IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: OZEMPIC (SEMAGLUTIDE) PATENT LITIGATION	
NOVO NORDISK INC. and NOVO NORDISK A/S, Plaintiffs, v. RIO BIOPHARMACEUTICALS INC., et al., Defendants.	MDL No. 22-MD-3038 (CFC) **ANDA CASE**
NOVO NORDISK INC. and NOVO NORDISK A/S, Plaintiffs, v. MYLAN PHARMACEUTICALS INC., Defendant.	C.A. No. 22-294-CFC **CONSOLIDATED ANDA CASE**

SUN PHARMACEUTICAL INDUSTRIES LTD.'S AND SUN PHARMACEUTICAL INDUSTRIES INC.'S STIPULATION OF INVALIDITY CONTENTIONS

Defendants Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (collectively, "Sun") submit this stipulation of invalidity contentions.

On November 2, 2023, Sun filed petition number IPR2024-00107 with the Patent Trial and Appeal Board requesting *inter parties* review of U.S. Patent No.

10,335,462 (the "'462 Patent") (the "Petition"). The Petition asserts the following grounds of invalidity:

Ground	Claims	Basis for Unpatentability
1	1–3	Anticipated by WO421
2	1–3	Anticipated by Lovshin
3	1–10	Obvious over WO421 considering the '424 publication
4	1–10	Obvious over WO537 considering Lovshin
5	1–10	Obvious over NCT657 and NCT773 considering the '424 publication

Defendants hereby stipulate that if the Patent Trial and Appeal Board (PTAB) institutes IPR2024-00107, then Sun will agree to be bound by the estoppel provisions set forth in 35 U.S.C. § 315(e)(2) in this civil action as of the date of institution of the Petition. This stipulation is not intended, and should not be construed, to limit Sun's ability to assert invalidity of the '462 Patent in this civil action on any other ground beyond the scope of the estoppel provisions set forth in 35 U.S.C. § 315(e)(2). This stipulation shall not apply if the PTAB does not institute IPR2024-00107.

/s/ Sara M. Metzler
Kelly E. Farnan (#4395)
Sara M. Metzler (#6509)
Richards, Layton & Finger, P.A.
One Rodney Square
920 North King Street
Wilmington, DE 19801
302-651-7700
farnan@rlf.com
metzler@rlf.com

Attorneys for Defendants Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries Inc.

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