

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CHENGDU KANGHONG BIOTECHNOLOGY CO., LTD.,  
Petitioner,

v.

REGENERON PHARMACEUTICALS, INC.,  
Patent Owner.

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IPR2021-00402 (Patent 10,464,992 B2)  
PGR2021-00035 (Patent 10,828,345 B2)<sup>1</sup>

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Before ERICA A. FRANKLIN, JOHN G. NEW, and SUSAN L. C.  
MITCHELL, *Administrative Patent Judges*.

FRANKLIN, *Administrative Patent Judge*.

ORDER

Granting Unopposed Motions to Dismiss the Petition and  
Terminate the Proceeding Before Institution  
*37 C.F.R. §§ 42.5(a), 42.71(a)*

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<sup>1</sup> This order addresses issues common to each of the captioned cases. Thus, we issue a single order for entry in each case.

On June 23, 2021, in each of the above-captioned cases, with authorization of the Board, Chengdu Kanghong Biotechnology Co., Ltd. (“Petitioner”) filed a motion to dismiss the petition and to terminate the proceeding. Paper 7.<sup>2</sup> Regeneron Pharmaceuticals, Inc. (“Patent Owner”) does not oppose the motions. *Id.* at 1.

In the motions, Petitioner explains that dismissal of the petitions and termination of the proceedings are appropriate because the motion has been filed prior to institution. *Id.* Petitioner asserts that termination will achieve a just, speedy, and inexpensive resolution to the dispute. *Id.*

As Petitioner correctly asserts, these cases are in the preliminary proceeding stage, and a decision whether to institute trial has not been entered. Under the circumstances, we determine that it is appropriate, in each proceeding, to grant Petitioner’s unopposed motion to dismiss the petition and to terminate the proceeding.

#### ORDER

Accordingly, it is hereby:

ORDERED that Petitioner’s unopposed motions are *granted*;

FURTHER ORDERED that the petitions in IPR2021-00402 and PGR2021-00035 are dismissed; and

FURTHER ORDERED that the proceedings in IPR2021-00402 and PGR2021-00035 are terminated.

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<sup>2</sup> The motion in each proceeding has the same paper number.

IPR2021-00402 (Patent 10,464,992 B2)  
PGR2021-00035 (Patent 10,828,345 B2)

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