

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALTAIRE PHARMACEUTICALS, INC.,
Petitioner,

v.

PARAGON BIOTECK, INC.,
Patent Owner.

Case PGR2015-00011
Patent 8,859,623 B1

Before SHERIDAN K. SNEDDEN, ZHENYU YANG, and
CHRISTOPHER G. PAULRAJ, *Administrative Patent Judges*.

YANG, *Administrative Patent Judge*.

DECISION

Patent Owner's Motion to Seal and for Entry of Protective Order
37 C.F.R. §§ 42.14, 42.54

Patent Owner filed a Motion to seal Exhibit 2004 and for entry of the default Protective Order (Ex. 2012) set forth in the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48769 (Aug. 14, 2012). Paper 6, 1. Patent Owner's Motion is granted.

Exhibit 2004 is "Paragon's Response to Defendants' Motion to Dismiss or for Transfer of Venue" filed under a protective order in the United States District Court for the District of Oregon in *Paragon BioTeck, Inc. v. Altaire Pharmaceuticals, Inc.*, 3:15-cv-00189. Patent Owner asserts that the document "contains highly confidential and extremely sensitive information related to financial matters concerning Paragon's business that Paragon has not and would not make publicly available." Paper 6, 1. Patent Owner contends that good cause exists for sealing the confidential information. *Id.* at 2–3. Patent Owner has filed a redacted version of Exhibit 2004. *See id.* at 4. Patent Owner also requests entry of the default Protective Order set forth in the Office Patent Trial Practice Guide. *Id.* at 5.

Upon considering the content of Exhibit 2004, along with Patent Owner's representations as to the confidentiality of the information, we determine that Patent Owner has shown good cause for sealing the redacted portions of Exhibit 2004.

Accordingly, it is

ORDERED that Patent Owner's Motion to Seal is GRANTED;

FURTHER ORDERED that the default Protective Order (Exhibit 2012) is hereby entered; and

FURTHER ORDERED that this Protective Order shall govern the conduct of the proceeding unless otherwise modified.

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PETITIONER:

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