

**U.S. District Court**  
**District of Delaware (Wilmington)**  
**CIVIL DOCKET FOR CASE #: 1:23-cv-00039-GBW**

Merck KGaA et al v. Aurobindo Pharma USA, Inc. et al

Assigned to: Judge Gregory B. Williams

Related Cases: [1:22-cv-00974-GBW](#)

[1:22-cv-01365-GBW](#)

Cause: 35:271 Patent Infringement

**Plaintiff**

**Merck KGaA**

Date Filed: 01/13/2023

Jury Demand: None

Nature of Suit: 835 Patent – Abbreviated

New Drug Application (ANDA)

Jurisdiction: Federal Question

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**Plaintiff**

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**Plaintiff**

**Ares Trading SA**

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V.

**Defendant**

**Aurobindo Pharma USA, Inc.**

**Defendant**

**Aurobindo Pharma Limited**

Date Filed	#	Docket Text
01/13/2023	<u>1</u>	COMPLAINT filed against Aurobindo Pharma Limited, Aurobindo Pharma USA, Inc. ( Filing fee \$ 402, receipt number ADEDC-4043418.) – filed by Merck Serono SA, Merck KGaA, Ares Trading SA. (Attachments: # <u>1</u> Exhibit A-D, # <u>2</u> Civil Cover Sheet)(apk) (Entered: 01/13/2023)
01/13/2023	<u>2</u>	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (apk) (Entered: 01/13/2023)
01/13/2023	<u>3</u>	Supplemental information for patent cases involving an Abbreviated New Drug Application (ANDA) – Date Patentee(s) Received Notice: 12/5/2022. Date of Expiration of Patent: SEE ANDA FORM.Thirty Month Stay Deadline: 6/5/2025. (apk) (Entered: 01/13/2023)
01/13/2023	<u>4</u>	Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) 7,713,947 B2 ;8,377,903 B2 ;10,849,919 B2. (apk) (Entered: 01/13/2023)
01/13/2023	<u>5</u>	Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent Merck KGaA for Ares Trading SA, Merck Serono SA filed by Ares Trading SA, Merck KGaA, Merck Serono SA. (apk) (Entered: 01/13/2023)
01/13/2023	<u>6</u>	Summons Issued as to Aurobindo Pharma Limited on 1/13/2023; Aurobindo Pharma USA, Inc. on 1/13/2023. (Attachments: # <u>1</u> Summons Issued)(apk) (Attachment 1 replaced on 1/19/2023) (ntl). (Entered: 01/13/2023)
01/18/2023		Case Assigned to Judge Gregory B. Williams. Please include the initials of the Judge (GBW) after the case number on all documents filed. (rjb) (Entered: 01/18/2023)
01/20/2023	<u>7</u>	AFFIDAVIT of Service for Summons, Complaint and related papers served on Aurobindo Pharma Limited on January 19, 2023, filed by Ares Trading SA, Merck KGaA, Merck Serono SA. (Tigan, Jeremy) (Entered: 01/20/2023)
01/20/2023	<u>8</u>	SUMMONS Returned Executed by Merck Serono SA, Merck KGaA, Ares Trading SA.Aurobindo Pharma USA, Inc. served on 1/20/2023, answer due 2/10/2023. (Tigan, Jeremy) (Entered: 01/20/2023)