

From: Ferenc, Christopher B. <christopher.ferenc@katten.com>
Sent: Monday, May 13, 2024 11:34 AM
To: Megan Raymond; J. Steven Baughman
Cc: Sodikoff, Brian; Novo-Semaglutide-IPR@groombridgewu.com
Subject: RE: IPR2024-00107 – Preliminary Response

Megan,

Sun merely declined to include Novo's proposed language in the e-mail to the Board because it is unnecessary to place any conditions on an otherwise straight-forward authorization request – adding as an exhibit an as-filed stipulation made of record in the District Court by Sun.

As to the substance of your offer, it is not necessary because the stipulation stands on its own under its plain terms. Sun does not intend to work behind the scenes to advance issues at trial that solely relate to invalidity grounds that it could not pursue subject to the stipulation, but it cannot agree to restrict itself and/or invite future quibbles about the scope of restrictions. As just one example, your proposal presumes that all issues for trial are completely isolatable on all levels (which expert, how the expert spends and documents his time, how the expert expresses his opinions in reports and/or depositions) when that may not be the case. As such, your proposed stipulation goes beyond that and places impractical restrictions on Sun's ability to prepare its case on issues that it is not estopped from making. Notably, you have failed to cite any authority or precedent that supports Novo's position.

The sole issue is whether the Board should authorize the submission of the exhibit. Sun cannot agree to the inclusion of any argument in the e-mail to the Board, as it is improper. *See, e.g., Samsung Electronics Co., Ltd., et al. v. Black Hills Media, LLC*, Cases IPR2014-00717 (PTAB, July 10, 2014) (Paper 6) (finding argument in e-mail to the Board "constitutes an unauthorized, off-the-record brief in support of Patent Owner's request"). We have removed all argument from the e-mail, and the parties are free to raise any arguments regarding this issue during the call with the Board.

We have made a good-faith effort to resolve this dispute and see no reason to continue to hold up this e-mail.

Please send us your edits/approval to the e-mail to the Board by two Eastern. We are available to discuss, if necessary, at 2:30 EST.

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PTAB,

Petitioners Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (together "Sun") have filed a stipulation in the District Court in the underlying litigation. Petitioners request authorization to submit this stipulation as an exhibit in this proceeding for consideration by the Board.

Patent Owner opposes this request and seeks a 3-page brief to address issues raised by the stipulation.

The parties request a conference call with the Board to discuss this issue.

The parties are available for a call with the Board at the following times: Monday, May 13 from 12-5, or Wednesday, May 15 from 2-5, or otherwise at the Board's convenience.

Regards,

Christopher B. Ferenc

Partner

Katten

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1919 Pennsylvania Ave., NW., Suite 800 | Washington, DC 20006

direct +1.202.625.3647

christopher.ferenc@katten.com | katten.com

From: Megan Raymond <megan.raymond@groombridgewu.com>

Sent: Sunday, May 12, 2024 11:27 AM

To: Ferenc, Christopher B. <christopher.ferenc@katten.com>; J. Steven Baughman <steve.baughman@groombridgewu.com>

Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com

Subject: RE: IPR2024-00107 – Preliminary Response

EXTERNAL EMAIL – EXERCISE CAUTION

Chris,

Are you saying that Sun does stipulate and confirm that, if Sun's Petition is instituted, Sun will not contribute to district court litigation of any of the stipulated grounds behind the scenes (e.g., Sun will not pay for experts, participate in expert reports, deposition preparation, etc. in connection with any of the stipulated grounds)? If so, then we can shortcut this by including that agreement in the email and not asking for additional briefing. If not, then what is inaccurate about the representation in my edits?

Megan

From: Ferenc, Christopher B. <christopher.ferenc@katten.com>

Sent: Friday, May 10, 2024 8:37 PM

To: Megan Raymond <megan.raymond@groombridgewu.com>; J. Steven Baughman <steve.baughman@groombridgewu.com>

Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com

Subject: RE: IPR2024-00107 – Preliminary Response

Megan,

Sun never made the representation referenced in your edits, so we will not include that language in our e-mail to the Board. The e-mail below accurately reflects the compromised language reached by the parties, and expressly requests a conference with the Board to discuss the issue. Please send your approval.

--

PTAB,

Petitioners Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (together "Sun") have filed a stipulation in the District Court in the underlying litigation. This stipulation updates a previously submitted stipulation by Sun made of record in this proceeding (Exhibit 2026).

Petitioners request authorization to submit the updated stipulation as an exhibit in this proceeding for consideration by the Board.

Patent Owner opposes this request. Patent Owner further requests a 3-page brief to address discretionary denial issues, including the sufficiency of the previous and above-mentioned stipulation.

The parties request a conference call with the Board to discuss this issue.

The parties are available for a call with the Board at the following times: Monday, May 13 from 9-5, or Wednesday, May 15 from 2-5, or otherwise at the Board's convenience.

Regards,

Christopher B. Ferenc

Partner

Katten

Katten Muchin Rosenman LLP

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direct +1.202.625.3647

christopher.ferenc@katten.com | katten.com

From: Megan Raymond <megan.raymond@groombridgewu.com>

Sent: Friday, May 10, 2024 8:05 PM

To: Ferenc, Christopher B. <christopher.ferenc@katten.com>; J. Steven Baughman <steve.baughman@groombridgewu.com>

Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com

Subject: RE: IPR2024-00107 – Preliminary Response

EXTERNAL EMAIL – EXERCISE CAUTION

Chris,

We disagree that the subject of the 3-page brief is argument. To the extent you disagree with its inclusion and think otherwise, you are entitled to reflect your position without argument. Sun's decision to delay raising this issue at all until less than a month before the institution decision is due in this case, and its decision to wait four days to respond to Steve's May 3 email was Sun's own choosing. This could've easily been resolved a week ago had Sun been willing to acknowledge that its Sotera stipulation prevents it from participating behind the scenes in certain invalidity activities if its IPR is instituted.

I have included our non-argumentative position below. Please send us a revised version if you make further changes to Sun's position so we can consider whether any further adjustment of ours may be appropriate.

PTAB,

Petitioners Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (together "Sun") have filed a stipulation in the District Court in the underlying litigation. This stipulation updates a previously submitted stipulation by Sun made of record in this proceeding (Exhibit 2026).

Petitioners request authorization to submit updated stipulation as an exhibit in this proceeding for consideration by the Board. Patent Owner opposes this request, and requests a call to the extent the Board is inclined to grant it. Patent Owner further requests a 3-page brief to address discretionary denial issues, including the sufficiency of the previous and above-mentioned stipulation in view of Petitioner's assertion to Patent Owner that it may still contribute to district court litigation on any of the stipulated grounds behind the scenes (e.g., Sun may still pay for experts, participate in expert reports, deposition preparation, etc. in connection with any of the stipulated grounds).

The parties are available for a call with the Board at the following times: Monday, May 13 from 9-5, or Wednesday, May 15 from 2-5, or otherwise at the Board's convenience.

Regards,

From: Ferenc, Christopher B. <christopher.ferenc@katten.com>
Sent: Friday, May 10, 2024 7:21 PM
To: Megan Raymond <megan.raymond@groombridgewu.com>; J. Steven Baughman <steve.baughman@groombridgewu.com>
Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com
Subject: RE: IPR2024-00107 – Preliminary Response

Megan,

As you conceded, the inclusion of argument in this e-mail is improper. We have assented to that request and the revised e-mail below reflects the parties agreed-upon language to the Board. Novo is free to raise its arguments during any call scheduled by the Board.

Please let us know if you we have your approval to send this evening. We note that Sun filed its stipulation 10 days ago and Novo's unreasonable delay in sending an otherwise ministerial e-mail is unacceptable and prejudicial to the Board's ability to consider the relevant development in this case. Sun reserves all rights.

--

PTAB,

Petitioners Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (together "Sun") have filed a stipulation in the District Court in the underlying litigation. This stipulation updates a previously submitted stipulation by Sun made of record in this proceeding (Exhibit 2026).

Petitioners request authorization to submit updated stipulation as an exhibit in this proceeding for consideration by the Board. Patent Owner opposes this request and requests a call to the extent the Board is inclined to grant it. Patent Owner further requests a 3-page brief to address discretionary denial issues, including the sufficiency of the above-mentioned stipulation.

The parties are available for a call with the Board at the following times: Monday, May 13 from 9-5, or Wednesday, May 15 from 2-5, or otherwise at the Board's convenience.

Regards,

--

Christopher B. Ferenc

Partner

Katten

Katten Muchin Rosenman LLP

1919 Pennsylvania Ave., NW., Suite 800 | Washington, DC 20006

direct +1.202.625.3647

christopher.ferenc@katten.com | katten.com

From: Megan Raymond <megan.raymond@groombridgewu.com>

Sent: Friday, May 10, 2024 5:55 PM

To: Ferenc, Christopher B. <christopher.ferenc@katten.com>; J. Steven Baughman

<steve.baughman@groombridgewu.com>

Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com

Subject: RE: IPR2024-00107 – Preliminary Response

EXTERNAL EMAIL – EXERCISE CAUTION

Chris,

We've added back our request for a 3-page brief, which seems to have been deleted in your last draft. Also, our position, reflected in our last draft, that attaching the stipulation is improper, stands. We've revised assuming you won't attach the stipulation (see red text). If you plan to attach it, then we'll add an objection to that.

PTAB,

Petitioners Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (together "Sun") have filed a stipulation in the District Court in the underlying litigation. This stipulation updates a previously submitted stipulation by Sun made of record in this proceeding (Exhibit 2026).

Petitioners request authorization to submit updated stipulation as an exhibit in this proceeding for consideration by the Board. Patent Owner opposes this request, and requests a call to the extent the Board is inclined to grant it. Patent Owner further requests a 3-page brief to address discretionary denial issues, including the sufficiency of the previous and above-mentioned stipulation in view of Petitioner's assertion to Patent Owner that it may still contribute to district court litigation on any of the stipulated grounds behind the scenes (e.g., Sun may still pay for experts, participate in expert reports, deposition preparation, etc. in connection with any of the stipulated grounds).

The parties are available for a call with the Board at the following times: Friday, May 10 from 2:30-5, Monday, May 13 from 9-5, or Wednesday, May 15 from 9-5, or otherwise at the Board's convenience.

Regards,

From: Ferenc, Christopher B. <christopher.ferenc@katten.com>

Sent: Friday, May 10, 2024 10:25 AM

To: Megan Raymond <megan.raymond@groombridgewu.com>; J. Steven Baughman

<steve.baughman@groombridgewu.com>

Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com

Subject: RE: IPR2024-00107 – Preliminary Response

Megan,

We agree that all argument should be removed from the e-mail. A revised e-mail is below. Please let us know if you have any edits by 2 p.m. Eastern.

--

PTAB,

Petitioners Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (together "Sun") have filed the attached stipulation in the District Court in the underlying litigation. This stipulation updates a previously submitted stipulation by Sun made of record in this proceeding (Exhibit 2026).

Petitioners request authorization to submit updated stipulation as an exhibit in this proceeding for consideration by the Board. Patent Owner opposes this request.

If required, the parties are available for a call with the Board at the following times: Friday, May 10 from 2:30-5, Monday, May 13 from 9-5, or Wednesday, May 15 from 9-5, or otherwise at the Board's convenience.

Regards,

Counsel for Petitioners

Christopher B. Ferenc

Partner

Katten

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direct +1.202.625.3647
christopher.ferenc@katten.com | katten.com

From: Megan Raymond <megan.raymond@groombridgewu.com>

Sent: Thursday, May 9, 2024 3:47 PM

To: Ferenc, Christopher B. <christopher.ferenc@katten.com>; J. Steven Baughman
<steve.baughman@groombridgewu.com>

Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com

Subject: RE: IPR2024-00107 – Preliminary Response

EXTERNAL EMAIL – EXERCISE CAUTION

Chris,

Your request to the Board now contains improper argument. We ask that you remove the improper argument (and the attachment) and will then update our statement accordingly. To the extent Sun insists on keeping the improper argument in the email, we have inserted a statement below.

--

PTAB,

In view of the April 25, 2024 decision issued in related proceeding, *Dr. Reddy's Laboratories, Inc. et al. v. Novo Nordisk A/S*, IPR2024-00009 (Paper No. 19) (the "Dr. Reddy's Decision"), Petitioners Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (together "Sun") have filed the attached stipulation in the District Court in the underlying litigation. This stipulation tracks the proposed stipulation discussed in the Dr. Reddy's Decision and updates a previously submitted stipulation by Sun made of record in this proceeding (Exhibit 2026).

Petitioners request authorization to submit the attached stipulation as an exhibit in this proceeding (IPR2024-00107) for consideration by the Board, which has previously ruled in the Dr. Reddy's Decision that the same stipulation was sufficient to defeat Patent Owner's *Fintiv* arguments. The conditions sought to be imposed by Patent Owner are nothing more than a pretext to re-argue an issue previously decided by the Board on the same facts, and are predicated on faulty assumptions (e.g. that an expert will isolate time spent on certain grounds vs. others). Patent Owner is free to argue its interpretation of the stipulation at the District Court, if so inclined. The Board should deny any request for further briefing on this issue.

Regarding Petitioner's improper attachment and discussion of the substance of its arguments above, Patent Owner notes its understanding Petitioner's inclusion of such argument in its email is improper and a violation of the Board's procedures. Patent Owner accordingly does not attempt herein to respond to the substance of those arguments, other than to note it opposes this request because Sun has refused to agree that as part of this stipulation, it will not contribute to district court litigation of any of the stipulated grounds behind the scenes (e.g., Sun will not pay for experts, participate in expert reports, deposition preparation, etc. in connection with any of the stipulated grounds). Patent Owner requests a 3-page brief to address discretionary denial issues, including the sufficiency of the stipulation in view of Petitioner's position as to its meaning. Patent Owner requests a teleconference on this issue to the extent the Board considers granting it, and will be prepared to address Petitioner's arguments on any call the Board may schedule.

If required, the parties are available for a call with the Board at the following times: Friday, May 10 from 11:30-1:30 or 2:30-5, Monday, May 13 from 9-5, or Wednesday, May 15 from 9-5, or otherwise at the Board's convenience.

From: Ferenc, Christopher B. <christopher.ferenc@katten.com>
Sent: Thursday, May 9, 2024 3:20 PM
To: Megan Raymond <megan.raymond@groombridgewu.com>; J. Steven Baughman <steve.baughman@groombridgewu.com>
Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com
Subject: RE: IPR2024-00107 – Preliminary Response

Megan,

Sun is only requesting the relief of entering the stipulation as filed as evidence in the IPR. Your additional material does not go to that issue, but instead seeks to add arguments about the scope of that stipulation in the district court. Further, the stipulation entered by Sun is the same as the stipulation offered (and subsequently entered) by DRL. Novo was free to make arguments about scope when it opposed the same stipulation in the DRL proceeding. Having chose not to make such an argument, this "offer" is nothing more than a pretext for Novo to re-litigate an issue already decided by the PTAB – the sufficiency of the Sun stipulation to dispose of Novo's *Fintiv* arguments.

Below is the e-mail we intend to send to the Board today. Please send any edits by 5 p.m. eastern.

--

PTAB,

In view of the April 25, 2024 decision issued in related proceeding, *Dr. Reddy's Laboratories, Inc. et al. v. Novo Nordisk A/S*, IPR2024-00009 (Paper No. 19) (the "Dr. Reddy's Decision"), Petitioners Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (together "Sun") have filed the attached stipulation in the District Court in the underlying litigation. This stipulation tracks the proposed stipulation discussed in the Dr. Reddy's Decision and updates a previously submitted stipulation by Sun made of record in this proceeding (Exhibit 2026).

Petitioners request authorization to submit the attached stipulation as an exhibit in this proceeding (IPR2024-00107) for consideration by the Board, which has previously ruled in the Dr. Reddy's Decision that the same stipulation was sufficient to defeat Patent Owner's *Fintiv* arguments. The conditions sought to be imposed by Patent Owner are nothing more than a pretext to re-argue an issue previously decided by the Board on the same facts, and are predicated on faulty assumptions (e.g. that an expert will isolate time spent on certain grounds vs. others). Patent Owner is free to argue its interpretation of the stipulation at the District Court, if so inclined. The Board should deny any request for further briefing on this issue.

Patent Owner opposes this request because Sun has refused to agree that as part of this stipulation, it will not contribute to district court litigation of any of the stipulated grounds behind the scenes (e.g., Sun will not pay for experts, participate in expert reports, deposition preparation, etc. in connection with any of the stipulated grounds). Patent Owner requests a 3-page brief to address discretionary denial issues, including the sufficiency of the stipulation.

If required, the parties are available for a call with the Board at the following times: Friday, May 10 from 11:30-1:30 or 2:30-5, Monday, May 13 from 9-5, or Wednesday, May 15 from 9-5, or otherwise at the Board's convenience.

Christopher B. Ferenc

Partner

Katten

Katten Muchin Rosenman LLP

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christopher.ferenc@katten.com | katten.com

From: Megan Raymond <megan.raymond@groombridgewu.com>

Sent: Thursday, May 9, 2024 12:57 PM

To: Ferenc, Christopher B. <christopher.ferenc@katten.com>; J. Steven Baughman <steve.baughman@groombridgewu.com>

Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com

Subject: RE: IPR2024-00107 – Preliminary Response

EXTERNAL EMAIL – EXERCISE CAUTION

Chris,

We are surprised by your refusal, as we believe the stipulation would prohibit Sun from contributing to any of the stipulated grounds behind the scenes in the District Court. Accordingly, we have updated our position in the email to the Board below.

Sincerely,

Megan

PTAB,

In view of the April 25, 2024 decision issued in related proceeding, *Dr. Reddy's Laboratories, Inc. et al. v. Novo Nordisk A/S*, IPR2024-00009 (Paper No. 19) (the "Dr. Reddy's Decision"), Petitioners Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (together "Sun") have filed the attached stipulation in the District Court in the underlying litigation. This stipulation tracks the proposed stipulation discussed in the Dr. Reddy's Decision and updates a previously submitted stipulation by Sun made of record in this proceeding (Exhibit 2026).

Petitioners request authorization to submit the attached stipulation as an exhibit in this proceeding (IPR2024-00107) for consideration by the Board. Patent Owner opposes this request because Sun has refused to agree that as part of this

stipulation, it will not contribute to district court litigation of any of the stipulated grounds behind the scenes (e.g., Sun will not pay for experts, participate in expert reports, deposition preparation, etc. in connection with any of the stipulated grounds). Patent Owner requests a 3-page brief to address discretionary denial issues, including the sufficiency of the stipulation.

If required, the parties are available for a call with the Board at the following times: Friday, May 10 from 11:30-1:30 or 2:30-5, Monday, May 13 from 9-5, or Wednesday, May 15 from 9-5, or otherwise at the Board's convenience.

From: Ferenc, Christopher B. <christopher.ferenc@katten.com>
Sent: Tuesday, May 7, 2024 1:52 PM
To: J. Steven Baughman <steve.baughman@groombridgewu.com>; Megan Raymond <megan.raymond@groombridgewu.com>
Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com
Subject: RE: IPR2024-00107 – Preliminary Response

Steve,

Sun cannot agree to Novo's proposed addition to the e-mail. The actual stipulation already filed by Sun in the District Court proceeding was previously found by the Board to be satisfactory for the purposes of institution/joiner vis-à-vis the DRL decision. Please let us know if the following e-mail can be sent today so that we can properly update the Board on the update.

--

PTAB,

In view of the April 25, 2024 decision issued in related proceeding, *Dr. Reddy's Laboratories, Inc. et al. v. Novo Nordisk A/S*, IPR2024-00009 (Paper No. 19) (the "Dr. Reddy's Decision"), Petitioners Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (together "Sun") have filed the attached stipulation in the District Court in the underlying litigation. This stipulation tracks the proposed stipulation discussed in the Dr. Reddy's Decision and updates a previously submitted stipulation by Sun made of record in this proceeding (Exhibit 2026).

Petitioners request authorization to submit the attached stipulation as an exhibit in this proceeding (IPR2024-00107) for consideration by the Board. Patent Owner does not oppose this request.

If required, the parties are available for a call with the Board at the following times: Wednesday, May 8 from 2-5pm ET, or otherwise at the Board's convenience.

Regards,

Christopher B. Ferenc
Partner

Katten

Katten Muchin Rosenman LLP
1919 Pennsylvania Ave., NW., Suite 800 | Washington, DC 20006
direct +1.202.625.3647
christopher.ferenc@katten.com | katten.com

From: J. Steven Baughman <steve.baughman@groombridgewu.com>
Sent: Friday, May 3, 2024 2:07 PM

To: Ferenc, Christopher B. <christopher.ferenc@katten.com>; Megan Raymond
<megan.raymond@groombridgewu.com>
Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com
Subject: RE: IPR2024-00107 – Preliminary Response

EXTERNAL EMAIL – EXERCISE CAUTION

Christopher –

Megan has been traveling out of the country this week.

We would not oppose the filing of the stipulation if Sun is willing to confirm the points noted below in the revised draft. Please confirm – and we ask that you let us know if you contemplate any further edits to the Board email so that we may respond accordingly.

Thanks
Steve

--

PTAB,

In view of the April 25, 2024 decision issued in related proceeding, *Dr. Reddy's Laboratories, Inc. et al. v. Novo Nordisk A/S*, IPR2024-00009 (Paper No. 19) (the "Dr. Reddy's Decision"), Petitioners Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (together "Sun") have filed the attached stipulation in the District Court in the underlying litigation. This stipulation tracks the proposed stipulation discussed in the Dr. Reddy's Decision and updates a previously submitted stipulation by Sun made of record in this proceeding (Exhibit 2026). As discussed with Patent Owner, Sun further stipulates and confirms to the Board that, if Sun's Petition is instituted, Sun will not contribute to district court litigation of any of the stipulated grounds behind the scenes (e.g., Sun will not pay for experts, participate in expert reports, deposition preparation, etc. in connection with any of the stipulated grounds).

Petitioners request authorization to submit the attached stipulation as an exhibit in this proceeding (IPR2024-00107) for consideration by the Board. Patent Owner does not oppose this request.

If required, the parties are available for a call with the Board at the following times: Tuesday, May 7 from 1-5pm ET, Wednesday, May 8 from 2-5pm ET, or otherwise at the Board's convenience.

Regards,

J. Steven Baughman
Groombridge, Wu, Baughman & Stone LLP
O +1 202-505-5832, M +1 617-378-5548
steve.baughman@groombridgewu.com

From: Ferenc, Christopher B. <christopher.ferenc@katten.com>
Sent: Thursday, May 2, 2024 6:12 PM
To: Megan Raymond <megan.raymond@groombridgewu.com>
Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com
Subject: RE: IPR2024-00107 – Preliminary Response

Megan,

Please let us know if we have your approval to send this to the Board.

Regards,
Chris

Christopher B. Ferenc
Partner

Katten

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1919 Pennsylvania Ave., NW., Suite 800 | Washington, DC 20006
direct +1.202.625.3647
christopher.ferenc@katten.com | katten.com

From: Ferenc, Christopher B.
Sent: Wednesday, May 1, 2024 2:12 PM
To: Megan Raymond <megan.raymond@groombridgewu.com>
Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com
Subject: RE: IPR2024-00107 – Preliminary Response

Megan,

In view of the stipulation filed by Sun today, we intend to send the following e-mail to the PTAB. Please let us know by noon EDT tomorrow if you have any edits.

--

PTAB,

In view of the April 25, 2024 decision issued in related proceeding, *Dr. Reddy's Laboratories, Inc. et al. v. Novo Nordisk A/S*, IPR2024-00009 (Paper No. 19) (the "Dr. Reddy's Decision"), Petitioners Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (together "Sun") have filed the attached stipulation in the District Court in the underlying litigation. This stipulation tracks the proposed stipulation discussed in the Dr. Reddy's Decision and updates a previously submitted stipulation by Sun made of record in this proceeding (Exhibit 2026).

Petitioners request authorization to submit the attached stipulation as an exhibit in this proceeding (IPR2024-00107) for consideration by the Board. Patent Owner does not oppose this request.

If required, the parties are available to meet and confer this week at the following times:

Thursday (5/2): 9 a.m. – 2 p.m.

Friday (5/3): 2 p.m. – 5 p.m.

Regards,

Christopher B. Ferenc
Counsel for Petitioners

Christopher B. Ferenc
Partner

Katten

Katten Muchin Rosenman LLP
1919 Pennsylvania Ave., NW., Suite 800 | Washington, DC 20006

From: Megan Raymond <megan.raymond@groombridgewu.com>
Sent: Thursday, March 28, 2024 3:48 PM
To: Ferenc, Christopher B. <christopher.ferenc@katten.com>
Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com
Subject: RE: IPR2024-00107 – Preliminary Response

EXTERNAL EMAIL – EXERCISE CAUTION

Chris,

We've revised the proposed email below to more accurately characterize the trial date change. You have our permission to send this updated version of the email.

Sincerely,
Megan

From: Ferenc, Christopher B. <christopher.ferenc@katten.com>
Sent: Wednesday, March 27, 2024 11:20 AM
To: Megan Raymond <megan.raymond@groombridgewu.com>
Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com
Subject: RE: IPR2024-00107 – Preliminary Response

You don't often get email from christopher.ferenc@katten.com. [Learn why this is important](#)

Megan,

In view of the parties' agreement to reschedule trial in the District Court to December 9, 2024, we intend to send the following e-mail to the Board. Please let us know if you have any edits.

--

PTAB,

The parties wish to update the Board regarding a development in the parallel district court proceeding (In Re: Ozempic (Semaglutide) Patent Litigation (1:22-cv-00294-CFC)). On Tuesday, March 26, 2024, the Court entered an Oral Order resetting the trial date in that case from September 30, 2024 to December 9, 2024.

Regards,

Christopher B. Ferenc
Counsel for Petitioners

Christopher B. Ferenc
Partner

Katten

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direct +1.202.625.3647
christopher.ferenc@katten.com | katten.com

From: Megan Raymond <megan.raymond@groombridgewu.com>
Sent: Tuesday, March 5, 2024 4:00 PM
To: Ferenc, Christopher B. <christopher.ferenc@katten.com>
Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com
Subject: RE: IPR2024-00107 – Preliminary Response

EXTERNAL EMAIL – EXERCISE CAUTION

Thanks, Chris. I could do a call tomorrow morning 9-10:30 or this coming Monday (and my time that day is flexible). I've revised the email a bit, and included these times (subject to your cutting down the times Monday based on your availability). A Board call Thursday or Friday during your windows won't work for us, but I expect the Board will likely grant this without a call in any case (though I agree it's best to include times that will work anyway).

From: Ferenc, Christopher B. <christopher.ferenc@katten.com>
Sent: Tuesday, March 5, 2024 3:48 PM
To: Megan Raymond <megan.raymond@groombridgewu.com>
Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com
Subject: RE: IPR2024-00107 – Preliminary Response

Some people who received this message don't often get email from christopher.ferenc@katten.com. [Learn why this is important](#)

Great. Draft below. Please let us know some times you are available for a call with the Board this week. We would like to send by COB today.

--

PTAB,

Petitioner requests permission for additional briefing in response to the Preliminary Patent Owner Response filed by Patent Owner in the captioned proceeding. Petitioner proposes that it submit its Reply by March 15, 2024 not to exceed three pages. In addition, Patent Owner requests authorization to file a 3-page sur-reply to Petitioner's reply and will do so within two weeks of Petitioner's filing. To avoid unnecessarily burdening the Board with a dispute on these issues, the parties have agreed to this course of action subject to the Board's authorization.

The parties are generally available for a call to discuss this issue if the Board desires, and provide the following times:

Wednesday (3/6) from 9 a.m. – 10:30 a.m.
Monday (3/11) from 9 a.m.– 5 p.m.

Best,

Counsel for Petitioners

Christopher B. Ferenc
Partner

Katten

Katten Muchin Rosenman LLP
1919 Pennsylvania Ave., NW., Suite 800 | Washington, DC 20006
direct +1.202.625.3647
christopher.ferenc@katten.com | katten.com

-----Original Message-----

From: Megan Raymond <megan.raymond@groombridgewu.com>

Sent: Tuesday, March 5, 2024 3:33 PM

To: Ferenc, Christopher B. <christopher.ferenc@katten.com>

Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com

Subject: RE: IPR2024-00107 – Preliminary Response

EXTERNAL EMAIL – EXERCISE CAUTION

Chris-- that's fine with us. Please send us your proposed email to the Board.

-----Original Message-----

From: Ferenc, Christopher B. <christopher.ferenc@katten.com>

Sent: Saturday, March 2, 2024 11:38 AM

To: Megan Raymond <megan.raymond@groombridgewu.com>

Cc: Sodikoff, Brian <brian.sodikoff@katten.com>; Novo-Semaglutide-IPR@groombridgewu.com

Subject: Re: IPR2024-00107 – Preliminary Response

[You don't often get email from christopher.ferenc@katten.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Yes. That works.

Do we have an agreement?

Christopher B. Ferenc

Partner – Intellectual Property

Katten

Katten Muchin Rosenman LLP

1919 Pennsylvania Ave NW

Suite 800

Washington, DC 20006-3404

direct +1.202.625.3647<<tel:+1.202.625.3647>>

christopher.ferenc@katten.com<<mailto:christopher.ferenc@katten.com>> | [katten.com](https://www.katten.com/)<<https://www.katten.com/>>

On Mar 1, 2024, at 4:02 PM, Megan Raymond <megan.raymond@groombridgewu.com> wrote:

EXTERNAL EMAIL – EXERCISE CAUTION

Chris,

So that we may fully consider Sun's proposal, if Novo were to agree to Sun's request, would Sun also agree to Novo having a 3-page sur-reply, due two weeks after Sun's proposed March 15 Reply?

Sincerely,

Megan

From: Ferenc, Christopher B. <christopher.ferenc@katten.com>

Sent: Friday, March 1, 2024 1:26 PM

To: Sayem Osman <sayem.osman@groombridgewu.com>; Sodikoff, Brian <brian.sodikoff@katten.com>

Cc: Novo-Semaglutide-IPR@groombridgewu.com

Subject: RE: IPR2024-00107 – Preliminary Response

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Counsel,

Please let us know if Novo will oppose a request by Sun seeking leave to file a three-page Reply to this filing by March 15, 2024. We are available to discuss, if needed.

Regards,
Chris

Christopher B. Ferenc
Partner
Katten
Katten Muchin Rosenman LLP
1919 Pennsylvania Ave., NW., Suite 800 | Washington, DC 20006 direct +1.202.625.3647
christopher.ferenc@katten.com<mailto:christopher.ferenc@katten.com> | katten.com<https://www.katten.com/>

From: Sayem Osman <sayem.osman@groombridgewu.com<mailto:sayem.osman@groombridgewu.com>>
Sent: Thursday, February 29, 2024 8:33 PM
To: Sodikoff, Brian <brian.sodikoff@katten.com<mailto:brian.sodikoff@katten.com>>; Ferenc, Christopher B. <christopher.ferenc@katten.com<mailto:christopher.ferenc@katten.com>>; West, Christopher W. <christopher.west@katten.com<mailto:christopher.west@katten.com>>
Cc: Novo-Semaglutide-IPR@groombridgewu.com<mailto:Novo-Semaglutide-IPR@groombridgewu.com>
Subject: IPR2024-00107 – Preliminary Response

EXTERNAL EMAIL – EXERCISE CAUTION
Dear Counsel,

Please find attached which was filed today. Due to size constrictions, we will send the exhibits via FTP (TitanFile).

Sayem Osman
Groombridge, Wu, Baughman & Stone LLP
801 17th Street NW
Suite 1050
Washington, DC 20006
703-819-3661 (Mobile) | 202-505-8604 (Office)
sayem.osman@groombridgewu.com<mailto:sayem.osman@groombridgewu.com>

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