

Madison, Wilton

18 -01578-E

From: Mark Edwards <medwards@biosciadvisors.com>
Sent: Saturday, December 23, 2017 11:41 AM
To: foiapa
Subject: FOIA Request

I would like to request access to Exhibits 10.1 and 10.2 to the 6/30/11 10-Q, filed by Idera Pharmaceuticals, Inc. on 8/5/2011. Confidential treatment was sought as to certain portions when initially filed with the Commission.

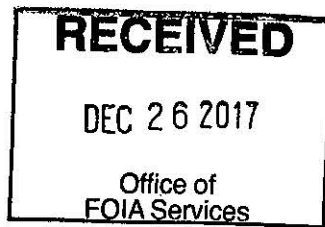
In the event that confidential treatment has not expired or has been extended, I further request that you send me the expiration date(s) from the relevant CT order(s) so I will know when I should resubmit my request.

I authorize up to \$61 in search and retrieval fees. Please send the exhibit(s) by PDF if possible.

Sincerely,

Mark

Mark G Edwards
Managing Director
Bioscience Advisors
2855 Mitchell Dr., Suite 103
Walnut Creek, CA 94598
medwards@biosciadvisors.com
925 954-1397





UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2465

Office of FOIA Services

January 23, 2018

Mr. Mark G. Edwards
Bioscience Advisors
2855 Mitchell Dr., Suite 103
Walnut Creek, CA 94598

RE: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. 18-01578-E

Dear Mr. Edwards:

This letter is in response to your request, dated December 23, 2017 and received in this office on December 26, 2017, for information regarding Exhibits 10.1 and 10.2 to the Form 10-Q, filed by Idera Pharmaceuticals, Inc. on August 5, 2011.

The search for responsive records has resulted in the retrieval of 2 pages of records that may be responsive to your request. They are being provided to you with this letter.

As shown on the enclosed invoice, the processing fee is \$30.50 in accordance with our fee schedule. You may use our new [Online Payment](#) option to pay by debit or credit card. If paying by mail, checks or money orders should be made payable to the SEC and a copy of the invoice should be mailed to our new payment address: Enterprise Services Center, HQ Bldg., Room 181, AMZ-341, 6500 South MacArthur Boulevard, Oklahoma City, OK, 73169. Please refer to the following link for detailed instructions on how to remit payments. <http://www.sec.gov/about/offices/ofm.htm>

If you have any questions, please contact me directly at andersonc@sec.gov or (202) 551-8315. You may also contact me at foiapa@sec.gov or (202) 551-7900. You also have the right to seek assistance from Ray J. McInerney as a FOIA Public Liaison or contact the Office of Government Information Services (OGIS) for dispute resolution services. OGIS can be reached at 1-877-684-6448 or Archives.gov or via e-mail at ogis@nara.gov.

Sincerely,

A handwritten signature in cursive script that reads "Clarissa Anderson".

Clarissa Anderson
FOIA Research Specialist

Enclosures

Idera Pharmaceuticals, Inc.
requests that the marked portions of the exhibit be granted
confidential treatment under Rule 24b-2 of the Securities Exchange Act of 1934.

Exhibit 10.1

Merck KGaA · Germany · Frankfurter Str. 250 · 64293 Darmstadt

VIA COURIER

Idera Pharmaceuticals, Inc.
Steven J. Ritter, Ph.D., J.D.
Vice President - Intellectual Property and Contracts
167 Sidney Street
Cambridge, MA 02139
USA

Date June 2, 2010
Division/Dept. Corporate Legal – CL-M
Care of Jens Eckhardt - ns
Phone +49 - 61 51 - 72 23 98
Fax +49 - 61 51 - 72 23 73
E-Mail jens.eckhardt@merck.de

**Our license agreement dated December 18, 2007, effective February 4 2008 (the
“Agreement”)**

Dear Steve,

It is recognized that Idera has met its obligations of delivering 24 Follow-on Compounds in accordance with Section 3.6 of the Agreement. Merck is actively characterizing these Follow-on Compounds toward a goal of selecting six for possible development. As this characterization is currently ongoing, Merck requests that Idera allow Merck to extend the period of time for selecting the Follow-on Compounds such that Merck's right to make a selection pursuant to Section 3.6 of the Agreement would expire on May 31, 2011. This addition time will enable Merck to further characterize the Follow-on Compounds and make a more informed decision in the selection process. During this additional time period, Idera's role in Merck's selection process is expected to be passive and no additional resources are expected to be provided by Idera under the terms of the Agreement.

If you are in agreement with the above please indicate so by returning the attached duplicate of this letter duly signed.

Very truly yours,

Merck KGaA

Agreed:

i.V.

i.V.

Idera Pharmaceuticals, Inc.

/s/ Astrid Perschl

/s/ Jens Eckhardt

/s/ Louis J. Arcudi

Dr. Astrid Perschl

Jens Eckhardt

Louis J. Arcudi, III

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Frankfurter Str. 250
64293 Darmstadt
Phone +49 6151 72-0
Fax +49 6151 72-2000
www.merck.de

Partnership limited by shares
Commercial Register AG Darmstadt HRB 6164
Registered Office: Darmstadt
Chairman of the Supervisory Board:
Wilhelm Simson

Executive Board
and General Partners:
Karl-Ludwig Kley (Chairman),
Michael Becker, Bernd Reckmann, Elmar Schnee

Idera Pharmaceuticals, Inc.
requests that the marked portions of the exhibit be granted
confidential treatment under Rule 24b-2 of the Securities Exchange Act of 1934.

Exhibit 10.2

Merck KGaA · Germany · Frankfurter Str. 250 · 64293 Darmstadt

Idera Pharmaceuticals, Inc.
Steven J. Ritter, Ph.D., J.D.
Vice President – Intellectual Property and Contracts
167 Sidney Street
Cambridge, MA 02139
USA

Date 19.05.2011
Division/Dept. Corp. Legal & Intel. Property / CL-S
Care of Dr. Simone Heitz
Phone +49 61 51 72-2160
Fax +49 61 51 72-2373
E-Mail simone.heitz@merck.de

**Our license agreement dated December 18, 2007, effective February 4, 2008 (the
“Agreement”)**

Dear Steve,

It is recognized that Idera has met its obligations of delivering 24 Follow-on Compounds in accordance with Section 3.6 of the Agreement. Merck is actively characterizing these Follow-on Compounds toward a goal of selecting six for possible development. As this characterization is currently ongoing, Merck requests that Idera allow Merck to extend the period of time for selecting the Follow-on Compounds such that Merck's right to make a selection pursuant to Section 3.6 of the Agreement would expire on May 31st, 2012. This additional time will enable Merck to further characterize the Follow-on Compounds and make a more informed decision in the selection process based on additional preclinical experiments. During this additional time period, Idera's role in Merck's selection process is expected to be passive and no additional resources are expected to be provided by Idera under the terms of the Agreement.

If you are in agreement with the above please indicate so by returning the attached duplicate of this letter duly signed.

Very truly yours,

Merck KGaA

Agreed:

i.V.

i.V.

Idera Pharmaceuticals, Inc.

/s/ Astrid Perschl

/s/ Simone Heitz

/s/ Louis J. Arcudi

Dr. Astrid Perschl

Dr. Simone Heitz

Louis J. Arcudi, III

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Corporation with General Partners
Commercial Register AG Darmstadt HRB 6164
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Chairman of the Supervisory Board:
Rolf Krebs

Executive Board and General Partners:

Karl-Ludwig Kley (Chairman),
Michael Becker, Kai Beckmann,
Stefan Oschmann, Bernd Reckmann

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