

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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PAR PHARMACEUTICAL, INC.,  
*Petitioner*

v.

SUMITOMO DAINIPPON PHARMA CO., LTD.,  
*Patent Owner*

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Case IPR2017-01292  
U.S. Patent No. 9,555,027

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

IPR2017-01292

U.S. Patent No. 9,555,027

Pursuant to 35 U.S.C. § 317, 37 C.F.R. § 42.74, and the Board’s e-mail of July 27, 2017, Petitioner Par Pharmaceutical, Inc. (“Par”) and Patent Owner Sumitomo Dainippon Pharma Co., Ltd. (“Sumitomo”) jointly request that the parties’ agreement (Exhibit 2002)<sup>1</sup> be treated as business confidential information and kept separate (i.e. under seal). This request is filed concurrently with the parties’ joint motion to terminate this proceeding.

“At the request of a party to the proceeding, the agreement or understanding shall be treated as business confidential information, shall be kept separate from the file of the involved patents, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.” 35 U.S.C. § 317(b); *see also* 37 C.F.R. § 42.74(c).

The parties hereby request that their agreement (Ex. 2002) be treated as business confidential information, be kept separate from the file of patent (e.g., not accessible via PAIR or E2E), and be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

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<sup>1</sup> This agreement was filed via E2E for “Parties and Board Only” to preserve confidentiality.

IPR2017-01292  
U.S. Patent No. 9,555,027  
Date: August 1, 2017

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Lead Counsel for Patent Owner  
Sumitomo Dainippon Pharma Co., Ltd.

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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 1st day of August, 2017, a copy of **Joint Request That Agreement Be Treated As Business Confidential Information And Kept Separate Pursuant To 35 U.S.C. § 317 And 37 C.F.R. § 42.74** was served by electronic mail on Petitioner's lead and backup counsel at the following email addresses:

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