

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., SUN PHARMACEUTICAL
INDUSTRIES, INC., AND APOTEX, INC.

Petitioner

v.

NOVO NORDISK A/S,
Patent Owner

Case IPR2023-00724¹
Patent 10,335,462

**PETITIONER APOTEX INC.'S AND PATENT OWNER'S JOINT
REQUEST TO TREAT SETTLEMENT AGREEMENT AS BUSINESS
CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317 AND
TO KEEP SEPARATE**

¹ IPR2024-00009 (Dr. Reddy's Laboratories), IPR2024-00107 (Sun
Pharmaceutical Industries), and IPR2024-00631 (Apotex Inc.) have been joined
with this proceeding.

Pursuant to 35 U.S.C. §317(b) and 37 C.F.R. §42.74(c), Petitioner Apotex Inc. (“Apotex”) and Patent Owner Novo Nordisk A/S (“Novo”) jointly request that a true copy of their Settlement Agreements, filed concurrently as Exhibits 2663, 2664, and 2665, be treated as business confidential information, and be kept separate from the file of IPR2023-00724 involving U.S. Patent No. 10,335,462. Concurrently with this request, Apotex and Novo are filing a joint motion to terminate this *inter partes* review.

Specifically, as Apotex and Novo consider the Settlement Agreements to contain highly sensitive business confidential information that would substantially harm their business interests if publicly disclosed, they hereby jointly request that the Settlement Agreements be kept as separate papers to be made available only as provided in 35 U.S.C. §317(b) and 37 C.F.R. §42.74(c). The Settlement Agreements have been filed for access by the “Board Only” and should not be made accessible to others, including other joined parties. Apotex and Novo further jointly request that the Board order that in the event a person or entity makes a written request, as stated in 37 C.F.R. §42.74(c)(1)-(2), for access to the Settlement Agreements, that any such written request be served upon Apotex and Novo on the day the written request is provided to the Board.

Dated: October 7, 2024

Respectfully submitted by:

/John J. Molenda/

John J. Molenda
Steptoe LLP
1114 Avenue of the Americas
New York, NY
P: (212-506-3900)
jmolenda@steptoe.com

Lawrence Kass
Steptoe LLP
1114 Avenue of the Americas
New York, NY
P: (212-506-3900)
lkass@steptoe.com

Tyler Doh
Steptoe LLP
1114 Avenue of the Americas
New York, NY
P: (212-506-3900)
tdoh@steptoe.com

Michael I. Green
Steptoe LLP
1114 Avenue of the Americas
New York, NY
P: (212-506-3900)
migreen@steptoe.com

Attorneys For Petitioner Apotex Inc.

/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 Patent Owner Novo
Nordisk A/S*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of PETITIONER APOTEX INC.'S AND PATENT OWNER'S JOINT REQUEST TO TREAT SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317 AND TO KEEP SEPARATE has been served in its entirety by causing the aforementioned document to be electronically mailed to the following attorneys of record for Mylan, Dr. Reddy's, Sun, and Apotex 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
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	Perkins Coie LLP 33 East Main Street Madison, WI 53703 Telephone: (608) 663-7460 Bryan D. Beel BBeel@perkinscoie.com 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
Lead Counsel for Apotex Inc.:	John J. Molenda Steptoe LLP 1114 Avenue of the Americas New York, NY P: (212-506-3900) jmolenda@steptoe.com By Electronic Mail

Backup Counsel:	Lawerence Kass Steptoe LLP 1114 Avenue of the Americas New York, NY P: (212-506-3900) lkass@steptoe.com Tyler Doh Steptoe LLP 1114 Avenue of the Americas New York, NY P: (212-506-3900) tdoh@steptoe.com Michael I. Green Steptoe LLP 1114 Avenue of the Americas New York, NY P: (212-506-3900) migreen@steptoe.com Semaglutide@Steptoe.com By Electronic Mail
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Dated: October 7, 2024

Respectfully Submitted,

By: /Sayem Osman/
Sayem Osman