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SANOFI-AVENTIS U.S. LLC, AVENTIS PHARMA S.A. and SANOFI

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SANOFI-AVENTIS U.S. LLC,
AVENTIS PHARMA S.A. and
SANOFI

Plaintiffs,

v.

DR. REDDY'S LABORATORIES, INC., and
DR. REDDY'S LABORATORIES, LTD.

Defendants.

C.A. No.: _____

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs Sanofi-Aventis U.S. LLC (hereinafter "Sanofi U.S."), Aventis Pharma S.A. (hereinafter "Aventis") and Sanofi (collectively, "Plaintiffs") for their Complaint against defendants Dr. Reddy's Laboratories, Inc., and Dr. Reddy's Laboratories, Ltd. (collectively,

“DRL” or “Defendants”), hereby allege as follows:

THE PARTIES

1. Plaintiff Sanofi U.S. is an indirectly wholly owned U.S. subsidiary of Sanofi and is a company organized and existing under the laws of the State of Delaware, having commercial headquarters at 55 Corporate Drive, Bridgewater, New Jersey 08807.

2. Plaintiff Aventis is a corporation organized and existing under the laws of France, having its principal place of business at 20 avenue Raymond Aron, 92160 Antony, France.

3. Plaintiff Sanofi is a corporation organized and existing under the laws of France, having its principal place of business at 54 rue La Boétie, 75008 Paris, France.

4. Plaintiff Sanofi is a global research-driven pharmaceutical company that discovers, develops, manufactures and markets a broad range of innovative products to improve human and animal health.

5. On information and belief, defendant Dr. Reddy’s Laboratories, Inc. is a corporation organized and existing under the laws of the State of New Jersey, having its principal place of business at 107 College Road East, Princeton, New Jersey 08540.

6. On information and belief, defendant Dr. Reddy’s Laboratories, Ltd. is a company organized and existing under the laws of India, having its principal place of business at 8-2-337, Road No. 3, Banjara Hills, Hyderabad 500 034, India.

7. On information and belief, defendant Dr. Reddy’s Laboratories, Inc. is a subsidiary of Dr. Reddy’s Laboratories, Ltd.

8. On information and belief, defendant Dr. Reddy’s Laboratories, Inc., as United States agent for Dr. Reddy’s Laboratories, Ltd., assembled and caused to be filed with the

United States Food and Drug Administration (“FDA”), pursuant to 21 U.S.C. § 355(j) (Section 505(j) of the Federal Food, Drug and Cosmetic Act), Abbreviated New Drug Application (“ANDA”) No. 207718 (hereinafter “the DRL ANDA”) concerning a proposed drug product, cabazitaxel injection, 60 mg/1.5 mL (40 mg/mL), for intravenous infusion (“DRL’s Proposed ANDA Product”).

JURISDICTION AND VENUE

9. This action arises under the patent laws of the United States of America. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

10. This Court has personal jurisdiction over Dr. Reddy’s Laboratories, Inc. On information and belief, Dr. Reddy’s Laboratories, Inc. is a corporation organized and existing under the laws of the State of New Jersey, having its principal place of business at 107 College Road East, Princeton, New Jersey 08540. On information and belief, Dr. Reddy’s Laboratories, Inc. is registered as a domestic business entity with the New Jersey Department of Treasury under the business entity identification number 0100518911. On information and belief, Dr. Reddy’s Laboratories, Inc. conducts business in the State of New Jersey under the alternate name Reddy-Cheminor, Inc. On information and belief, Reddy-Cheminor, Inc. is also registered as a domestic business entity with the New Jersey Department of Treasury under the business entity identification number 0100518911. On information and belief, Reddy-Cheminor, Inc. is registered to conduct business activity of distributing generic pharmaceuticals. On information and belief, Reddy-Cheminor, Inc. maintains a corporate agent for service of process at 66 South Maole Avenue, Ridgewood, New Jersey 07450. On information and belief, Reddy-Cheminor, Inc. is an agent, affiliate or subsidiary of Dr. Reddy’s Laboratories, Inc.

11. On information and belief, Dr. Reddy's Laboratories, Inc. directly or through its affiliates and agents develops, formulates, manufactures, markets, imports and sells pharmaceutical products, including generic drug products, which are copies of products invented and developed by innovator pharmaceutical companies, throughout the United States, including in this Judicial District. On information and belief, Dr. Reddy's Laboratories, Inc. holds an active wholesale drug and medical device license for the State of New Jersey under License No. 5002312.

12. On information and belief, Dr. Reddy's Laboratories, Inc. has affiliations with the State of New Jersey that are pervasive, continuous, and systematic. On information and belief, Dr. Reddy's Laboratories, Inc. engages in direct marketing, distribution, and/or sale of generic pharmaceutical drugs within the State of New Jersey and to the residents of the State of New Jersey, and maintenance of corporate agents in the State of New Jersey.

13. On information and belief, Dr. Reddy's Laboratories, Inc. regularly conducts and/or solicits business in the State of New Jersey, engages in other persistent courses of conduct in the State of New Jersey, and/or derives substantial revenue from services or things used or consumed in the State of New Jersey.

14. On information and belief, Dr. Reddy's Laboratories, Inc. has previously submitted to the jurisdiction of this Court and has availed itself of the legal protections of the State of New Jersey, having asserted claims in this jurisdiction, including in the matter of *Dr. Reddy's Laboratories, Inc. et al. v. Purdue Pharmaceutical Products L.P. et al.*, Civil Action No. 14-3230 (JLL)(JAD) (D.N.J. May 20, 2014). On information and belief, Dr. Reddy's Laboratories, Inc. has previously submitted to the jurisdiction of this Court and has availed itself of the legal protections of the State of New Jersey, having asserted counterclaims in this

jurisdiction, including in the related matter of *Sanofi-Aventis U.S. LLC et al. v. Dr. Reddy's Laboratories, Inc. et al.*, Civil Action No. 15-2522 (MAS)(LHG), D.I. 15 at 4-8, 15-20 (D.N.J. Jun. 26, 2015), and in the matters of *Sucampo AG et al. v. Dr. Reddy's Laboratories, Inc. et al.*, Civil Action No. 14-7144 (MAS)(DEA), D. I. 16 at 2-3, 18-25 (D.N.J. Jan. 26, 2015); *Helsinn Healthcare S.A. et al. v. Dr. Reddy's Laboratories, Inc. et al.*, Civil Action No. 14-4274 (MLC)(DEA), D.I. 13 at 3, 8-12 (D.N.J. Sep. 5, 2014); *Amarin Pharma, Inc. et al. v. Dr. Reddy's Laboratories, Inc. et al.*, Civil Action No. 14-2760 (MLC)(DEA), D.I. 27 at 3, 34-48 (D.N.J. Jul. 31, 2014); *Genzyme Corp. et al. v. Dr. Reddy's Laboratories, Inc. et al.*, Civil Action No. 13-6827 (JED)(KMW), D.I. 17 at 6, 16-21 (D.N.J. Jan. 21, 2014).

15. Dr. Reddy's Laboratories, Inc. is also subject to personal jurisdiction in the State of New Jersey because, *inter alia*, it has committed, aided, abetted, contributed to, and/or participated in the commission of a tortious act of patent infringement under 35 U.S.C. § 271(e)(2) that has led and/or will lead to foreseeable harm and injury to Plaintiff Sanofi U.S., having commercial headquarters in the State of New Jersey. Dr. Reddy's Laboratories, Inc. sent its March 10, 2016 Paragraph IV Notice Letter to Sanofi U.S.'s commercial headquarters at 55 Corporate Drive, Bridgewater, New Jersey 08807. Plaintiffs' cause of action arose from Dr. Reddy's Laboratories, Inc.'s contact with Sanofi U.S. in Bridgewater, New Jersey. Dr. Reddy's Laboratories, Inc. states that it intends to engage in the commercial manufacture, use, and/or sale of DRL's Proposed ANDA Product before the expiration of U.S Patent No. 5,847,170 throughout the United States, including in this Judicial District.

16. On information and belief, upon approval of the DRL ANDA, Dr. Reddy's Laboratories, Inc. and/or its subsidiaries, affiliates or agents will market, sell and/or distribute

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