

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CONJUPRO BIOTHERAPEUTICS, INC.,
Petitioner,

v.

ASCLETIS PHARMA CHINA CO. LTD.,
Patent Owner.

Case No. PGR2025-00057

Patent No. 12,234,236

Title: GLP-1R agonist and therapeutic method thereof

PATENT OWNER'S UNOPPOSED MOTION TO SEAL

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.54, Patent Owner, Ascletis Pharma China Co. Ltd. (“Ascletis”), respectfully submits this unopposed motion to seal alongside confidential and non-confidential versions of Patent Owner’s Sur-Reply (the “Sur-Reply”). The Sur-Reply includes reference to and information from EX2086 which was previously filed by Patent Owner under seal. Below, Patent Owner explains that good cause exists for filing and maintaining this content under seal.

II. APPLICABLE LEGAL PRINCIPLES FOR SEALING CONFIDENTIAL INFORMATION

Under 35 U.S.C. § 326(a)(1), all papers filed in a post-grant review are open and available for access by the public, but a party may file a concurrent motion to seal and the information at issue is sealed pending the outcome of the motion. *Id.* A motion to seal is appropriate to protect “confidential information” from disclosure. 35 U.S.C. § 326(a)(7) (“The Director shall prescribe regulations . . . providing for protective orders governing the exchange and submission of confidential information”).

The Patent Trial and Appeal Board Consolidated Trial Practice Guide (Nov. 2019) defines “confidential information” consistently with the Federal Rules of Civil Procedure:

Confidential Information: The rules identify confidential information in a manner consistent with Federal Rule of Civil Procedure

26(c)(1)(G), which provides for protective orders for trade secret or other confidential research, development, or commercial information. 37 C.F.R. § 42.54.

The standard for granting a motion to seal is “good cause.” 37 C.F.R. § 42.54.

The Board has applied a four-pronged test in assessing motions to seal:

a movant to seal must demonstrate adequately that (1) the information sought to be sealed is truly confidential, (2) a concrete harm would result upon public disclosure, (3) there exists a genuine need to rely in the trial on the specific information sought to be sealed, and (4) on balance, an interest in maintaining confidentiality outweighs the strong public interest in having an open record.

Argentum Pharms. LLC v. Alcon Rsch., Ltd., IPR2017-01053, Paper 27, at 4 (PTAB Jan. 19, 2018) (informative) (citing to 37 C.F.R. § 42.54(a)).

III. GOOD CAUSE EXISTS FOR SEALING THE SUR-REPLY

Patent Owner respectfully requests to seal narrowly-tailored portions of the Sur-Reply that disclose confidential information of Ascletis including “trade secret [and] other confidential research, development, or commercial information not to be revealed” 37 C.F.R. § 42.54(a)(7). Specifically, Patent Owner seeks to seal four sentences in its Sur-Reply which include or reveal the same confidential business information about the chemical composition of Patent Owner’s clinical drug candidate, ASC30, which Patent Owner has not publicly disclosed and was sealed

in Exhibit 2086. Public disclosure of ASC30's chemical composition would cause a concrete harm to Ascletis, by allowing competitors to learn the identity of ASC30 and potentially take advantage of Ascletis' research. There exists a genuine need to rely in the trial on the specific information sought to be sealed, which relates to secondary considerations of nonobviousness, particularly unexpected results. The Board has previously relied upon confidential information in a Final Written Decision while maintaining confidential information under seal. *See, e.g., Petrol. GeoServices Inc. v. WesternGeco LLC*, IPR2014-01477, Paper 71, 62-68. Additionally, disclosure of the confidential information would provide minimal benefit to the public's understanding of the proceeding. On balance, Patent Owner's interests in maintaining the confidentiality of the information, constrained to four sentences, outweigh the public interest in an open record.

For the foregoing reasons, Patent Owner seeks to designate the unredacted Sur-Reply as "HIGHLY CONFIDENTIAL – OUTSIDE ATTORNEYS' EYES-ONLY INFORMATION" pursuant to the Proposed Stipulated Protective Order (EX2084).

IV. CERTIFICATION OF NON-PUBLICATION

To the best of Patent Owner's knowledge, the information sought to be sealed has not been published or otherwise made public and the confidentiality of this information has been consistently maintained by the Patent Owner.

**V. CERTIFICATION OF CONFERENCE WITH OPPOSING PARTY
PURSUANT TO 37 C.F.R. § 42.54**

Patent Owner has conferred with Petitioner, and Petitioner indicated that it does not oppose this motion. Accordingly, Patent Owner moves for the Board to grant Patent Owner's motion to seal.

Portions of the Sur-Reply are "HIGHLY CONFIDENTIAL – OUTSIDE ATTORNEYS' EYES-ONLY INFORMATION" for the reasons described above and has been designated accordingly under the Proposed Stipulated Protective Order (EX2084).

Should the Board be inclined to deny the present Motion to Seal, Patent Owner respectfully request a conference call with the Board to discuss any concerns prior to the Board issuing a decision on the Motion.

VI. CONCLUSION

For the above reasons, Patent Owners respectfully request that the unredacted Sur-Reply be treated as confidential information and be placed under seal.

Dated: July 9, 2026

Respectfully submitted,

COOLEY LLP

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Counsel for Patent Owner

CERTIFICATION OF SERVICE UNDER 37 C.F.R. §§ 42.6(e), 42.205(a))

I, Geoffrey D. Biegler, hereby certify that on this 9th day of July, 2026, the foregoing **PATENT OWNER'S UNOPPOSED MOTION TO SEAL** was served electronically via email on the following:

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