

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC., DR REDDY'S LABORATORIES,
INC., DR. REDDY'S LABORATORIES, LTD., SUN PHARMACEUTICAL
INDUSTRIES LTD., AND SUN PHARMACEUTICAL INDUSTRIES, INC.,
Petitioners,

v.

NOVO NORDISK A/S,
Patent Owner

Case IPR2023-00724
Patent 10,335,462

NOVO NORDISK A/S'S MOTION TO SEAL

I. Introduction

Pursuant to 37 C.F.R. Section 42.14, Patent Owner Novo Nordisk A/S (“Novo”) hereby moves to seal its Patent Owner Oral Hearing Demonstratives and Patent Owner’s Submission of Unresolved Objections to Petitioner’s Demonstratives as described herein. Petitioner Mylan Pharmaceuticals Inc. (“Mylan”) has advised Novo that Mylan does not oppose this motion to seal certain documents.

II. Good Cause Exists to Seal Patent Owner Oral Hearing Demonstratives and Patent Owner’s Submission of Unresolved Objections to Petitioner’s Demonstratives

Pursuant to the stipulated protective order, 37 C.F.R. Section 42.14, and the Board’s August 26, 2024 Order (Pap.88, 3), Novo moves to seal (i) its Patent Owner Oral Hearing Demonstratives; and (ii) Patent Owner’s Submission of Unresolved Objections to Petitioner’s Demonstratives.

Novo has filed redacted versions of its Patent Owner Oral Hearing Demonstratives and Patent Owner’s Submission of Unresolved Objections to Petitioner’s Demonstratives. Novo has served Mylan with both confidential and redacted versions of the Patent Owner Oral Hearing Demonstratives and Patent Owner’s Submission of Unresolved Objections to Petitioner’s Demonstratives.

As the Board found in similar cases, “good cause” exists to seal Novo’s Patent Owner Oral Hearing Demonstratives and Patent Owner’s Submission of

Unresolved Objections to Petitioner's Demonstratives because they include Novo's non-public business information, including information contained in Patent Owner's Response, Petitioner's Reply, Patent Owner's Sur-Reply, EX1308, EX1311, EX1312, EX2022, EX2024, EX2025, EX2026, EX2027, EX2028, EX2029, EX2030, EX2032, EX2033, EX2036, EX2046, EX2047, EX2050, EX2051, EX2300, EX2301, EX2306, EX2308, EX2314, EX2315, EX2322, EX2323, EX2327, EX2328, EX2331, EX2334, EX2555, and EX2558. *Celltrion, Inc. v. Genentech, Inc.*, IPR2016-01667, Pap.31, 4 (July 23, 2018); *Greene's Energy Grp., LLC v. Oil States Energy Servs., LLC*, IPR2014-00216, Pap.27, 5 (Sept. 23, 2014); 37 C.F.R. § 42.54. The confidential information contained in Patent Owner's Oral Hearing Demonstratives and Patent Owner's Submission of Unresolved Objections to Petitioner's Demonstratives contains non-public research and development information in the form of proprietary clinical and scientific data concerning semaglutide, confidential information about drug development and regulatory approval strategies, and confidential business information, including proprietary financial information and marketing strategies. The confidential information contained in Patent Owner's Oral Hearing Demonstratives also includes confidential information in the form of third-party proprietary business and financial information provided to Novo Nordisk contingent upon and subject to confidentiality restrictions and the sealing of this information under the terms of

the PTAB's default protective order. The confidential information contained in Patent Owner's Oral Hearing Demonstratives and Patent Owner's Submission of Unresolved Objections to Petitioner's Demonstratives is subject to prior motions to seal. EX2052, ¶¶ 3-4 (Jiang Decl.); Pap.28 (motion to seal including, *inter alia*, EX2022, EX2024, EX2025, EX2026, EX2027, EX2028, EX2029, EX2030, EX2032, EX2033, EX2036, EX2046, EX2047, EX2050, EX2051, EX2300, EX2301, EX2306, EX2308, EX2314, EX2315, EX2322, EX2323, EX2327, EX2328, EX2331, EX2334, and Patent Owner's Response); Pap.51, 1-2 (motion to seal including, *inter alia*, EX1308, EX1311, EX1312, and Petitioner's Reply); Pap.72, 1-2 (motion to seal including, *inter alia*, EX2555, EX2558, and Patent Owner's Sur-Reply).

III. Conclusion

For the foregoing reasons, Novo respectfully requests that the Board grant this motion to seal.

Respectfully submitted by:

Dated: September 4, 2024

/Megan Raymond/

Megan Raymond (Reg. No. 72,997)
GROOMBRIDGE, WU, BAUGHMAN
& STONE LLP
801 17th Street NW, Suite 1050
Washington, DC 20006
P: (202) 505-5878

megan.raymond@groombridgewu.com

J. Steven Baughman (Reg. No. 47,414)
GROOMBRIDGE, WU, BAUGHMAN
& STONE LLP

801 17th Street NW, Suite 1050

Washington, DC 20006

P: (202) 505-5832

steve.baughman@groombridgewu.com

Jenny C. Wu (*pro hac vice*)
GROOMBRIDGE, WU, BAUGHMAN
& STONE LLP

565 5th Avenue, Suite 2900

New York, NY 10017

P: (332) 269-0038

jenny.wu@groombridgewu.com

Michael Milea (Reg. No. 71,863)
GROOMBRIDGE, WU, BAUGHMAN
& STONE LLP

565 5th Avenue, Suite 2900

New York, NY 10017

P: (332) 269-0029

mike.milea@groombridgewu.com

Philip S. May (*pro hac vice*)
GROOMBRIDGE, WU, BAUGHMAN
& STONE LLP

801 17th Street NW, Suite 1050

Washington, DC 20006

P: (202) 539-6620

philip.may@groombridgewu.com

Joshua Reich (Reg. No. 75,338)
GROOMBRIDGE, WU, BAUGHMAN
& STONE LLP

565 5th Avenue, Suite 2900
New York, NY 10017
P: (332) 269-0024
joshua.reich@groombridgewu.com

Attorneys for Novo Nordisk A/S

CERTIFICATE OF PAGE COUNT

The undersigned certifies that the foregoing NOVO NORDISK A/S'S
MOTION TO SEAL complies with the 15-page limitation in 37 C.F.R.
§42.24(a)(1)(v).

Dated: September 4, 2024

Respectfully Submitted,

By: /Megan Raymond/
Megan Raymond (Reg. No. 72,997)
GROOMBRIDGE, WU, BAUGHMAN &
STONE LLP
801 17th Street, NW, Suite 1050
Washington, DC, 20006
P: (202)-505-5878
megan.raymond@groombridgewu.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of **NOVO NORDISK A/S'S MOTION TO SEAL** has been served in its entirety by causing the aforementioned document to be electronically mailed to the following attorneys of record for the Petitioner listed below:

Petitioner's Counsel of Record:

Lead Counsel:	Brandon M. White Reg. No. 52,354 White-ptab@perkinscoie.com Perkins Coie LLP 700 13th Street, NW Washington, DC 20005 Telephone: (202) 654-6200 By Electronic Mail
Backup Counsel:	Emily J. Greb Reg. No. 68,244 Greb-ptab@perkinscoie.com Perkins Coie LLP 33 East Main Street Madison, WI 53703 Telephone: (608) 663-7460 Courtney Prochnow, PhD Reg. No. 67,639 Prochnow-ptab@perkinscoie.com Perkins Coie LLP 633 W. 5th St., Ste 5850 Los Angeles, CA 90071 Telephone: (310) 788-9900 Christopher D. Jones Reg. No. 76,472

	Jones-ptab@perkinscoie.com Perkins Coie LLP 700 13th Street, NW Washington, DC 20005 Telephone: (202) 654-6200 Jonathan I. Tietz, PhD Reg. No. 76,753 Tietz-ptab@perkinscoie.com Perkins Coie LLP 700 13th Street, NW Washington, DC 20005 Telephone: (202) 654-6200 Matthew A. Lembo Reg. No. 75,633 Lembo-ptab@perkinscoie.com Perkins Coie LLP 1155 Avenue of the Americas Floor 22 New York, NY 10036 Telephone: (212) 262-6900 Shannon M. Bloodworth SBloodworth@perkinscoie.com Perkins Coie LLP 700 13th Street, NW Washington, DC 20005 Telephone: (202) 654-6200 David L. Anstaett DAnstaett@perkinscoie.com Perkins Coie LLP 33 East Main Street Madison, WI 53703 Telephone: (608) 663-7460 Bryan D. Beel BBeel@perkinscoie.com
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	Perkins Coie LLP 1120 NW Couch St. Portland, OR 97209 Telephone: (503) 727-2000 Nathan Kelley Kelley_nathan-ptab@perkinscoie.com Perkins Coie LLP 700 13th Street, NW Washington, DC 20005 Telephone: (202) 654-6200 Rodney Swartz Reg. No. 73,343 RSwartz@perkinscoie.com Perkins Coie LLP 1120 NW Couch St. 10th Floor Portland, OR 97209 Telephone: (503) 727-2000 Jessica Kaiser Reg No. 58,937 kaiser-ptab@perkinscoie.com Perkins Coie LLP 1900 Sixteenth St., Suite 1400 Denver, CO 80202-5255 Tel: (303) 291-2300 Semaglutide-Ozempic@perkinscoie.com By Electronic Mail
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Lead Counsel for Dr. Reddy's Laboratories, Inc. and Dr. Reddy's Laboratories. Ltd.:	Jovial Wong Reg. No. 60,115 Winston & Strawn LLP 1901 L Street NW Washington, DC 20036 Telephone: (202) 282-5867 jwong@winston.com By Electronic Mail
Backup Counsel:	Scott Border Reg. No. 77,744 Winston & Strawn LLP 1901 L Street NW Washington, DC 20036 Telephone: (202) 285-5054 sborder@winston.com Sharon Lin McIntosh (<i>pro hac vice</i> to be submitted) Winston & Strawn LLP 1901 L Street NW Washington, DC 20036 Telephone: (202) 285-5756 slin@winston.com By Electronic Mail

Lead Counsel for Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc.:	Brian Sodikoff Katten Munchin Rosenman LLP 525 West Monroe Street Chicago, IL 60661 P: (312) 902-5200 brian.sodikoff@katten.com By Electronic Mail
Backup Counsel:	Christopher B. Ferenc Katten Munchin Rosenman LLP 1919 Pennsylvania Ave., N.W. Suite 800 Washington, DC 20006 P: (202) 625-3500 christopher.ferenc@katten.com By Electronic Mail

Dated: September 4, 2024

Respectfully submitted,

By: /Sayem Osman/
Sayem Osman