

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COHERUS BIOSCIENCES, INC.,
Petitioner

v.

HOFFMANN-LAROCHE INC.,
Patent Owner

Case IPR2017-01916 (Patent 8,163,522 B1)
Case IPR2017-02066 (Patent 8,063,182 B1)

Before SUSAN L. C. MITCHELL, TINA E. HULSE, and
WESLEY B. DERRICK, *Administrative Patent Judges*.

MITCHELL, *Administrative Patent Judge*.

DECISION
Patent Owner's Motions to Expunge Confidential Information
37 C.F.R. § 42.56

IPR2017-01916 (Patent 8,163,522 B1)

IPR2017-02066 (Patent 8,063,182 B1)

In each of the above-referenced cases, IPR2017-01916 and IPR2017-02066, Patent Owner Hoffman-La Roche, Inc. (“Patent Owner”) filed Motions to Seal under 37 C.F.R. §§ 42.14 and 42.54, Exhibits 2083 and 2097 that Patent Owner represented contain certain proprietary information from a third party. *See* IPR2017-02066, Paper 12, 1 (citing Paper 8).¹ Petitioner did not file any opposition. As Patent Owner notes, we dismissed Patent Owner’s Motions to Seal as moot because we did not rely on Exhibits 2083 or 2097 in our decisions denying institution, and authorized Patent Owner to file motions to expunge these exhibits. Paper 12, 1 (citing Paper 11, 20). Patent Owner also notes that Exhibits 2111 and 2112, which are redacted versions of Exhibits 2083 and 2097, respectively, are not subject to its Motions to Expunge and will remain a part of the public record of the above-referenced cases. Paper 12, 2. Patent Owner requests that we expunge Exhibits 2083 and 2097 in their entirety. *Id.*

After considering the Motions to Expunge in each of the above referenced cases, in view of our lack of reliance on Exhibits 2083 and 2097 in our decisions denying institution and the fact that redacted versions of each of Exhibits 2083 and 2097 remains in the public record, we grant Patent Owner’s Motions to Expunge.

¹ Because Patent Owner filed nearly identical Motions to Expunge Exhibits 2083 and 2097 in each of the above-referenced cases, we will treat both Motions in this single decision, discussing IPR2017-02066 as representative and referring to the papers and exhibits in IPR2017-02066 in this decision.

IPR2017-01916 (Patent 8,163,522 B1)

IPR2017-02066 (Patent 8,063,182 B1)

IV. ORDER

Accordingly, it is hereby:

ORDERED that Patent Owner's Motions to Expunge in IPR2017-01916 and IPR2017-02066 are *granted*;

FURTHER ORDERED that Exhibits 2083 and 2097 be expunged from the record in each of IPR2017-01916 and IPR2017-02066.

IPR2017-01916 (Patent 8,163,522 B1)

IPR2017-02066 (Patent 8,063,182 B1)

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