

Appeal Nos. 24-1111, 24-1115

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

CELLTRION, INC.,

Petitioner-Appellee,

v.

CHUGAI SEIYAKU KABUSHIKI KAISHA,
GENENTECH, INC., and HOFFMANN-LA ROCHE INC.,

Patent Owners-Appellants.

Appeal from the United States Patent and Trademark Office
in IPR2022-0578 and IPR2022-0579

**APPELLANTS' MOTION FOR VOLUNTARY DISMISSAL UNDER FED.
R. APP. P. 42(b)(2)**

Pursuant to Federal Rule of Appellate Procedure 42(b), Appellants Chugai Seiyaku Kabushiki Kaisha, Hoffmann-La Roche Inc., and Genentech, Inc. (collectively “Appellants”) hereby move to voluntarily dismiss the above-captioned appeals. In support of this motion, Appellants state the following:

1. On August 29, 2023 the Patent Trial and Appeal Board (“PTAB”) issued its Final Written Decision in the underlying inter partes reviews of United States Patent Nos. 8,580,264 and 10,874,677 B2.
2. On October 31, 2023, Appellants appealed to this Court from the Final Written Decisions.
3. No appeal briefs have been filed by either side.
4. Appellants have determined not to pursue further their appeals of the PTAB’s Final Written Decisions.
5. Counsel for Patent Owners-Appellants has conferred with counsel for the Appellee regarding a stipulation of dismissal and this motion.
6. Appellee has indicated that it has not been authorized to stipulate to dismissal and may file a response.

Accordingly, Appellants respectfully requests that the Court enter an order dismissing this appeal with each side bearing its own fees and costs.

Respectfully submitted,

Date: February 12, 2024

By: /Thomas S. Fletcher/

Thomas S. Fletcher (Reg. No. 72,383)
Williams & Connolly LLP
680 Maine Street SW
Washington, D.C. 20024
Tel. (202) 434-5000
Email: tfletcher@wc.com
Lead Counsel for Patent Owners-Appellants

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

CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITATIONS

Case Number: 24-1111; 24-1115

Short Case Caption: Chugai Seiyaku Kabushiki Kaisha v. Celltrion, Inc.

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Signature: /s/ Thomas S. Fletcher

Name: Thomas S. Fletcher