

Nos. 2019-1173, -1174

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

SAMSUNG BIOEPIS CO., LTD.,

Appellant,

v.

GENENTECH, INC.,

Appellee.

Appeals from the United States Patent and Trademark Office, Patent Trial and Appeal Board in Nos. IPR2017-00804, IPR2017-00805, IPR2017-01958, and IPR2017-01959.

**JOINT MOTION TO VOLUNTARILY
DISMISS APPEALS UNDER RULE 42(b)**

Pursuant to Federal Rules of Appellate Procedure 27 and 42(b), the parties jointly move and stipulate to a voluntary dismissal of Appeal Nos. 2019-1173 and 2019-1174 with prejudice in view of the Settlement and License Agreement effecting a settlement of the parties' dispute in these appeals. The parties shall bear their own costs and attorneys' fees. All parties agree to this motion, and thus no response will be filed to this motion.

Respectfully submitted,

/s/ Dimitrios T. Drivas (with permission)

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Counsel for Appellant

Dated: June 28, 2019

/s/ Robert J. Gunther, Jr.

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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 72 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 2016 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 2016 in 14-point font of Times New Roman.

Dated: June 28, 2019

/s/ Robert J. Gunther Jr.
Robert J. Gunther, Jr.

CERTIFICATE OF INTEREST

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

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:

Genentech, Inc. is a wholly-owned subsidiaries 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 Holding 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:

WILMER CUTLER PICKERING HALE & DORR LLP: Owen K. Allen (former), Lauren V. Blakely, David L. Cavanaugh, Vera A. Shmidt (former), Keith Syverson (former), Rebecca A. Whitfield (former)

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. Amgen, Inc., No. 1:18-cv-924 (D. Del.)

Genentech, Inc. v. Samsung Bioepis Co., Ltd., No. 1:18-cv-1363 (D. Del.)

Dated: June 28, 2019

/s/ Robert J. Gunther, Jr.

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Counsel for Appellee

CERTIFICATE OF INTEREST

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

Samsung Bioepis Co., Ltd.

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

Samsung Biologics Co., Ltd.

Biogen Therapeutics Inc.

- 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:**

WHITE & CASE LLP: Eric Majchrzak

- 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).**

Genentech, Inc. v. Amgen, Inc., No. 1:18-cv-924 (D. Del.)

Genentech, Inc. v. Samsung Bioepis Co., Ltd., No. 1:18-cv-1363 (D. Del.)

Dated: June 28, 2019

/s/ Dimitrios T. Drivas (with permission)

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Counsel for Appellant

CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2019, 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/ Robert J. Gunther, Jr.
Robert J. Gunther, Jr.