

EXHIBIT A-1

Invalidity Claim Chart of Sigg, alone or in combination with any of Boulange, Lam, Reuter, Scypinski, M Schoenknecht, Chacornac, Nema, D'Souza, Furfine, Badkar, Macugen, Eylea, Lucentis, Stewart, USP789 Hagen, Khandke, Wittland, Shams, Dixon, and/or Cormier against U.S. Patent No. 9,220,

Charted Reference:

PCT Patent Publication No. WO 2011/006877 to Sigg *et al.* (“Sigg”), alone or in view of Boulange, Lam, Reuter, Shah, Fries, Schoenknecht, Chacornac, Nema, D’Souza, Furfine, Badkar, Macugen, Eylea, Lucentis, Stewart, US DC365, Hagen, Khandke, Wittland, Shams, Dixon, and/or Cormier, render obvious claims 1-26 of U.S. Patent No.

This claim chart is based on Regeneron’s current understanding of the asserted claims, and Regeneron’s investigation. Regeneron is not admitting to the accuracy of any particular construction. Regeneron reserves all rights to amend this chart in light of any claim construction developments or any amendments to Novartis’s infringement contentions. Regeneron’s contentions, should such developments occur or amendments be allowed. Further, as discovery is ongoing and Regeneron seeks discovery from third parties regarding the references identified in Regeneron’s invalidity contentions as well as prior art, Regeneron reserves the right to revise its invalidity contentions as appropriate in view of any ongoing discovery.

The claim chart below identifies where each limitation of each asserted claim of the 631 Patent can be found in the references provided below are exemplary, rather than exhaustive, and Regeneron reserves the right to rely upon any other prior art references. Where Regeneron identifies a portion of a reference’s text, the identification should be understood as corresponding to the corresponding figure or diagram, and vice versa.

Claim Language	Corresponding Disclosure
<p>[1.a-pre] A pre-filled, terminally sterilized syringe for intravitreal injection,</p>	<p>Sigg discloses a pre-filled, terminally sterilized syringe for intravitreal injection</p> <p>For example, see the following passages and/or figures, as well as all related d</p> <p>Terminal sterilization of prefilled containers in secondary packaging is on the device to an end user with a low bio-burden and low risk of contamination application of the product by the end user. Moreover there is a strong market for terminally antimicrobially-treated medical devices, such as prefilled syring, intravitreal injections.</p> <p>Sigg at 2:15-19.</p> <p>Described herein is a terminal sterilization and surface decontamination tr prefilled containers, specifically for sterilization of prefilled containers con sensitive solutions, such as a drug product or biological therapeutic, within packaging. In one embodiment, terminal sterilization is achieved by treating containers within secondary packaging with controllable vaporized-hydrog (VHP).</p> <p>Sigg at 3:8-13.</p> <p>The method and system described herein decontaminate or, more preferably, an outside surface of primary packaged drug products within a secondary improving safety of products for critical administration (e.g. use in a surgic intravitreal injections)</p> <p>Sigg at 4:12-15.</p> <p>In one embodiment, the prefilled container is a syringe. Other suitable pre include vials, bottles, bags and other medical devices capable of containin solution or a solution requiring sterilization.</p>

Claim Language	Corresponding Disclosure
	<p>In one embodiment, the syringe is filled with a drug product, such as in the form of a solution, powder or solid. In another embodiment the drug product is a solid drug solution or protein solution that is otherwise sensitive to exposure to high temperatures, such as those used in steam sterilization, and ionizing energy such as gamma or beta rays and oxidizing gasses. In yet another embodiment the drug product is one that has been lyophilized, in other words a solid, and requires reconstitution in water or solution prior to use.</p> <p>In another embodiment, a solution is any drug product having requirements for sterility of the drug product container surface. In one particular embodiment the drug product is a protein solution, such as ranibizumab (e.g. 6mg/ml or 10 mg/ml) for intravitreal injection.</p> <p>Sigg at 9:1-14.</p> <p>Example 1</p> <p>In the following experiment, prefilled syringes were treated with a vaporized hydrogen peroxide sterilization treatment in a chamber, either by a single pass through the sterilization procedure or two passes (shown in the table below as 2 x) through the sterilization procedure. Syringes containing protein solutions treated by VHP were compared to control syringes treated with VHP to determine if the integrity of the protein present in solution was maintained.</p> <p>A formulation as described in U.S. Patent No. 7,060,269 was tested for protein degradation following treatment by VHP.</p> <p>Approximately 10 mL of solution was filtered through a 0.22 µm syringe filter (GV filter available from Millipore, Billerica, MA USA.) Filling of 0.5 mL was performed in a sterile lab for hydrogen peroxide treatment.</p>

Claim Language

Corresponding Disclosure

Analysis after the treatment with VHP revealed the following protein content by HPLC analysis: byproducts and degradation products by HPLC (IEC) and degradation products by HPLC (SEC).

Table 1: Protein Stability Following Treatment with VHP

Batch	IEC (% main peak)	IEC (% basic peak)	SEC (% r
Control			
9823.01 CSi	98	2	1
9823.02 CSi	98	2	1
1 x treatment			
9823.04 CSi	98	2	1
9823.05 CSi	98	2	1
2 x treatment			
9823.07	98	2	1
9823.08	98	2	1

The results seen were within the requirement; there were no differences between results of the untreated syringes and with hydrogen-peroxide treated syringes. Analysis can also be carried out at different time points following treatment, such as one month, three months and six months following treatment by VHP, or over the shelf-life of the prefilled container. Analysis can be carried out to determine continued stability of the protein solution, including tests by HPLC for presence of by-products and degradation products by HPLC laboratory protocols. Analysis can also be carried out by the presence of H2O2 changes, such as measuring the concentration of H2O2 in solution by a fluorescence assay using an over-the-counter commercially available kit in conjunction with a fluorimeter with fluorescence detection.

Sigg at 20:10-21:11.

Claim Language	Corresponding Disclosure										
	<p>To the extent Novartis alleges this limitation is not met by any of the disclosures, it would have been obvious in view of Boulange, Lam, Reuter, Scypinski, Metzger, Schoenknecht, Chacornac, Nema, D’Souza, Furfine, Badkar, Macugen, Eylea, USP789, Liu, Hioki, DC365, Hagen, Khandke, Wittland, Shams, Dixon, and/or Exhibits A-2–A-13, B-1–B-3 and all references cited therein.</p>										
<p>[1.b] the syringe comprising a glass body forming a barrel, a stopper and a plunger</p>	<p>Sigg discloses the syringe comprising a glass body forming a barrel, a stopper and a plunger.</p> <p>For example, see the following passages and/or figures, as well as all related disclosures.</p> <p>Further, sterilizing doses of gamma rays cause a brown discoloration of glass, the device, and is prone to damage elastomeric materials like plunger stoppers. The destruction of the elastomers leads to increased stickiness of the components, impairing the functionality of the system. Thus radiation is not an appropriate method for sterilizing prefilled containers, such as syringes, containing a biotech drug.</p> <p>Sigg at 2:1-6.</p> <p>Additionally, the oxidative stress exerted on a 0.5% Polysorbate 20 solution in glass syringes (1 mL long, ISO) was investigated by measurement of peroxide levels according to standard protocols. The total amount of peroxides was measured by the Peroxide Oxidation (FOX) test, according to a standard protocol.</p> <p>Table 3: Peroxide Levels Following Beta Irradiation of Prefilled Containers</p> <table border="1" data-bbox="792 1560 1624 1791"> <thead> <tr> <th data-bbox="792 1560 1214 1633">Number of passes through E-beam tunnel</th> <th data-bbox="1214 1560 1624 1633">Peroxide content of 0.5% Polysorbate 20 solution in water in 1mL long glass syringe (ISO) [μg/mL]</th> </tr> </thead> <tbody> <tr> <td data-bbox="792 1633 1214 1675">Reference (not treated)</td> <td data-bbox="1214 1633 1624 1675">0.04</td> </tr> <tr> <td data-bbox="792 1675 1214 1707">1 pass</td> <td data-bbox="1214 1675 1624 1707">0.04</td> </tr> <tr> <td data-bbox="792 1707 1214 1749">3 passes</td> <td data-bbox="1214 1707 1624 1749">0.03</td> </tr> <tr> <td data-bbox="792 1749 1214 1791">5 passes</td> <td data-bbox="1214 1749 1624 1791">0.05</td> </tr> </tbody> </table>	Number of passes through E-beam tunnel	Peroxide content of 0.5% Polysorbate 20 solution in water in 1mL long glass syringe (ISO) [μ g/mL]	Reference (not treated)	0.04	1 pass	0.04	3 passes	0.03	5 passes	0.05
Number of passes through E-beam tunnel	Peroxide content of 0.5% Polysorbate 20 solution in water in 1mL long glass syringe (ISO) [μ g/mL]										
Reference (not treated)	0.04										
1 pass	0.04										
3 passes	0.03										
5 passes	0.05										

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.