODS AND COMPOSITIONS OF STABLE PHENYLEPHRINE
FORMULATIONS

Post-Grant Review No.: PGR2015-00011

PETITIONER'S MOTION TO SEAL

I. STATEMENT OF RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.14 and the previously submitted Protective Order (Exh. 2012), Altaire Pharmaceuticals, Inc. ("Petitioner") respectfully moves to seal its Reply to Patent Owner's Preliminary Statement ("Petitioner's Reply") and its supporting declaration Exhibit 1022. As detailed below, Petitioner's Reply and the supporting declaration contain information that Paragon BioTeck, Inc. ("Paragon" or "Patent Owner") considers highly confidential and extremely sensitive and does not wish made publicly available.

II. PARAGON ASSERTS GOOD CAUSE EXISTS FOR SEALING INFORMATION

Petitioner seeks to file its Reply and supporting declaration under seal solely out of caution. As asserted in its Motion to Seal filed August 24, 2015, Paragon asserts this information is not publicly available, and that disclosure of this information would significantly harm Paragon. *See* Patent Owner's Motion to Seal and Motion for entry of Protective Order Pursuant to 37. C.F.R. § 42.14 and § 42.54, PGR2015-00011, Paper 6, 2 (P.T.A.B. 2015).


As such, Petitioner has redacted only the specific information relating to the Agreement that Paragon has previously redacted from Exhibit 2004. *See* Table 1 *infra*.

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Paper No. / Exhibit No.	Title	Portions with Redacted Information
Paper No. 9	Petitioner's Reply	Pg. 5, l. 8 Pg. 9, ll. 12-16
Exhibit 1022	Declaration of Assad Sawaya in Support of Petitioner's Reply	Pg. 1, ll. 14-15 Pg. 2, l. 15 Pg. 3, ll. 7-10

Dated: September 28, 2015

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing PETITIONER'S
MOTION TO SEAL has been served in its entirety this 28th day of September,
2015, by e-mail on:

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