

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

In re: Aflibercept Patent Litigation

MDL No. 1:24-md-03103-TSK

THIS ORDER APPLIES TO

Case No. 1:23-CV-89-TSK

**ORDER FOR INJUNCTIVE RELIEF
AGAINST CELLTRION**

Upon consideration of Plaintiff's Motion for Preliminary Injunction, accompanying Memorandum in Support, exhibits attached thereto, and all of the evidence presented before this Court, for the reasons set forth in the Court's June 28, 2024 Order Granting Motion for Preliminary Injunction (ECF No. 215; "PI Ruling"), it is

ORDERED THAT:

Pursuant to Rule 65(d)(1)(A), the reasons why this injunction is being issued are detailed in the PI Ruling.

Pursuant to Rules 65(d)(1)(B)-(C), the terms of the preliminary injunction and the acts restrained are as follows:

Defendant, its officers, agents, servants, representatives and employees, and any and all persons or entities acting by, through, under or in active concert with any or all of them, are hereby enjoined and restrained from offering to sell or selling within the United States any product that is the subject of BLA No. 761377, without a license from Regeneron.

Defendant, its officers, agents, servants, representatives and employees, and any and all persons or entities acting by, through, under or in active concert with any or all of them, shall be so enjoined until the earlier of: (i) expiry of U.S. Patent No. 11,084,865 ("the '865 Patent"); (ii) entry of final judgment in Case No. 1:23-CV-89-TSK; or (iii) entry of a permanent injunction following trial in Case No. 1:23-CV-89-TSK.

Pursuant to Rule 65(d)(2), Defendant shall provide copies of this order to its officers, any employee with responsibility for development or commercialization of CT-P42 as soon as possible and no later than three (3) business days of the issuance of this order.

Regeneron shall post an appropriate bond or other security in an amount to be set in a separate order, which Regeneron shall post within five (5) days of that order.

Nothing herein shall impact, disrupt or otherwise restrict or prohibit any activities undertaken in the United States solely for commercialization of product in non-U.S. markets.

It is so ORDERED.

DATED: July 10, 2024



Hon. Thomas S. Kleeh, Chief Judge