IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG DIVISION

REGENERON PHARMACEUTICALS, INC., Plaintiff, v. MYLAN PHARMACEUTICALS INC., Defendant.	Case No. 1:22-cv-00061-TSK **JURY TRIAL DEMANDED**

REGENERON'S STIPULATION REGARDING
SUMMARY JUDGMENT AND CASE NARROWING

On April 20, 2023, Mylan moved for summary judgment of certain claims in U.S. Patent Nos. 10,888,601, 11,084,865, 11,253,572 and 11,104,715 (ECF 429).

Subject to all appellate rights, including but not limited to rights of appeal concerning claim construction, Regeneron does not oppose summary judgment as to the following claims, under the Court's Claim Construction (ECF 427), on the following bases:

- Regeneron accepts summary judgment of noninfringement of claims 2-3, 6, 12-14, and 16 of U.S. Patent No. 11,104,715.
- Regeneron accepts summary judgment of invalidity of claims 5-6 and 9 of U.S. Patent No. 10,888,601.
- Regeneron accepts summary judgment of invalidity of claims 1-5, 8-11, 14, and 26-28 of U.S. Patent No. 11,253,572.

Regeneron opposes summary judgment with respect to all other bases and all other claims that are the subject of Mylan's motion, and will file an opposition to Mylan's motion accordingly.

Pursuant to the Court's Scheduling Order (ECF 87), Regeneron hereby narrows these initial proceedings to the following patents and claims:

1. U.S. Patent No. 10,888,601: Claims 11, 19, and 27
2. U.S. Patent No. 11,084,865: Claims 4, 7, 9, 11, and 14-18
3. U.S. Patent No. 11,253,572: Claims 6, 7, 12, 13, 18, 19, 22, 23, and 25

Date: April 26, 2023

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CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2023, the foregoing was served on Mylan's counsel of record via email because the filing function of the Court's CM/ECF system was unavailable. I further certify that on April 27, 2023, after the issue with the CM/ECF system was resolved, the foregoing was electronically filed with the Clerk of the Court via the Court's CM/ECF system, which will serve counsel of record for all parties.

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