

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

REGENERON PHARMACEUTICALS, INC.,
Patent Owner.

IPR2023-00884¹
Patent 11,253,572 B2

Before SUSAN L. C. MITCHELL, ROBERT A. POLLOCK, and
RYAN H. FLAX, *Administrative Patent Judges*.

FLAX, *Administrative Patent Judge*.

ORDER

*Granting Patent Owner's Unopposed Motion for
Entry of Amended Protective Order
U.S.C. § 316; 37 C.F.R. §§ 42.14, 42.54*

¹ IPR2024-00260 and IPR2024-00298 are joined with IPR2023-00884. *See* Papers 31 and 33.

I. INTRODUCTION

Regeneron (“Patent Owner”) is the owner of U.S. Patent 11,253,572 B2 (Ex. 1001, “the ’572 patent”). Paper 5, 1. On April 27, 2023, Samsung (“Petitioner” or “Samsung”) filed a Petition for *inter partes* review challenging the patentability of claims 1–30 (all claims) of the ’572 patent. Paper 2, 1 (“Pet.”). Trial was instituted on November 17, 2023. Paper 13. Subsequently, on December 14, 2023, Celltrion, Inc. in IPR2024-00260, and on December 18, 2023, Biocon Biologics Inc. in IPR2024-00298, each respectively filed a petition for *inter partes* review also challenging the patentability of claims 1–30 of the ’572 patent, and filed motions for joinder with IPR2023-00884. Papers 31 and 33. The trials were instituted and the motions were granted. *Id.* These joined petitioners each agreed to take a silent, subordinate role to Samsung in the joined proceeding. Paper 31, 12; Paper 33, 13.

On May 10, 2024, Samsung filed an authorized Motion for Additional Discovery (Paper 56 (“Pet. Mot.”)), which we granted (Paper 58). Regeneron then filed the present unopposed Motion for Amended Protective Order (Paper 60, “Motion” or “Mot.”), along with a Proposed Amended Protective Order (Ex. 2245, “Amended Protective Order”). For the reasons below, we *grant* the Motion and *enter* the Amended Protective Order in this proceeding.

Regeneron asserts that certain discovery produced in response to our Order granting additional discovery (Paper 58) is particularly sensitive, including information on the “commercial effects” of market competition and descriptions of its “manufacturing processes.” Mot. 2. Regarding such information, Regeneron asserts an additional tier of review-restriction is

necessary: “Outside Counsel’s Eyes Only.” This is not disputed or opposed by Samsung and Regeneron attests that the parties have agreed on this matter.

We find good cause is shown to modify the existing protective order in the fashion requested by Regeneron and set forth in Exhibit 2245.

37 C.F.R. § 42.54(a). Thus, we *grant* the Motion and *enter* the Amended Protective Order (Ex. 2245), which replaces the prior entered protective order (Ex. 2059).

For the foregoing reasons, it is

ORDERED that Patent Owner’s Motion for entry of the Proposed Amended Protective Order is *granted*; and

FUTHER ORDERED that the Amended Protective Order, i.e., Exhibit 2245, is entered and replaces the prior protective order in this proceeding.

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