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**Cc:** [Tigan, Jeremy A.](#); [Dellinger, Megan E.](#); [BIC ANDA](#)  
**Subject:** Gilead v. Lupin et al. -- Narrowing and Extension  
**Date:** Thursday, February 20, 2025 5:12:42 PM

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**CAUTION - External.**

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Counsel—

I hope you are all well.

We believe that this is a good time in the case for both sides to narrow. We would propose the following mutual narrowing and, if the parties agree to a narrowing, Gilead would also agree to a one week extension of all expert discovery dates.

Gilead:

1. Narrow to a total of 11 claims as follows:

342 patent – 4 claims

067 patent – 3 claims

802 patent – 3 claims

846 patent – 1 claim

2. Agree to a one-week extension of all expert discovery dates

Defendant side:

1. Narrow to two invalidity grounds per claim. For the avoidance of doubt, each obviousness combination or OTDP basis is considered a separate ground (and obviousness and OTDP are separate) and enablement, written description, and indefiniteness are each considered separate grounds.
2. Stipulate to infringement of 342 claim 2, one of 342 claim 10 or 11, and the asserted 802 patent claims.
3. Drop 342 claim 3 invalidity challenges.

For the invalidity grounds, the two grounds per claim is for defendants' side (i.e. all three defendants). Meaning, for example, Lupin could not assert an obviousness combination and OTDP basis, Laurus assert two different obviousness combinations, and Cipla assert enablement and WD.

We look forward to hearing from you,

Becca

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