

**Nos. 2018-1885 and 2018-1924**

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**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

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CELLTRION, INC., PFIZER, INC.,

*Appellants,*

v.

BIOGEN, INC., GENENTECH, INC.,

*Appellees.*

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Appeals from the United States Patent and Trademark Office, Patent Trial and  
Appeal Board in Nos. IPR2016-01614 and IPR2017-01115

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**JOINT MOTION TO VOLUNTARILY DISMISS  
APPEAL NO. 2018-1924 UNDER RULE 42(b)**

Pursuant to Federal Rules of Appellate Procedure 27 and 42(b) and Federal Circuit Rule 27, Appellant Celltrion, Inc. (“Celltrion”) and Appellees Biogen, Inc. and Genentech, Inc. (collectively, “Appellees”) move and stipulate to a voluntary dismissal of Appeal No. 2018-1924 with prejudice in view of the Settlement and License Agreement effecting a settlement of Celltrion and Appellees’ dispute in this appeal. Each of Celltrion and Appellees shall bear its/their own costs and attorneys’ fees. Both Celltrion and Appellees agree to this motion, and thus no response will be filed to this motion.

Appeal No. 2018-1924 is consolidated with Appeal No. 2018-1885, which involves a different Appellant (Pfizer, Inc.). *See* Dkt. No. 3 in Appeal No. 2018-

1924 (Fed. Cir. May 8, 2018). This motion does not request dismissal of Appeal No. 2018-1885, which remains pending. If Appeal No. 2018-1924 is dismissed by the Court and Celltrion is no longer an Appellant in the consolidated appeals, the caption for Appeal No. 2018-1885 would be *Pfizer, Inc. v. Biogen, Inc., Genentech, Inc.*

Dated: November 2, 2018

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Respectfully submitted,

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**CERTIFICATE OF COMPLIANCE**

This motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A). The motion contains 169 words, excluding parts exempted by Fed. R. App. P. 32(f) and Federal Circuit Rule 32(b). The word count includes the words counted by the Microsoft Word 2010 function.

This motion also complies with the typeface and type style requirements of Fed. R. App. P. 27(d)(1)(E). The motion has been prepared in a proportionally spaced typeface using Microsoft Word 2010 (Version 14) in 14-point font of Times New Roman.

Dated: November 2, 2018

/s/ William M. Jay  
William M. Jay

**CERTIFICATE OF INTEREST**

- 1. The full name of every party represented by me is:**

BIOGEN, INC. and GENENTECH, INC.

- 2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is:**

None

- 3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party represented by me are:**

For Biogen, Inc.: None. For Genentech, Inc.: Genentech, Inc. is a wholly-owned subsidiary of Roche Holdings Inc. Roche Holdings Inc.'s ultimate parent, Roche Holdings Ltd, is a publicly held Swiss corporation traded on the Swiss Stock Exchange. Upon information and belief, more than 10% of Roche Holdings Ltd's voting shares are held either directly or indirectly by Novartis AG, a publicly held Swiss corporation.

- 4. The names of all law firms and the partners or associates that appeared for the party now represented by me in the agency or are expected to appear in this Court (and who have not or will not enter an appearance in this case) are:**

IRELL & MANELLA LLP: Michael R. Fleming, Yite John Lu

- 5. The title and number of any case known to counsel to be pending in this or any other court or agency that will directly affect or be directly affected by this court's decision in the pending appeal are:**

*Genentech, Inc. v. Celltrion, Inc.*, Case No. 1:18-cv-11553-RMB-KMW (D.N.J.); *Genentech, Inc. v. Celltrion, Inc.*, Case No. 1:18-cv-00574-RMB-KMW (D.N.J.); *Genentech, Inc. v. Celltrion, Inc.*, Case No. 1:17-cv-13507-RMB-KMW (D.N.J.); *Pfizer, Inc. v. Biogen, Inc.*, Case IPR2017-01166 (PTAB)

Dated: November 2, 2018

/s/ Nicholas Groombridge (by permission)  
Nicholas Groombridge

**CERTIFICATE OF INTEREST**

- 1. The full name of every party represented by me is:**

Celltrion, Inc.

- 2. The name of the real party in interest represented by us, and not identified in response to Question 3 is:**

Celltrion Healthcare Co., Ltd.

Teva Pharmaceuticals International GmbH, an indirect wholly-owned subsidiary of Teva Pharmaceutical Industries Ltd., which is a publicly traded company

- 3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party represented by us are:**

Celltrion, Inc. has no parent corporation. The entities that own 10% or more of the stock of Celltrion, Inc., are Celltrion Holdings Co., Ltd., a Korean corporation, and Ion Investments B.V., a Netherlands corporation that is 100% owned by Temasek, an investment company based in Singapore.

- 4. The names of all law firms and the partners or associates that appeared for the party represented by us in the agency or are expected to appear in this court (and who have not or will not enter an appearance in this case) are:**

Goodwin Procter LLP: Cynthia Lambert Hardman; Robert V. Cerwinski; Elaine Herrmann Blais

- 5. The title and number of any case known to counsel to be pending in this or any other court or agency that will directly affect or be directly affected by this court's decision in the pending appeal. See Fed. Cir. R. 47.4(a)(5) and 47.5(b).**

*Celltrion, Inc. v. Genentech, Inc.*, No. 18-2161 (Fed. Cir.)  
*Genentech, Inc. v. Celltrion, Inc.*, No. 1:18-cv-11553 (D.N.J.)  
*Genentech, Inc. v. Celltrion, Inc.*, No. 1:18-cv-00574 (D.N.J.)  
*Genentech, Inc. v. Sandoz, Inc.*, No. 1:17-cv-13507 (D.N.J.)

Dated: November 2, 2018

/s/ William M. Jay

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*Counsel for Celltrion, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 2, 2018, I caused the foregoing document to be filed with the Clerk of the Court for the United States Court of Appeals for the Federal Circuit using the CM/ECF system.

I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

*/s/ William M. Jay* \_\_\_\_\_  
William M. Jay