

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG BIOEPIS CO. LTD. and BIOCON BIOLOGICS INC.,
Petitioners,

v.

REGENERON PHARMACEUTICALS, INC.,
Patent Owner.

IPR2023-00739¹
Patent 10,888,601 B2

Before JOHN G. NEW, ROBERT A POLLOCK, and RYAN H. FLAX,
Administrative Patent Judges.

NEW, *Administrative Patent Judge.*

ORDER
Granting Patent Owner's Motion for Entry of Default Protective Order
37 C.F.R. § 42.54

¹ IPR2024-00204 has been joined with IPR2023-00739.

Patent Owner Regeneron Pharmaceuticals Inc. (“Patent Owner”) has filed a Motion (Paper 26) seeking entry of the Default Protective Order of Appendix B of the Consolidated Trial Practice Guide (“Motion” or “Mot.”). Mot. 1. Patent Owner represents that it has conferred with Petitioner, and that Petitioner does not oppose the Motion. *Id.* A copy of the Default Protective Order has been filed as Exhibit 2056. *Id.* Patent Owner represents that good cause for entry of the Default Protective Order exists because Patent Owner intends to submit with its forthcoming Patent Owner’s Response non-public confidential research, development or commercial information that it seeks to maintain as confidential. *Id.*

“[P]rotective orders may be issued for good cause by the Board to protect a party from disclosing confidential information.” USPTO, *Consolidated Trial Practice Guide* (November 2019) at 20 (“CTPG”) (citing 37 C.F.R. § 42.54). “Confidential information” includes “trade secret or other confidential research, development, or commercial information.” *Id.* at 19.

We find that good cause exists to grant Patent Owner’s Motion because Patent Owner intends to submit non-public confidential research, development or commercial information with its forthcoming Patent Owner’s Response that it seeks to protect as confidential. The parties are reminded that the terms of the Default Protective Order will take effect upon the filing of a Motion to Seal by a party, and will remain in place until lifted or modified by the Board. CTPG, App’x B. The parties are also reminded that each paper or exhibit that they intend should be subject to the Default Protective Order should be accompanied by a Motion to Seal.

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In consideration of the foregoing, it is hereby:

ORDERED that the Default Protective Order set forth in Exhibit 2056
is entered as the protective order governing this proceeding.

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