

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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COHERUS BIOSCIENCES, INC.,  
Petitioner,

v.

ABBVIE BIOTECHNOLOGY LTD.,  
Patent Owner.

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Case IPR2017-00826  
Case IPR2017-00827  
Patent 9,085,619

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**PETITIONER'S UNOPPOSED MOTION TO DISMISS  
PETITIONS WITHOUT PREJUDICE**

Pursuant to the Board's instruction during the telephone conference held April 6, 2017, Petitioner hereby submits its unopposed motion to dismiss the petitions and terminate proceedings in IPR2017-00826 and IPR2017-00827, without prejudice, in favor of IPR2017-01009 and IPR2017-01008, respectively.

The petitions in IPR2017-00826 and IPR2017-00827 were filed on January 31, 2017 and notices of accorded filing date were issued on February 24, 2017. The Patent Owner has not filed a preliminary response, and the Board has not made any rulings concerning the merits of the petitions. The Patent Owner has indicated that it does not oppose termination of the IPR2017-00826 and IPR2017-00827 proceedings without prejudice.

Therefore Petitioner respectfully requests that, pursuant to the Board's authority under at least 37 C.F.R. §§ 42.5(a) and 42.71(a), Petitioner's unopposed motion to dismiss and terminate proceeding numbers IPR2017-00826 and IPR2017-00827 without prejudice be granted.

Dated: April 7, 2017

Respectfully submitted,

/ Joseph A. Hynds /

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### **CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that I caused to be served on the counsel of record for Patent Owner Abbvie Biotechnology Ltd. a true and correct copy of the foregoing “Petitioner’s Unopposed Motion to Dismiss Petitions Without Prejudice,” by electronic means on April 7, 2017, to the following email addresses of record:

<b>Lead Counsel</b>	<b>Backup Counsel</b>
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Dated: April 7, 2017

/ Erik van Leeuwen /

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