

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTAS PHARMACEUTICALS LTD.,
Petitioner,

v.

ATOSSA THERAPEUTICS, INC.,
Patent Owner

Case PGR2025-00043
Patent 12,071,391

PATENT OWNER'S MOTION TO SEAL

I. Introduction

Pursuant to the default protective order and 37 C.F.R. §§ 42.14, 42.54, and 42.55, Patent Owner Atossa Therapeutics, Inc. (“Atossa”) hereby moves to seal its Brief in Support of Discretionary Denial (the “Discretionary Brief”) and Exhibit 2015.

II. Good Cause Exists to Seal the Discretionary Brief and EX2015

Pursuant to the default protective order (filed by Atossa as Exhibit 2016) and 37 C.F.R. §§ 42.14, 42.54 and 42.55, Atossa moves to seal its Discretionary Brief and EX2015 submitted concurrently with this motion.

“Good cause” exists to seal the Discretionary Brief and EX2015 (relating to Intas’s requirements for resolving the disputes with Atossa) because the documents include material that Atossa represents is non-public business information. *See Celltrion, Inc. v. Genentech, Inc.*, IPR2016-01667, Pap.31, 4 (July 23, 2018); *Greene’s Energy Grp., LLC v. Oil States Energy Servs., LLC*, IPR2014-00216, Pap.27, 5 (Sept. 23, 2014); 37 C.F.R. § 42.54. Atossa itself intended the details of the settlement discussions to be maintained as confidential, and the exhibit was attached to an email responding to an email from Atossa’s counsel to Intas’s counsel identified as “CONFIDENTIAL - SUBJECT TO FRE 408.” *See* EX2022, ¶4. Further, EX2015, as provided to Atossa, refers to a statement of

confidentiality. Finally, portions of the Discretionary Brief reflect information contained within EX2015.

Atossa has filed and served on Intas an unredacted, nonpublic version of the corresponding Discretionary Brief with this motion.

III. Conclusion

For the foregoing reasons, Atossa respectfully requests that the Board grant this motion to seal.

Respectfully submitted by:

Dated: July 7, 2025

/s/ Megan Raymond

Megan Raymond (Reg. No. 72,997)

J. Steven Baughman (Reg. No. 47,414)

*Attorneys For Patent Owner
Atossa Therapeutics, Inc.*

CERTIFICATE OF PAGE COUNT

The undersigned certifies that the foregoing PATENT OWNER'S MOTION TO SEAL complies with the 15-page limitation in 37 C.F.R. §42.24(a)(1)(v).

Dated: July 7, 2025

Respectfully Submitted,

By: /s/ Megan Raymond
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of **PATENT OWNER'S MOTION TO SEAL** has been served in its entirety by causing the aforementioned document to be electronically mailed to the following attorneys of record for the Petitioner listed below:

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Dated: July 7, 2025

Respectfully submitted,

By: /Sayem Osman/
Sayem Osman