

Filed on behalf of Patent Owners Genentech, Inc. and City of Hope by:

David L. Cavanaugh Reg. No. 36,476	Adam R. Brausa Reg. No. 60,287	Jeffrey P. Kushan Reg. No. 43,401
Heather M. Petruzzi Reg. No. 71,270	Daralyn J. Durie <i>Pro Hac Vice</i>	Peter S. Choi Reg. No. 54,033
Robert J. Gunther, Jr. <i>Pro Hac Vice</i>	David F. McGowan <i>Pro Hac Vice</i>	Sidley Austin LLP 1501 K Street, N.W.
Wilmer Cutler Pickering Hale and Dorr LLP 1875 Pennsylvania Ave., NW Washington, DC 20006	Durie Tangri LLP 217 Leidesdorff Street San Francisco, CA 94111	Washington, D.C. 20005

UNITED STATES PATENT AND TRADEMARK OFFICE

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

SANOFI-AVENTIS U.S. LLC,  
REGENERON PHARMACEUTICALS, INC., AND,  
GENZYME CORPORATION,  
Petitioners,

v.

GENENTECH, INC. AND CITY OF HOPE,  
Patent Owners.

---

Case IPR2015-01624<sup>1</sup>  
Patent 6,331,415

---

**JOINT MOTION TO TERMINATE PROCEEDING  
PURSUANT TO 35 U.S.C. § 317 AND 37 C.F.R. § 42.72 AND  
JOINT REQUEST TO KEEP PAPERS SEPARATE  
AS BUSINESS CONFIDENTIAL INFORMATION**

---

<sup>1</sup> Case IPR2016-00460 has been joined with this proceeding.

Pursuant to 35 U.S.C. §317 and 37 C.F.R. § 42.72, Patent Owners Genentech, Inc. and City of Hope and Petitioners Sanofi-Aventis U.S. LLC, Regeneron Pharmaceuticals, Inc., and Genzyme Corporation (collectively, “the Parties”) jointly request termination of *Inter Partes* Review No. IPR2015-01624.

The Parties have settled all of their disputes involving U.S. Patent No. 6,331,415 and related U.S. Patent No. 7,923,221. More specifically, the Parties have agreed to settle and dismiss their related district court litigations (*Sanofi-Aventis U.S. LLC v. Genentech, Inc.*, Case No. 2:15-cv-05685 (C.D. Cal.) and *Genzyme Corporation v. Genentech, Inc. and City of Hope*, Case No. 2:15-cv-09991 (C.D. Cal.)).

Pursuant to 37 C.F.R. § 42.74(b), the Parties’ settlement agreements and any collateral agreements made in contemplation of termination of the proceeding are in writing, and true and correct copies of such documents are being filed herewith as Exhibits 2142 and 2143. No other such agreements, written or oral, exist between or among the parties.

The Parties hereby jointly request that the settlement agreements be treated as business confidential information and be kept separate from the files of the above captioned IPR pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

**I. Background**

On July 24, 2015, Petitioners Sanofi-Aventis U.S. LLC and Regeneron Pharmaceuticals, Inc. filed a request for *Inter Partes* Review of claims 1-4, 9, 11, 12, 14-20, and 33 of U.S. Patent No. 6,331,415 (the “’415 patent”). *See* IPR2015-01624, Paper 1. On January 15, 2016, Petitioner Genzyme Corporation filed a request for *Inter Partes* Review of claims 1-4, 9, 11, 12, 14-20, and 33 of the ’415 patent.<sup>2</sup> *See* IPR2016-00460, Paper 2. On February 5, 2016, the Board instituted *Inter Partes* Review in IPR2015-01624 on claims 1-4, 11, 12, 14, 18-20, and 33. *See* IPR2015-01624, Paper 15. On February 26, 2016, Petitioner Genzyme Corporation filed a motion for joinder to join IPR2016-00460 to IPR2015-01624. *See* IPR2016-00460, Paper 10. On March 28, 2016, the Board instituted Genzyme’s IPR and granted Genzyme’s motion for joinder. *See* IPR2016-00460, Paper 12; IPR2015-01624, Paper 35. On May 13, 2016, Patent Owners filed a response. *See* IPR2016-01624, Paper 27. Petitioners have not yet filed a reply.

---

<sup>2</sup> Genzyme Corporation filed a second, unrelated petition for *Inter Partes* Review (IPR2016-00383) which contained proposed grounds and prior art that were different from the grounds and prior art at issue in IPR2016-00460. Genzyme did not file a motion for joinder, and the Board denied institution of IPR2016-00383 on June 23, 2016. *See* IPR2016-00383, Paper 16.

On August 18, 2016, the Parties agreed to settle all of their disputes involving U.S. Patent No. 6,331,415 and related U.S. Patent No. 7,923,221, including all litigation and Patent Office proceedings related thereto.

On August 19, 2016, the Parties informed the Board of the settlements and requested authorization to file a joint motion to terminate the proceeding with respect to both the Patent Owners and the Petitioners. On August 23, 2016, the Board authorized the filing, on or before August 31, 2016, of the requested joint motion to terminate this proceeding as to both parties. The Board additionally authorized the parties to include with the joint motion to terminate a request to treat the settlements as business confidential information.

The '415 patent is currently the subject of two additional pending *Inter Partes* Review proceedings: (1) IPR2016-00710, filed by Mylan Pharmaceuticals, Inc. on March 3, 2016, and (2) IPR2016-01373, filed by Merck Sharp & Dohme Corp., filed on July 7, 2016. These two proceedings are not affected by the Parties' settlement agreements.

## **II. Termination as to Patent Owners and Petitioners Is Appropriate**

Termination of this IPR is appropriate as the Board has not yet “decided the merits of the proceeding” on the proceedings noted above. *See, e.g.*, Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48768 (Aug. 14, 2012). Furthermore, Petitioners have not yet filed a reply.

Notably, no dispute remains between the Patent Owner and the Petitioners involving the '415 patent:

- i. the Parties have agreed to jointly request termination of the instituted *Inter Partes* Review, IPR2015-01624;
- ii. the litigations between the Parties involving the related patent (7,923,221) have been dismissed as part of the settlement.

### **III. Status of Related Litigation**

As noted above, the related district court actions between Patent Owners and Petitioners have been settled and dismissed.

### **IV. Treat Settlement Agreement as Business Confidential Information**

Patent Owners and Petitioners hereby request that the settlement agreement (including any related attachments) filed herewith as Exhibits 2142 and 2143 be treated as business confidential information, be kept separate from the file of the above captioned IPR, and be made available only to Federal Government agencies on written request, or to any person on a showing of good cause pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). In view of that request the settlement agreements have been filed for access by the “Parties and Board Only.”

**V. Conclusion**

For the foregoing reasons, Patent Owners and Petitioners jointly request that the Board terminate this *Inter Partes* Review proceeding, and treat the settlement agreements filed herewith as business confidential information and keep the agreements separate from the file of the above captioned IPR.

Respectfully submitted,

Date: August 24, 2016

/David L. Cavanaugh/  
David L. Cavanaugh  
Registration No. 36,476  
Heather M. Petruzzi  
Robert J. Gunther, Jr.  
1875 Pennsylvania Ave. NW  
Washington, DC 20006  
*Counsel for Patent Owners*

Adam R. Brausa  
Daralyn J. Durie  
David F. McGowan  
Durie Tangri LLP  
217 Leidesdorff Street  
San Francisco, CA 94111  
*Counsel for Patent Owners*

Jeffrey P. Kushan  
Peter S. Choi  
Sidley Austin LLP  
1501 K Street, N.W.  
Washington, D.C. 20005  
*Counsel for Patent Owners*

Brian W. Nolan  
Lisa M. Ferri  
Richard McCormick  
Mayer Brown LLP  
1221 Avenue of the Americas  
New York, NY 10020  
*Counsel for Petitioners*

**CERTIFICATE OF SERVICE**

I hereby certify that, on August 24, 2016, I caused a true and correct copy of the following materials:

- **JOINT MOTION TO TERMINATE PROCEEDING PURSUANT TO 35 U.S.C. § 317 AND 37 C.F.R. § 42.72 AND JOINT REQUEST TO KEEP PAPERS SEPARATE AS BUSINESS CONFIDENTIAL INFORMATION**
- **PATENT OWNERS' UPDATED EXHIBIT LIST**
- **EXHIBITS 2142 AND 2143**

to be served via electronic mail on the following attorneys of record:

Richard McCormick  
Lisa M. Ferri  
Brian W. Nolan  
Mayer Brown LLP  
1221 Avenue of the Americas  
New York, NY 10020-1001  
[Rmccormick@mayerbrown.com](mailto:Rmccormick@mayerbrown.com)  
[LFerri@mayerbrown.com](mailto:LFerri@mayerbrown.com)  
[BNolan@mayerbrown.com](mailto:BNolan@mayerbrown.com)  
[MB-Cabilly-IPR@mayerbrown.com](mailto:MB-Cabilly-IPR@mayerbrown.com)

/Owen K. Allen/  
Owen K. Allen  
Reg. No. 71,118  
Wilmer Cutler Pickering Hale and Dorr LLP  
950 Page Mill Road  
Palo Alto, CA 94304



**PATENT OWNERS' UPDATED LIST OF EXHIBITS FOR**  
**IPR2015-01624**

<b><u>Patent Owners'</u> <u>Exhibit Number</u></b>	<b><u>Exhibit Name</u></b>
2001	Expert Report of John Fiddes, Ph.D., <i>Bristol-Myers Squibb Company v. Genentech, Inc.</i> , No. 2:13-cv-05400-MRP-JEM (C.D. Cal.) (Nov. 10, 2014) ("Fiddes Rep.")
2002	Declaration of Steven Lanier McKnight Under 37 C.F.R. § 1.132 in Reexaminations 90/007,542 and 90/007,859 (May 18, 2007) ("McKnight Decl.")
2003	Second Declaration of Steven Lanier McKnight Under 37 C.F.R. § 1.132 in Reexaminations 90/007,542 and 90/007,859 (June 3, 2008) ("McKnight Decl. II")
2004	Declaration of Dr. Timothy Roy Harris Under 37 C.F.R. § 1.132 in Reexaminations 90/007,542 and 90/007,859 (Nov. 23, 2005) ("Harris Decl.")
2005	Second Declaration of Dr. Timothy Roy Harris Under 37 C.F.R. § 1.132 in Reexaminations 90/007,542 and 90/007,859 (Oct. 26, 2006) ("Harris II Decl.")
2006	Declaration of Dr. Douglas A. Rice Under 37 C.F.R. § 1.132 in Reexaminations 90/007,542 and 90/007,859 (Oct. 26, 2006) ("Rice Decl.")
2007	Declaration of Michael Botchan Under 37 C.F.R. § 1.132 in Reexaminations 90/007,542 and 90/007,859 (May 20, 2007) ("Botchan Decl.")
2008	Gilbert, W. & Villa-Komaroff, L., <i>Useful Proteins from Recombinant Bacteria</i> , Scientific American, 242:74-94 (1980)
2009	Expert Report of Dr. E. Fintan Walton, <i>MedImmune, Inc. v. Genentech, Inc.</i> , No. 03-cv-2567 (C.D. Cal.) (Feb. 29, 2008) ("Walton Rep.")
2010	Transcript of Deposition of Dr. Jefferson Foote, <i>Bristol-Myers Squibb Company v. Genentech, Inc.</i> , No. 2:13-cv-05400-MRPJEM (Jan. 9, 2015) ("Foote Dep.")
2011	Goeddel, D.V., <i>et al.</i> , <i>Expression in Escherichia coli of chemically synthesized genes for human insulin</i> , Proc. Nat'l Acad. Sci. (USA) 76:106-110 (1979) ("Goeddel 1979")

<u>Patent Owners’ Exhibit Number</u>	<u>Exhibit Name</u>
2012	Frank, B.H., <i>et al.</i> , <i>Two Routes for Producing Human Insulin Utilizing Recombinant DNA Technology</i> , Munch. Med. Wschr., 125, Suppl. 1:S14-S20 (1983) (“Frank 1983”)
2013	Kohler, G. and Milstein, C., <i>Continuous Cultures of Fused Cells Secreting Antibody of Predefined Specificity</i> , Nature 256:495-497 (Aug. 7, 1975) (“Kohler and Milstein”)
2014	90/007,542 Office Action Response filed 2/13/2009
2015	Christie, N.T., <i>et al.</i> , <i>Selective amplification of variants of complex repeating unit in DNA of a crustacean</i> , Proc. Nat’l Acad. Sci., 77(5):2786-2790 (1980) (“Christie 1980”)
2016	Frommer, <i>et al.</i> , <i>Simple repeated sequences in human satellite DNA</i> , Nuc. Acids Res. 10(2):547-563 (1982) (“Fromer 1982”)
2017	Israelewski, N., <i>Structure and function of an AT-rich, interspersed repetitive sequence from Chironomus thummi: solenoidal DNA, 142 bp palindrome-frame and homologes with the sequence for site-specific recombination of bacterial transposons</i> , Nuc. Acids Res. 11(20):6985-6996 (1983) (“Israelewski 1983”)
2018	Declaration of Robert J. Gunther Jr. in Support of Motion for Admission Pro Hac Vice
2019	Expert Declaration of John Fiddes, Ph.D., <i>Sanofi-Aventis U.S. LLC v. Genentech, Inc.</i> , IPR2015-01624 (“Fiddes Decl.”)
2020	Transcript of Deposition of Dr. Jefferson Foote, <i>Sanofi-Aventis U.S. LLC v. Genentech, Inc.</i> , IPR2015-01624 (Apr. 21, 2016) (“Foote Dep.”)
2021	Expert Declaration of Reiner Gentz, Ph.D., <i>Sanofi-Aventis U.S. LLC v. Genentech, Inc.</i> , IPR2015-01624 (“Gentz Decl.”)
2022	Falko G. Falkner & Hans G. Zachau, <i>Expression of Mouse Immunoglobulin Genes in Monkey Cells</i> , Nature, 298:286-288 (1982)
2023	Expert Report of Sir Gregory Winter, CBE, FRS, Regarding Invalidity of U.S. Patent Nos. 6,331,415 and 7,923,221, <i>Eli Lilly and Co. v. Genentech, Inc.</i> , No. 2:13-cv-07248-MRP-JEMx (C.D. Cal.) (Oct. 13, 2014)
2024	Transcript of Deposition of Sir Gregory Winter, <i>Eli Lilly and Co. v. Genentech, Inc.</i> , No. 2:13-cv-07248-MRP-JEMx (C.D. Cal.) (Jan. 19, 2015) (“Winter Dep.”)

<u>Patent Owners’ Exhibit Number</u>	<u>Exhibit Name</u>
2025	Keiichi Itakura et al., <i>Expression of Escherichia coli of a Chemically Synthesized Gene for the Hormone Somatostatin</i> , Science, New Series, 198:1056-1063 (1977)
2026	Declaration of Arthur Riggs, <i>Cabilly v. Boss</i> , Interference No. 102,572 (Oct. 28, 1991)
2027	Declaration of Ronald Wetzel, <i>Cabilly v. Boss</i> , Interference No. 102,572 (Oct. 28, 1991)
2028	Declaration of Jeanne Perry, <i>Cabilly v. Boss</i> , Interference No. 102,572 (Oct. 27, 1991)
2029	Declaration of William Holmes, <i>Cabilly v. Boss</i> , Interference No. 102,572 (Oct. 28, 1991)
2030	Declaration of Michael Rey, <i>Cabilly v. Boss</i> , Interference No. 102,572 (Oct. 28, 1991)
2031	Declaration of Michael Mumford, <i>Cabilly v. Boss</i> , Interference No. 102,572 (Oct. 28, 1991)
2032	Declaration of Shmuel Cabilly, <i>Cabilly v. Boss</i> , Interference No. 102,572 (Oct. 28, 1991)
2033	Declaration of Julie L. Davis, <i>Sanofi-Aventis U.S. LLC v. Genentech, Inc.</i> , IPR2015-01624 (“Davis Decl.”) PROTECTIVE ORDER MATERIAL
2034	United States Patent and Trademark Office, Patent Bibliographic Data (Patent Number: 4,495,280)
2035	File History of U.S. Patent No. 4,495,280
2036	U.S. Patent No. 4,351,760
2037	U.S. Patent No. 4,439,356
2038	U.S. Patent No. 4,287,300
2039	U.S. Patent No. 4,174,384
2040	U.S. Patent No. 4,299,916
2041	U.S. Patent No. 3,996,345
2042	U.S. Patent No. 4,199,559
2043	U.S. Patent No. 4,277,437
2044	U.S. Patent No. 4,391,904
2045	U.S. Patent No. 4,374,925
2046	U.S. Patent No. 4,328,311
2047	U.S. Patent No. 4,281,061
2048	U.S. Patent No. 4,366,241

<u>Patent Owners’ Exhibit Number</u>	<u>Exhibit Name</u>
2049	U.S. Patent No. 4,318,846
2050	U.S. Patent No. 4,233,402
2051	U.S. Patent No. 4,261,968
2052	U.S. Patent No. 4,275,149
2053	U.S. Patent No. 4,272,506
2054	U.S. Patent No. 4,256,834
2055	U.S. Patent No. 4,220,722
2056	U.S. Patent No. 4,235,869
2057	U.S. Patent No. 4,208,479
2058	U.S. Patent No. 4,220,450
2059	U.S. Patent No. 4,193,983
2060	Reiner Gentz et al., <i>Cloning and Analysis of Strong Promoters Is Made Possible By the Downstream Placement of a RNA Termination Signal</i> , Proc. Nat’l Acad. Sci. (USA) 78:4936-4940 (1981)
2061	Christie et al., <i>Selective Amplification of Variants of a Complex Repeating Unit in DNA of a Crustacean</i> , Proc. Nat’l Acad. Sci. (USA) 77(5):2786-2790 (1980)
2062	Orr-Weaver et al., <i>Multiple, Tandem Plasmid Integration in Saccharomyces cerevisiae</i> , Molecular and Cellular Biology 3:747-49 (1983)
2063	Takahashi et al., <i>Mechanism of pBR322 Transduction Mediated by Cytosine-Substituting T4 Bacteriophage</i> , Mol. Gen. Genet. 186:497-500 (1982)
2064	Marrero et al., <i>SP02 Particles Mediating Transduction of a Plasmid Containing SP02 Cohesive Ends</i> , J. Bacteriology 147:1-8 (1981)
2065	Bastin, <i>Molecular Cloning in Plasmid pBR322 Giving Altered Expression of the Tetracycline Resistance Gene</i> , J. General Microbiology 123:187-191 (1981)
2066	Potter et al., <i>On the Mechanism of Genetic Recombination: The Maturation of Recombination Intermediates</i> , Proc. Nat’l Acad. Sci. (USA) 74:4168-4172 (1977)

<u>Patent Owners'</u> <u>Exhibit Number</u>	<u>Exhibit Name</u>
2067	Annie C. Y. Chang and Stanley N. Cohen, <i>Construction and Characterization of Amplifiable Multicopy DNA Cloning Vehicles Derived from the P15A Cryptic Miniplasmid</i> , J. Bacteriology, 134(3): 1141-1156 (1978)
2068	EP 1 532 260 B1
2069	National Library of Medicine, Medical Subject Headings – Annotated Alphabetic List (1983)
2070	Shi-Hsiang Shen, <i>Multiple Joined Genes Prevent Product Degradation in Escherichia coli</i> , Proc. Nat'l Acad. Sci. (USA) 81:4627-4631 (1984)
2071	Brigitte von Wilcken-Bergmann et al., <i>A Synthetic Operon Containing 14 Bovine Pancreatic Trypsin Inhibitor Genes Is Expressed in E. coli</i> , EMBO J. 5(12):3219-3225 (1986)
2072	Expert Report of Carlo M. Croce, M.D., <i>Bristol-Myers Squibb Co. v. Genentech, Inc.</i> , No. 2:13-cv-05400 (C.D. Cal Nov. 9, 2014)
2073	Matthias Wabl and Charles Steinberg, <i>A Theory of Allelic and Isotypic Exclusion for Immunoglobulin Genes</i> , Proc. Nat'l Acad. Sci. (USA) 79:6976-6978 (1982)
2074	Wolfgang Kammerer et al., <i>Functional Dissection of Escherichia coli Promoters: Information in the Transcribed Region Is Involved in Late Steps of the Overall Process</i> , EMBO J. 5(11):2995-3000 (1986)
2075	Ulrich Deuschle et al., <i>Promoters of Escherichia coli: A Hierarchy of In Vivo Strength Indicates Alternate Structures</i> , EMBO J. 5(11):2987-94 (1986)
2076	Ulrich Deuschle et al., <i>lac Repressor Blocks Transcribing RNA Polymerase and Terminates Transcription</i> , Proc. Natl. Acad. Sci. (USA) 83(12):4134-37 (1986)
2077	Ursula Peschke et al., <i>Efficient Utilization of Escherichia coli Transcriptional Signals in Bacillus subtilis</i> , J. Mol. Biol. 186(3):547-55 (1985)
2078	Reiner Gentz and Hermann Bujard, <i>Promoters Recognized By Escherichia coli RNA Polymerase Selected By Function: Highly Efficient Promoters From Bacteriophage T5</i> , J. Bacteriol. 164(1):70-77 (1985)

<u>Patent Owners’ Exhibit Number</u>	<u>Exhibit Name</u>
2079	Hermann Bujard et al., <i>Insertion of Transcriptional Elements Outside the Replication Region Can Interfere with Replication, Maintenance, and Stability of ColE1-derived Plasmids</i> , Basic Life Sci. 30:45-52 (1985)
2080	Expert Report of John Fiddes, Ph.D., <i>Bristol-Myers Squibb Co. v. Genentech, Inc. &amp; City of Hope</i> , 2:13-cv-05400-MRP-JEM (C.D. Cal Nov. 10, 2014)
2081	Bruce Alberts et al., <i>Essential Cell Biology</i> , Chapter 1 (3rd ed. 2009)
2082	G. N. Godson et al., <i>Nucleotide Sequence of Bacteriophage G4 DNA</i> , Nature 276:236-47 (1978)
2083	Protein Structure, Boundless, <a href="https://www.boundless.com/biology/textbooks/boundless-biology-textbook/biological-macromolecules-3/proteins-56/protein-structure-304-11437">https://www.boundless.com/biology/textbooks/boundless-biology-textbook/biological-macromolecules-3/proteins-56/protein-structure-304-11437</a> (last visited May 12, 2016)
2084	RCSB Protein Databank, <i>Molecular Machinery: A Tour of the Protein Data Bank</i> , Protein Data Bank, <a href="http://cdn.rcsb.org/pdb101/learn/resources/2014-mol-mach-poster.pdf">http://cdn.rcsb.org/pdb101/learn/resources/2014-mol-mach-poster.pdf</a> (last visited May 10, 2016)
2085	Vectors: A Survey of Molecular Cloning Vectors and Their Uses, Chapter 1: The Plasmid, pBR322 (Rodriguez, R.L. and Denhardt, D.T. eds., 1988)
2086	Gilbert, <i>Expression of active polypeptides in E. coli</i> , Recomb. DNA Tech. Bull. 4(1):4-5 (1981)
2087	Jürg Meyer and Shigeru Iida, <i>Amplification of Chloramphenicol Resistance Transposons Carried by Phage P1Cm in Escherichia coli</i> , Molec. Gen. Genet. 176:209-219 (1979)
2088	Linscott’s Directory of Immunological and Biological Reagents (2d ed. 1982-83)
2089	Annie Solomon, <i>Bence Jones Proteins and Light Chains of Immunoglobulins</i> , Scand. J. Immunol. 5:685-695 (1976)
2090	Deposition Transcript of James H. Sabry, M.D., <i>Sanofi-Aventis U.S. LLC v. Genentech, Inc.</i> , No. 2:15-cv-05685 (C.D. Cal) (Mar. 16, 2016) PROTECTIVE ORDER MATERIAL

<u>Patent Owners’ Exhibit Number</u>	<u>Exhibit Name</u>
2091	Deposition Transcript of Timothy R. Schwartz, <i>Sanofi-Aventis U.S. LLC v. Genentech, Inc.</i> , No. 15-cv-05685 (C.D. Cal) (Mar. 1, 2016) PROTECTIVE ORDER MATERIAL
2092	Karen Talmadge et al., <i>Eukaryotic Signal Sequence Transports Insulin Antigen in Escherichia coli</i> , Proc. Nat’l Acad. Sci. (USA) 77:3369-3373 (1980)
2093	Expert Report of Robert C. Rickert, Ph.D., <i>Bristol-Myers Squibb Co. v. Genentech, Inc.</i> , No. 2:13-cv-05400-MRP-JEM (C.D. Cal. Oct. 13, 2014) PROTECTIVE ORDER MATERIAL
2094	Sanofi, About Us, <a href="http://www.sanofi.us/l/us/en/layout.jsp?scat=EA904297-0D20-4FCA-AAAA-217EC9546F14">http://www.sanofi.us/l/us/en/layout.jsp?scat=EA904297-0D20-4FCA-AAAA-217EC9546F14</a> (last visited May 6, 2016)
2095	Sanofi, United States Securities and Exchange Commission Form 20-F (for fiscal year ended Dec. 31, 2015), <i>available at</i> <a href="https://www.sec.gov/Archives/edgar/data/1121404/000119312516493072/d246196d20f.htm">https://www.sec.gov/Archives/edgar/data/1121404/000119312516493072/d246196d20f.htm</a>
2096	Sanofi, Sanofi Key Facts and Figures, <a href="http://en.sanofi.com/our_company/key_facts_and_figures/key_facts_and_figures.aspx">http://en.sanofi.com/our_company/key_facts_and_figures/key_facts_and_figures.aspx</a> (last visited May 13, 2016)
2097	Sanofi, Products, <a href="http://www.sanofi.us/l/us/en/layout.jsp?scat=8D4FB6C09DD04C748C949859D8B2687B">http://www.sanofi.us/l/us/en/layout.jsp?scat=8D4FB6C09DD04C748C949859D8B2687B</a> (last visited May 9, 2016)
2098	Regeneron Pharmaceuticals, Inc., United States Securities and Exchange Commission Form 10-K (for fiscal year ended Dec. 31, 2015), <i>available at</i> <a href="https://www.sec.gov/Archives/edgar/data/872589/000153217616000045/regn-123115x10k.htm">https://www.sec.gov/Archives/edgar/data/872589/000153217616000045/regn-123115x10k.htm</a>
2099	Regeneron Pharmaceuticals, Inc., Corporate Fact Sheet (Feb. 2016), <i>available at</i> <a href="http://files.shareholder.com/downloads/REGN/2034285123x0x519844/F1BC3721-4078-424C-94A4-640192399E66/REGN_Final_Corporate_Fact_Sheet_1115.pdf">http://files.shareholder.com/downloads/REGN/2034285123x0x519844/F1BC3721-4078-424C-94A4-640192399E66/REGN_Final_Corporate_Fact_Sheet_1115.pdf</a>

<u>Patent Owners’ Exhibit Number</u>	<u>Exhibit Name</u>
2100	Certificate of Third Amendment of Amended and Restated Certificate of Incorporation (Apr. 16, 2004), <i>available at</i> <a href="http://www.sec.gov/Archives/edgar/data/318771/000031877104000010/dna-ex3_5.htm">http://www.sec.gov/Archives/edgar/data/318771/000031877104000010/dna-ex3_5.htm</a>
2101	Genentech, Visit Us, <a href="https://www.gene.com/contact-us/visit-us">https://www.gene.com/contact-us/visit-us</a> (last visited May 9, 2016)
2102	Genentech, “Roche Completes Acquisition of Genentech” (Mar. 26, 2009), <i>available at</i> <a href="http://www.gene.com/media/press-releases/12007/2009-03-26/roche-completes-acquisition-of-genentech">http://www.gene.com/media/press-releases/12007/2009-03-26/roche-completes-acquisition-of-genentech</a>
2103	Genentech, About Us, <a href="http://www.gene.com/about-us">http://www.gene.com/about-us</a> (last visited May 9, 2016)
2104	Genentech, Genentech Fast Facts, <a href="http://www.gene.com/media/company-information/fast-facts">http://www.gene.com/media/company-information/fast-facts</a> (last visited May 9, 2016)
2105	Genentech, Company Information, <a href="http://www.gene.com/media/company-information">http://www.gene.com/media/company-information</a> (last visited May 9, 2016)
2106	City of Hope and Affiliates, Consolidated Financial Statements (years ended Sept. 30, 2015 and 2014), <i>available at</i> <a href="http://www.cityofhope.org/doc/1430376104234-wcc_031604.pdf">http://www.cityofhope.org/doc/1430376104234-wcc_031604.pdf</a>
2107	City of Hope, Locations, <a href="http://www.cityofhope.org/about-city-of-hope/locations">http://www.cityofhope.org/about-city-of-hope/locations</a> (last visited May 9, 2016)
2108	City of Hope, Who We Are, <a href="http://www.cityofhope.org/about-city-of-hope/who-we-are">http://www.cityofhope.org/about-city-of-hope/who-we-are</a> (last visited May 9, 2016)
2109	City of Hope, About Us, <a href="http://www.cityofhope.org/about-city-of-hope">http://www.cityofhope.org/about-city-of-hope</a> (last visited May 9, 2016)
2110	City of Hope, Form 990 (year ending Sept. 30, 2013)
2111	U.S. Patent No. 4,816,567
2112	Order Denying Plaintiffs’ Motion for Summary Judgment on Double Patenting, <i>Eli Lilly and Co. and ImClone Systems LLC v. Genentech, Inc. and City of Hope</i> , Case No. 2:13-cv-07248-MRP-JEM (C.D. Cal. Mar. 5, 2015)
2113	U.S. Patent No. 7,923,221



<u>Patent Owners’ Exhibit Number</u>	<u>Exhibit Name</u>
2114	Appendix A to Declaration of Julie L. Davis, <i>Sanofi-Aventis U.S. LLC v. Genentech, Inc.</i> , IPR2015-01624 PROTECTIVE ORDER MATERIAL
2115	Appendix B to Declaration of Julie L. Davis, <i>Sanofi-Aventis U.S. LLC v. Genentech, Inc.</i> , IPR2015-01624 PROTECTIVE ORDER MATERIAL
2116	Appendix C to Declaration of Julie L. Davis, <i>Sanofi-Aventis U.S. LLC v. Genentech, Inc.</i> , IPR2015-01624 PROTECTIVE ORDER MATERIAL
2117	Appendix D to Declaration of Julie L. Davis, <i>Sanofi-Aventis U.S. LLC v. Genentech, Inc.</i> , IPR2015-01624 PROTECTIVE ORDER MATERIAL
2118	Appendix E to Declaration of Julie L. Davis, <i>Sanofi-Aventis U.S. LLC v. Genentech, Inc.</i> , IPR2015-01624 PROTECTIVE ORDER MATERIAL
2119	Janssen Biotech, Inc., Our History, <a href="https://www.janssenbiotech.com/company/history">https://www.janssenbiotech.com/company/history</a> (last visited May 9, 2016)
2120	Johnson & Johnson, United States Securities and Exchange Commission Form 10-K (for fiscal year ended Jan. 3, 2016), <i>available at</i> <a href="https://www.sec.gov/Archives/edgar/data/200406/000020040616000071/form10-k20160103.htm">https://www.sec.gov/Archives/edgar/data/200406/000020040616000071/form10-k20160103.htm</a>
2121	Sanofi, “Sanofi-aventis to Acquire Genzyme for \$74.00 in Cash per Share Plus Contingent Value Right” (Feb. 16, 2011), <i>available at</i> <a href="http://en.sanofi.com/Images/28367_20110216_Deal_Genzyme_en.pdf">http://en.sanofi.com/Images/28367_20110216_Deal_Genzyme_en.pdf</a>
2122	Maryann P. Feldman et al., <i>Lessons from the Commercialization of the Cohen-Boyer Patents: The Stanford University Licensing Program</i> , In <i>Intellectual Property Management in Health and Agricultural Innovation: A Handbook of Best Practices 1797-1807</i> (A Krattiger et al., eds., 2007)
2123	Ann Gibbons, <i>Molecular Scissors: RNA Enzymes Go Commercial</i> , <i>Science</i> , New Series, 251:521 (1991)

<u>Patent Owners’ Exhibit Number</u>	<u>Exhibit Name</u>
2124	Lita Nelsen, <i>The Rise of Intellectual Property Protection in the American University</i> , Science, New Series, 279:1460-61 (1998)
2125	Frederic M. Scherer, <i>The Size Distribution of Profits from Innovation</i> , The Economics and Econometrics of Innovation, No. 49/50:495-516 (1998)
2126	Emily Waltz, <i>Industry Waits for Fallout from Cabilly</i> , Nature Biotechnology, 25(7):699-700 (2007)
2127	Letter from Jay P. Siegel, M.D., FACP, to M. David MacFarlane, Ph.D. (Nov. 26, 1997), <i>available at</i> <a href="http://www.fda.gov/downloads/Drugs/DevelopmentApprovalProcess/HowDrugsareDevelopedandApproved/ApprovalApplications/TherapeuticBiologicApplications/ucm107740.pdf">http://www.fda.gov/downloads/Drugs/DevelopmentApprovalProcess/HowDrugsareDevelopedandApproved/ApprovalApplications/TherapeuticBiologicApplications/ucm107740.pdf</a>
2128	Laura Lorenzetti, “7 New Blockbuster Drugs to Watch in 2016,” Fortune (Mar. 25, 2016), <i>available at</i> <a href="http://fortune.com/2016/03/25/new-blockbuster-drugs-to-watch/">http://fortune.com/2016/03/25/new-blockbuster-drugs-to-watch/</a>
2129	Ben Hirschler, “Seven \$1 Billion-plus Drugs Seen Reaching Market in 2016”, Reuters (Feb. 3, 2016), <i>available at</i> <a href="http://www.reuters.com/article/us-pharmaceuticals-blockbusters-idUSKCN0VC0CG">http://www.reuters.com/article/us-pharmaceuticals-blockbusters-idUSKCN0VC0CG</a>
2130	Cabilly License Agreements PROTECTIVE ORDER MATERIAL
2131	Cabilly Settlement Agreements PROTECTIVE ORDER MATERIAL
2132	Cabilly Royalty Statements PROTECTIVE ORDER MATERIAL
2133	Karen Talmadge et al., <i>Bacteria Mature Preproinsulin to Proinsulin</i> , Proc. Nat’l Acad. Sci. (USA) 77:3988-3992 (1980)
2134	Nancy Lee et al., <i>Cloning with Tandem Gene Systems for High Level Gene Expression</i> , Nucleic Acids Res. 12(17):6797-6812 (1984)
2135	Transcript of Deposition of Dr. Jefferson D. Foote, <i>Bristol-Myers Squibb Co. v. Genentech, Inc. &amp; City of Hope</i> , 2:13-cv-05400-MRP-JEM (C.D. Cal Jan. 9, 2015)

<u>Patent Owners’ Exhibit Number</u>	<u>Exhibit Name</u>
2136	Google Patents, U.S. Patent No. 6,331,415 and List of Patent Citations, <a href="https://www.google.com/patents/US6331415?dq=6331415&amp;hl=en&amp;sa=X&amp;ved=0ahUKEwjPhr2C2dTMAhWBVSYKHfVRDtIQ6AEIHDAA">https://www.google.com/patents/US6331415?dq=6331415&amp;hl=en&amp;sa=X&amp;ved=0ahUKEwjPhr2C2dTMAhWBVSYKHfVRDtIQ6AEIHDAA</a> (last visited May 12, 2016)
2137	Modified Default Standing Protective Order and Patent Owners’ Certification of Agreement to Terms
2138	Modified Default Standing Protective Order (Redline)
2139	Exhibit 17 to Deposition Timothy R. Schwartz, <i>Sanofi-Aventis U.S. LLC v. Genentech, Inc.</i> , No. 2:15-cv-05685 (C.D. Cal) (Mar. 1, 2016), Selected Historical Financial Data PROTECTIVE ORDER MATERIAL
2140	Declaration of David F. McGowan in Support of Patent Owners’ Motion for <i>Pro Hac Vice</i> Admission
2141	Certified File History of U.S. Patent No. 4,495,280
2142	Confidential Settlement Agreement (Sanofi-Aventis U.S. and Regeneron) – FILED UNDER SEAL
2143	Confidential Settlement Agreement (Genzyme) – FILED UNDER SEAL