

IPR2024-00009
U.S. Patent 10,335,462

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

Petitioners

v.

NOVO NORDISK A/S,
Patent Owner

Case IPR2024-00009
Patent 10,335,462

DECLARATION OF SAYEM OSMAN

I, Sayem Osman, make the following Declaration pursuant to 28 U.S.C. § 1746:

1. I am a paralegal at the law firm of Groombridge, Wu, Baughman & Stone LLP.
2. I provide this Declaration in connection with the above-identified Patent Owner's Preliminary Response to the *Inter Partes* Review proceeding that is being requested at the U.S. Patent and Trademark Office by Petitioners under 35 U.S.C. §§ 311-319, 37 C.F.R. § 42. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.
3. EX2001 hereto is a true and correct copy of an excerpt of Defendants' Initial Invalidity Contentions Regarding to Defendants' Initial Invalidity Contentions Regarding U.S. Patent Nos. 8,129,343; 8,536,122; 8,114,833; 8,920,383; 9,775,953; 9,457,154; and 10,335,462, *In re: Ozempic (Semaglutide) Patent Litigation*, No. 1:22-cv-01040-CFC, (D. Del. Oct. 20, 2022) which I retrieved on June 29, 2023, as an attachment to an email from Novo Nordisk A/S's counsel at Fenwick & West LLP. Other than excerpting the pages, striking through the confidentiality designation, and adding an exhibit label and page numbers to the bottom of all pages of EX2001, no other alterations have been made.
4. EX2002 hereto is a true and correct copy of Petition for *Inter Partes* Review of U.S. Patent No. 10,335,462, which I retrieved on January 24, 2024, from the United States Patent & Trademark Office's P-Tacts website

(https://ptacts.uspto.gov/ptacts/public-informations/petitions/1553774/download-documents?artifactId=b_q1LlcUgnhslVIMU0tD9zkdxWsQEEBi-V1wQDdI_1YE-eov0D-4ToU). An exhibit label and page numbers have been added to the bottom

of all pages of EX2002 but no other alterations have been made.

5. EX2004 hereto is a true and correct copy of the Stipulation and Order Regarding Trial of the MPI Ozempic Litigation, *In re: Ozempic (Semaglutide) Patent Litigation*, MDL No. 22-MD-03038, Dkt. 245 (D. Del. Oct. 31, 2023) which I retrieved on January 24, 2024, from

https://www.docketalarm.com/cases/Delaware_District_Court/1--22-md-03038/In_Re--_Ozempic_%28Semaglutide%29_Patent_Litigation/245/. Other than excerpting the pages and adding an exhibit label and page numbers to the bottom of all pages of EX2004, no other alterations have been made.

6. EX2005 hereto is a true and correct copy of an email from E. Goldschlager to Counsel dated Nov. 29, 2023 re: IPR2023-00724 Request for Conference Call. I received this email on Nov. 29, 2023 as a member of an email distribution group. An exhibit label and page numbers have been added to the bottom of all pages of EX2005 but no other alterations have been made.

7. EX2006 hereto is a true and correct copy of the Scheduling & Consolidation Order, *Novo Nordisk Inc. v. Rio Biopharmaceuticals, Inc.*, No. 1:22-cv-00294, Dkt. 22 (D. Del. June 30, 2023) which I retrieved on January 24, 2024, from

https://www.docketalarm.com/cases/Delaware_District_Court/1--22-cv-00294/Novo_Nordisk_Inc._et_al_v._Rio_Biopharmaceuticals_Inc._et_al/22/. An

exhibit label and page numbers have been added to the bottom of all pages of EX2006 but no other alterations have been made.

8. EX2007 hereto is a true and correct copy of an excerpt of a Hearing Transcript of Dec. 13, 2023 Claim Construction Hearing, *Novo Nordisk Inc. v. Mylan Pharmaceuticals Inc.*, No. 23-101-CFC (D. Del. Dec. 13, 2023), which I understand was received by Novo Nordisk's counsel Groombridge, Wu, Baughman & Stone. An exhibit label and page numbers have been added to the bottom of all pages of EX2007 but no other alterations have been made.

9. EX2008 hereto is a true and correct copy of the Claim Construction Order, *In re: Ozempic (Semaglutide) Patent Litigation*, MDL No. 22-MD-03038, Dkt. 148 (D. Del. July 25, 2023) which I retrieved on January 24, 2024, from

https://www.docketalarm.com/cases/Delaware_District_Court/1--22-md-03038/In_Re--_Ozempic_%28Semaglutide%29_Patent_Litigation/148/. Other than excerpting the pages and adding an exhibit label and page numbers to the bottom of all pages of EX2008, no other alterations have been made.

10. EX2009 hereto is a true and correct copy of the Joint Stipulation and Order Amending Scheduling Order, *In re: Ozempic (Semaglutide) Patent Litigation*, MDL No. 22-MD-03038-CFC, Dkt. 268 (D. Del. Dec. 1, 2023), which I retrieved on

January 24, 2024, from

https://www.docketalarm.com/cases/Delaware_District_Court/1--22-md-03038/In_Re--_Ozempic_%28Semaglutide%29_Patent_Litigation/268/. An exhibit label and page numbers have been added to the bottom of all pages of EX2009 but no other alterations have been made.

11. EX2010 hereto is a true and correct copy of an excerpt of a Non-Confidential Excerpt of Novo Nordisk's Second Amended Disclosures to Dr. Reddy's Laboratories Ltd. and Dr. Reddy's Laboratories, Inc., *In re: Ozempic (Semaglutide) Patent Litigation*, No. 22-MD-03038-CFC (D. Del. July 28, 2023), which I received on January 26, 2024, as an attachment to an email from Novo Nordisk A/S's counsel at Fenwick & West LLP. Other than excerpting the pages, striking through the confidentiality designation, and adding an exhibit label and page numbers to the bottom of all pages of EX2010, no other alterations have been made.

12. EX2011 hereto is a true and correct copy of United States Patent No. 8,114,833 which I retrieved on January 24, 2024, from the United States Patent & Trademark Office's Patent Public Search Basic (PPUBS Basic) website (<https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/8114833>). An exhibit label and page numbers have been added to the bottom of all pages of EX2011 but no other alterations have been made.

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