

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APOTEX INC.,
Petitioner,

v.

NOVO NORDISK A/S,
Patent Owner.

IPR2024-00631
Patent 10,335,462 B2

Before JOHN G. NEW, SUSAN L. C. MITCHELL, and
ROBERT A. POLLOCK, *Administrative Patent Judges*.

MITCHELL, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

We have instituted *inter partes* review of the Petition and granted Petitioner's Motion for Joinder to IPR2023-00724. Petitioner and Patent Owner have moved to seal papers and exhibits involving Petitioner's explanation concerning why it did not file its Petition and Motion for Joinder within one month of the institution of IPR2023-00724 to which Petitioner sought joinder. We endeavored to limit the references to protected material, but in the discussion of Petitioner's Motion for Joinder, we did refer to material redacted from the public versions of the papers.

Therefore, we have entered the Decision on Institution as a non-public version covering protective order material to afford the parties an opportunity to identify all confidential information to which we have referred. Patent Owner and Petitioner are to file jointly a Notice identifying any protective order material or confidential information mentioned in the Decision on Institution. After the parties' review, we will file a public version of the Decision on Institution.

We remind the parties that documents in a proceeding may be made public. 37 C.F.R. § 42.14. The parties may move to expunge confidential information from the record after final judgment (and appeals, if any). 37 C.F.R. § 42.56.

ORDER

It is

ORDERED that Patent Owner and Petitioner, no later than five business days after the entry of the Decision on Institution, are to file jointly a Notice identifying what, if any, protective order material or confidential information is mentioned in the Decision on Institution for this proceeding; and

FURTHER ORDERED that, if any protective order material or confidential information is identified by the parties as being mentioned in the Decision on

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Institution, Patent Owner and Petitioner are to file jointly a proposed redacted Decision on Institution in their joint Notice.

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