

No. 2019-1265

UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT

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GENENTECH, INC.,  
*Appellant,*

v.

SAMSUNG BIOEPIS CO., LTD.,  
*Appellee.*

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Appeals from the United States Patent and Trademark Office, Patent Trial and Appeal Board in Nos. IPR2017-00737 and IPR2017-01960.

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**UNOPPOSED MOTION TO WITHDRAW AS TO APPELLEE**

Appellee Samsung Bioepis Co., Ltd. (“Bioepis”) respectfully moves to withdraw as a party from this appeal. The requested withdrawal is appropriate in view of a settlement between Bioepis and appellant Genentech, Inc. (“Genentech”), in which Bioepis has agreed to refrain from participating in challenges against the patent at issue. Bioepis and Genentech shall bear their own costs and attorneys’ fees.

Bioepis has conferred with counsel for Genentech. Genentech does not oppose this motion and will not file a response.

Bioepis thus respectfully requests that the Court allow it to withdraw as a party from Genentech’s appeal.

Respectfully submitted,

/s/ Dimitrios T. Drivas

Dimitrios T. Drivas  
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*Counsel for Appellee*

Dated: July 1, 2019

## CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A). The motion contains 96 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: July 1, 2019

/s/ Dimitrios T. Drivas  
Dimitrios T. Drivas

## 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.)

*Genentech, Inc. v. Iancu*, No. 19-1263 (Fed. Cir.)

*Genentech, Inc. v. Iancu*, No. 19-1267 (Fed. Cir.)

*Genentech, Inc. v. Iancu*, No. 19-1270 (Fed. Cir.)

Dated: July 1, 2019

/s/ Dimitrios T. Drivas

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 1, 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/ Dimitrios T. Drivas* \_\_\_\_\_

Dimitrios T. Drivas