

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TARO PHARMACEUTICALS U.S.A., INC.,
Petitioner,

v.

APOTEX TECHNOLOGIES, INC.,
Patent Owner.

Case IPR2017-01446
Patent 7,049,328 B2

Before JEFFREY N. FREDMAN, ZHENYU YANG, and
MICHELLE N. ANKENBRAND, *Administrative Patent Judges*.

FREDMAN, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motion to Expunge
37 C.F.R. § 42.5

On December 12, 2018, Patent Owner filed a Motion to Expunge Confidential Information ("Motion"). Paper 66. Specifically, Patent Owner requests expungement of Exhibits 1037–1043 and 1047–1049, all filed under seal. *Id.* at 1. Patent Owner represents that Petitioner does not oppose the Motion. *Id.* at 1 n.1.

IPR2017-01446
Patent 7,049,328 B2

On August 6, 2018, pursuant to 35 U.S.C. § 317(a), the parties filed a Joint Motion to Terminate this proceeding. Paper 61. In light of the parties' settlement, we entered an order terminating the proceeding. Paper 65. We did not rely on any information in the aforementioned exhibits to dispose of any issues in this proceeding. Our review of these exhibits indicates that they do contain nonpublic information.

Based on the record before us, the need to protect the confidential information in Exhibits 1037–1043 and 1047–1049 outweighs the public interest in unsealing those exhibits. Accordingly, it is appropriate to expunge the exhibits from the record.

It is:

ORDERED that Exhibits 1037–1043 and 1047–1049 be expunged from the record.

IPR2017-01446
Patent 7,049,328 B2

PETITIONER:

Huiya Wu
Sara Fink
GOODWIN PROCTER LLP
hwu@goodwinlaw.com
sfink@goodwinlaw.com

PTENT OWNER:

W. Blake Coblenz
Aaron S. Lukas
COZEN O'CONNOR
WCoblenz@cozen.com
ALukas@cozen.com