

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AZURITY PHARMACEUTICALS, INC.,
Petitioners,

v.

HELSINN HEALTHCARE S.A.,
Patent Owner.

IPR2025-00945 (Patent 8,623,826 B2)
IPR2025-00946 (Patent 9,186,357 B2)
IPR2025-00947 (Patent 9,186,357 B2)
IPR2025-00948 (Patent 9,943,515 B2)
IPR2025-00949 (Patent 10,828,297 B2)¹

Before MICHAEL J. FITZPATRICK, SHERIDAN K. SNEDDEN, and
RYAN H. FLAX, *Administrative Patent Judges*.

FITZPATRICK, *Administrative Patent Judge*.

TERMINATION
Due to Settlement After Institution of Trial
35 U.S.C. § 317; 37 C.F.R. § 42.74

¹ This Order is being entered in all five proceedings. The parties may not file papers captioned for multiple proceedings unless specifically authorized.

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I. INTRODUCTION

These proceedings were scheduled for a consolidated hearing on September 15, 2026. *See, e.g.*, IPR2025-00945, Paper 33. Prior to the hearing, Patent Owner, Helsinn Healthcare S.A., notified the Board that it and Petitioner, Azurity Pharmaceuticals, Inc., had settled all five proceedings. Ex. 3001 (same exhibit number in all five proceedings). The parties waived the hearing, and we granted authorization to file a joint motion to terminate in each proceeding. *Id.*; Ex. 3002 (same exhibit number in all five proceedings).

Patent Owner filed a Joint Motion to Terminate Inter Partes Review in each proceeding. *See, e.g.*, IPR2025-00945, Paper 36. In support of the Joint Motions, Patent Owner filed a settlement agreement under seal. Ex. 2105 (same exhibit number in all five proceedings). The parties jointly represent that, apart from the settlement agreement, “there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of th[ese] proceeding[s].” *See, e.g.*, IPR2025-00945, Paper 36, at 2.

Patent Owner also filed a Request in each proceeding to have the settlement agreement treated as business confidential information and kept separate from the files of the subject patents. *See, e.g.*, IPR2025-00945, Paper 37. Patent Owner represents that the Request is unopposed. *Id.*

The Joint Motions to Terminate are granted. 35 U.S.C. § 317(a).

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We find that the settlement agreement contains confidential business information. Thus, good cause exists to treat it as business confidential information pursuant. 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(c).

II. ORDER

In consideration of the foregoing, it is hereby

ORDERED that the Joint Motions (IPR2025-00945, Paper 36; IPR2025-00946, Paper 37; IPR2025-00947, Paper 37; IPR2025-00948, Paper 36; and IPR2025-00949, Paper 37) are granted, and all five of the *inter partes* reviews are terminated; and

FURTHER ORDERED that the Requests (IPR2025-00945, Paper 37; IPR2025-00946, Paper 38; IPR2025-00947, Paper 38; IPR2025-00948, Paper 37; and IPR2025-00949, Paper 38) are granted, and the Settlement Agreement (Ex. 2105 in all proceedings) shall be kept separate from the files of Patent Nos. 8,623,826 B2, 9,186,357 B2, 9,943,515 B2, and 10,828,297 B2, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 37 C.F.R. § 42.74(c).

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