

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTAS PHARMACEUTICALS LTD.,
Petitioner,

v.

ATOSSA THERAPEUTICS, INC,
Patent Owner.

PGR2025-00043
Patent 12,071,391 B2

Before SHERIDAN K. SNEDDEN, CHRISTOPHER C. KENNEDY, and
JAMIE T. WISZ, *Administrative Patent Judges*.

SNEDDEN, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

In an email sent to the Board on April 13, 2026, the parties requested authorization to file a joint motion to terminate these proceedings. The relevant portion of the email reads as follows:

Petitioner Intas and Patent Owner Atossa have entered into a settlement agreement resolving their dispute in the above-identified matter. Accordingly, Petitioner and Patent Owner jointly request authorization to file the following two motions in the above-captioned PGR to request termination of Intas and of the proceeding and enable the confidential submission of the settlement agreement:

- Joint Motion to Terminate Pursuant to 35 U.S.C. §327(a)
- Joint Request to Treat Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 327 and to Keep Separate.

Upon consideration of the parties' joint request, the parties are authorized to file a Joint Motion to Terminate (as a Paper). 35 U.S.C. § 327(a). The Joint Motion to Terminate must include a true copy of any settlement agreement or understanding (as an Exhibit) and include a statement certifying that there are no collateral agreements or understandings made in connection with, or in contemplation of, the termination of the post-grant review. *See* 35 U.S.C. § 327(b); 37 C.F.R. § 42.74(b). A redacted document will not be accepted as a true copy of the settlement agreement.

The parties are also authorized to file a Joint Request to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 327(b). Any Joint Request to File the Settlement Agreement as Business Confidential Information must be filed as a separate paper contemporaneously with the Joint Motion to Terminate. *See* 35 U.S.C. § 327(b); 37 C.F.R. § 42.74(c).

PGR2025-00043
Patent 12,071,391 B2

In consideration of the foregoing, it is

ORDERED that the parties are authorized to file, by no later than May 8, 2026, (1) a Joint Motion to Terminate (as a Paper), including a true copy of any settlement agreement (as an Exhibit), and (2) a Joint Request to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 327(b) (as a separate Paper) in each proceeding.

PGR2025-00043
Patent 12,071,391 B2

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