

**U.S. District Court
Eastern District of TEXAS [LIVE] (Marshall)
CIVIL DOCKET FOR CASE #: 2:24-cv-00036-RWS-RSP**

Nivagen, Inc. v. Sun Pharmaceuticals Industries, Inc. et al
Assigned to: District Judge Robert W. Schroeder, III
Referred to: Magistrate Judge Roy S. Payne
Cause: 28:1331 Fed. Question

Date Filed: 01/23/2024
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Nivagen, Inc.

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V.

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Defendant

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Defendant

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Seung Sub Kim

Date Filed	#	Docket Text
01/23/2024	1	COMPLAINT FOR PATENT INFRINGEMENT OF U.S. PATENTS: 11,406,598 and 11,878,076 against Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd., Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc. (Filing fee \$ 405 receipt number ATXEDC-9934190.), filed by Nivagen, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Civil Cover Sheet)(Smith, Melissa) (Entered: 01/23/2024)
01/23/2024	2	Fed. R. Civ. P. 7.1(a)(1) Disclosure Statement filed by Nivagen, Inc. (Smith, Melissa) (Entered: 01/23/2024)
01/23/2024		Case Assigned to District Judge Robert W. Schroeder, III and Magistrate Judge Roy S. Payne. (nkl,) (Entered: 01/23/2024)
01/23/2024		In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form Consent to Proceed Before Magistrate Judge is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event <i>Notice Regarding Consent to Proceed Before Magistrate Judge</i> . (nkl,) (Entered: 01/23/2024)
01/23/2024	3	DEMAND for Trial by Jury by Nivagen, Inc.. (Smith, Melissa) (Entered: 01/23/2024)
01/23/2024	4	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 mailed to the Director of the U.S. Patent and Trademark Office. (Smith, Melissa) (Entered: 01/23/2024)
01/23/2024	5	NOTICE of Attorney Appearance - Pro Hac Vice by Yixin H Tang on behalf of Nivagen, Inc.. Filing fee \$ 100, receipt number ATXEDC-9934823. (Tang, Yixin) (Entered: 01/23/2024)
01/23/2024	6	NOTICE of Attorney Appearance - Pro Hac Vice by Brent A Batzer on behalf of Nivagen, Inc.. Filing fee \$ 100, receipt number ATXEDC-9935617. (Batzer, Brent) (Entered: 01/23/2024)
01/25/2024	7	SUMMONS Issued as to Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd., Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc.. (Attachments: # 1 Additional Attachment(s), # 2 Additional Attachment(s), # 3 Additional Attachment(s))(nkl,) (Entered: 01/25/2024)
01/26/2024	8	NOTICE of Attorney Appearance - Pro Hac Vice by Shashank Upadhye on behalf of Nivagen, Inc.. Filing fee \$ 100, receipt number ATXEDC-9941781. (Upadhye, Shashank) (Additional attachment(s) added on 1/26/2024: # 1 Sealed Attachment) (nkl,). (Entered: 01/26/2024)
04/24/2024	9	SUMMONS Returned Executed by Nivagen, Inc.. Sun Pharmaceuticals Industries, Inc. served on 4/22/2024. (Smith, Melissa) (Entered: 04/24/2024)
05/07/2024	10	Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Sun Pharmaceuticals Industries, Inc. (Findlay, Eric) (Entered: 05/07/2024)
05/09/2024		Defendant's Unopposed First Application for Extension of Time to Answer Complaint is granted pursuant to Local Rule CV-12 for Sun Pharmaceuticals Industries, Inc. to 6/27/2024. 45 Days Granted for Deadline Extension.(NKL) (Entered: 05/09/2024)
05/14/2024	11	NOTICE of Attorney Appearance by J Derek Vandenburg on behalf of Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd., Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc. (Vandenburg, J) (Entered: 05/14/2024)
05/15/2024	12	NOTICE of Attorney Appearance - Pro Hac Vice by Seung Sub Kim on behalf of Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd., Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc.. Filing fee \$ 100, receipt number ATXEDC-10138820. (Kim, Seung Sub) (Entered: 05/15/2024)
05/16/2024	13	NOTICE of Attorney Appearance - Pro Hac Vice by Samuel T Lockner on behalf of Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd., Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc.. Filing fee \$ 100, receipt number ATXEDC-10142865. (Lockner, Samuel) (Entered: 05/16/2024)
06/27/2024	14	STIPULATION of Dismissal PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(ii) OF SUN PHARMACEUTICAL INDUSTRIES, LTD., SUN PHARMA ADVANCED RESEARCH COMPANY LTD., AND SUN PHARMACEUTICAL MEDICARE LTD. by Nivagen, Inc.. (Smith, Melissa) (Entered: 06/27/2024)
06/27/2024	15	UNOPPOSED MOTION to Seal Defendants Sun Pharmaceutical Industries Ltd.'s, Sun Pharmaceutical Industries, Inc.'s, Sun Pharma Advanced Research Company Ltd.'s, and Sun Pharmaceutical Medicare Ltd.'s Unopposed Motion for Leave to File its Motion to Dismiss for Improper Venue or, in the Alternative, Transfer Under Seal by Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd., Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc.. (Attachments: # 1 Proposed Order)(Findlay, Eric) (Entered: 06/27/2024)
06/27/2024	16	OPPOSED SEALED MOTION Defendants' Motion to Dismiss for Improper Venue or, in the Alternative, Transfer by Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd., Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc.. (Attachments: # 1 Proposed Order, # 2 Declaration of Michele Visosky)(Findlay, Eric) (Entered: 06/27/2024)
06/27/2024	17	Fed. R. Civ. P. 7.1(a)(1) Disclosure Statement filed by Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd., Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc. identifying Corporate Parent None for Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd.; Corporate Parent Sun Pharmaceutical Industries, Ltd. for Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc.. (Findlay, Eric) (Entered: 06/27/2024)
06/30/2024	18	ORDER granting 15 Motion for Leave to File their Motion to Dismiss for Improper Venue or, in the Alternative, Transfer Under Seal. Signed by Magistrate Judge Roy S. Payne on 6/30/2024. (NKL) (Entered: 07/01/2024)
07/08/2024	19	REDACTION to 16 OPPOSED SEALED MOTION Defendants' Motion to Dismiss for Improper Venue or, in the Alternative, Transfer by Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd., Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc.. (Attachments: # 1 Proposed Order, # 2 Declaration of Michele Visosky)(Findlay, Eric) (Entered: 07/08/2024)
07/11/2024	20	UNOPPOSED MOTION TO FILE UNDER SEAL by Nivagen, Inc.. (Attachments: # 1 Proposed Order)(Smith, Melissa) (Entered: 07/11/2024)
07/11/2024	21	SEALED RESPONSE to Motion re 16 OPPOSED SEALED MOTION Defendants' Motion to Dismiss for Improper Venue or, in the Alternative, Transfer filed by Nivagen, Inc.. (Attachments: # 1 Proposed Order)(Smith, Melissa) (Entered: 07/11/2024)
07/11/2024	22	NOTICE of Readiness for Scheduling Conference by Nivagen, Inc. (Smith, Melissa) (Entered: 07/11/2024)
07/12/2024	23	ORDER granting 20 UNOPPOSED MOTION TO FILE UNDER SEAL. Signed by Magistrate Judge Roy S. Payne on 7/12/2024. (CH) (Entered: 07/12/2024)

07/17/2024	24	NOTICE of Attorney Appearance - Pro Hac Vice by Justin Oakland on behalf of Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd., Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc.. Filing fee \$ 100, receipt number ATXEDC-10242777. (Oakland, Justin) (Entered: 07/17/2024)
07/19/2024	25	UNOPPOSED MOTION to Seal <i>Defendant Sun Pharmaceutical Industries, Inc.'s Unopposed Motion for Leave to File Reply in Support of its Motion to Dismiss for Improper Venue or, in the Alternative, Transfer Under Seal</i> by Sun Pharmaceuticals Industries, Inc.. (Attachments: # 1 Proposed Order) (Findlay, Eric) (Entered: 07/19/2024)
07/19/2024	26	SEALED REPLY to Response to Motion re 16 OPPOSED SEALED MOTION <i>Defendants' Motion to Dismiss for Improper Venue or, in the Alternative, Transfer</i> filed by Sun Pharmaceuticals Industries, Inc. (Findlay, Eric) (Entered: 07/19/2024)
07/22/2024	27	ORDER granting 25 Motion to Seal Defendant Sun Pharmaceutical Industries, Inc.'s Unopposed Motion for Leave to File Reply in Support of its Motion to Dismiss for Improper Venue or, in the Alternative, Transfer Under Seal. Signed by Magistrate Judge Roy S. Payne on 7/22/2024. (NKL) (Entered: 07/22/2024)
07/26/2024	28	ORDER - Scheduling/Case Management Conference set for 8/26/2024 at 10:00 AM before Magistrate Judge Roy S. Payne. Signed by Magistrate Judge Roy S. Payne on 7/26/2024. (NKL) (Entered: 07/26/2024)
07/26/2024	29	UNOPPOSED MOTION TO FILE UNDER SEAL by Nivagen, Inc.. (Attachments: # 1 Proposed Order)(Smith, Melissa) (Entered: 07/26/2024)
07/26/2024	30	SEALED SUR-REPLY to Reply to Response to Motion re 16 OPPOSED SEALED MOTION <i>Defendants' Motion to Dismiss for Improper Venue or, in the Alternative, Transfer</i> filed by Nivagen, Inc.. (Smith, Melissa) (Entered: 07/26/2024)
07/26/2024	31	REDACTION to 26 Sealed Reply to Response to Motion by Sun Pharmaceuticals Industries, Inc.. (Findlay, Eric) (Entered: 07/26/2024)
07/29/2024	32	ORDER granting 29 Motion to File Under Seal. Signed by Magistrate Judge Roy S. Payne on 7/29/2024. (NKL) (Entered: 07/29/2024)
08/23/2024		NOTICE of Hearing: Scheduling/Case Management Conference RESET for 9/5/2024 at 10:00 AM before Magistrate Judge Roy S. Payne. (bga) (Entered: 08/23/2024)
08/27/2024		NOTICE of Hearing: Scheduling/Case Management Conference RESET for 9/10/2024 at 10:00 AM before Magistrate Judge Roy S. Payne. (bga) (Entered: 08/27/2024)
09/09/2024	33	NOTICE of Attorney Appearance by Andrew Thompson (Tom) Gorham on behalf of Nivagen, Inc. (Gorham, Andrew) (Entered: 09/09/2024)
09/10/2024		Minute Entry for proceedings held before Judge Roy Payne: Scheduling Conference held on 9/10/24. Counsel for the parties appeared and were asked if they consented to a trial before the magistrate judge. The parties were then given Markman and jury selection dates. The parties were directed to meet and confer regarding any changes to the Courts proposed docket control order and discovery order, and the parties are to submit the proposed orders within fourteen days. The deadlines in the original notice setting scheduling conference will run from today, instead of the original date set. Attorney Appearances: Plaintiff - Shashank Upadhye, Brent Batzer and Tom Gorham; Defense - Eric Findlay. (No exhibits)(Court Reporter Not Recorded.) (bga) (Entered: 09/10/2024)
09/24/2024	34	UNOPPOSED MOTION FOR ENTRY OF AGREED DOCKET CONTROL ORDER by Nivagen, Inc.. (Attachments: # 1 Proposed Order)(Smith, Melissa) (Entered: 09/24/2024)
09/24/2024	35	UNOPPOSED MOTION FOR ENTRY OF AGREED DISCOVERY ORDER by Nivagen, Inc.. (Attachments: # 1 Proposed Order)(Smith, Melissa) (Entered: 09/24/2024)
09/24/2024	36	UNOPPOSED MOTION FOR ENTRY OF AGREED E-DISCOVERY ORDER by Nivagen, Inc.. (Attachments: # 1 Proposed Order)(Smith, Melissa) (Entered: 09/24/2024)
09/27/2024	37	DOCKET CONTROL ORDER re 34 UNOPPOSED MOTION FOR ENTRY OF AGREED DOCKET CONTROL ORDER filed by Nivagen, Inc., Pretrial Conference set for 1/15/2026 at 09:00 AM before Magistrate Judge Roy S. Payne., Jury Selection set for 2/17/2026 at 09:00AM before District Judge Robert W. Schroeder III., Markman Hearing set for 8/14/2025 at 09:00 AM before Magistrate Judge Roy S. Payne (Motion(s) 34 terminated). Signed by Magistrate Judge Roy S. Payne on 9/26/2024. (NKL) (Entered: 09/27/2024)
09/27/2024	38	DISCOVERY ORDER re 35 UNOPPOSED MOTION FOR ENTRY OF AGREED DISCOVERY ORDER filed by Nivagen, Inc. (Motion(s) 35 terminated). Signed by Magistrate Judge Roy S. Payne on 9/26/2024. (NKL) (Entered: 09/27/2024)
09/27/2024	39	E-DISCOVERY ORDER re 36 UNOPPOSED MOTION FOR ENTRY OF AGREED E-DISCOVERY ORDER filed by Nivagen, Inc. (Motion(s) 36 terminated). Signed by Magistrate Judge Roy S. Payne on 9/26/2024. (NKL) (Entered: 09/27/2024)
10/01/2024	40	UNOPPOSED MOTION for Protective Order by Nivagen, Inc.. (Attachments: # 1 Proposed Order Agreed Protective Order)(Batzer, Brent) (Entered: 10/01/2024)
10/01/2024	41	NOTICE OF COMPLIANCE by Sun Pharmaceuticals Industries, Inc. <i>re Initial and Additional Disclosures</i> (Lockner, Samuel) (Entered: 10/01/2024)
10/02/2024	42	PROTECTIVE ORDER (Motion(s) 40 terminated). Signed by Magistrate Judge Roy S. Payne on 10/2/2024. (NKL) (Entered: 10/02/2024)
10/22/2024	43	MOTION for Issuance of Letters Rogatory by Sun Pharmaceuticals Industries, Inc.. (Attachments: # 1 Proposed Order, # 2 Exhibit 1, # 3 Exhibit 2) (Oakland, Justin) (Entered: 10/22/2024)
10/29/2024	44	ORDER granting 43 Motion for Issuance of Letters Rogatory. Signed by Magistrate Judge Roy S. Payne on 10/28/2024. (NKL) (Entered: 10/29/2024)
01/13/2025	45	NOTICE OF DISMISSAL PURSUANT TO RULE 41(a)(1)(A)(i) OF COUNTS 1 AND 3 (CLAIMS OF INFRINGEMENT OF U.S. PATENT NO. 11,406,598) ONLY by Nivagen, Inc. (Smith, Melissa) (Entered: 01/13/2025)
04/03/2025	46	JOINT MOTION to Extend Exchange of Privilege Log Deadline by Sun Pharmaceuticals Industries, Inc.. (Attachments: # 1 Proposed Order)(Oakland, Justin) (Entered: 04/03/2025)
04/07/2025	47	ORDER granting 46 Motion to Extend Exchange of Privilege Log Deadline. Signed by Magistrate Judge Roy S. Payne on 4/5/25. (bga) (Entered: 04/07/2025)
04/11/2025	48	NOTICE of Discovery Disclosure by Sun Pharmaceuticals Industries, Inc. <i>Regarding P.R. 4-1 Disclosures</i> (Findlay, Eric) (Entered: 04/11/2025)
05/02/2025	49	NOTICE OF COMPLIANCE by Sun Pharmaceuticals Industries, Inc. <i>Regarding P.R. 4-2 Disclosures</i> (Findlay, Eric) (Entered: 05/02/2025)
05/02/2025	50	NOTICE OF COMPLIANCE by Nivagen, Inc. <i>regarding P.R. 4-2 Disclosures</i> (Smith, Melissa) (Entered: 05/02/2025)
05/13/2025	51	UNOPPOSED MOTION to Withdraw as Attorney <i>Melissa R. Smith and Andrew Thompson (Tom) Gorham</i> by Nivagen, Inc.. (Attachments: # 1 Proposed Order)(Smith, Melissa) (Entered: 05/13/2025)
05/14/2025	52	NOTICE of Attorney Appearance - Pro Hac Vice by Peter M Kohlhepp on behalf of Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd., Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc.. Filing fee \$ 100, receipt number ATXEDC-10838087. (Kohlhepp, Peter) (Entered: 05/14/2025)

05/16/2025	53	ORDER granting 51 Motion to Withdraw as Attorney. Attorney Andrew Thompson (Tom) Gorham and Melissa Richards Smith terminated. Signed by Magistrate Judge Roy S. Payne on 05/14/2025. (mdj) (Entered: 05/16/2025)
05/22/2025	54	Joint Claim Construction and Prehearing Statement by Nivagen, Inc.. (Batzer, Brent) (Entered: 05/22/2025)
06/02/2025	55	NOTICE of Attorney Appearance by William E. Davis, III on behalf of Nivagen, Inc. (Davis, William) (Entered: 06/02/2025)
06/02/2025	56	Sealed Document. Plaintiff Nivagen Opening Claim Construction Brief (Attachments: # 1 Affidavit/Declaration Declaration of Alexander Klibanov, # 2 Affidavit/Declaration Declaration of Brent Batzer, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Exhibit G) (Davis, William) (Entered: 06/02/2025)
06/04/2025	57	NOTICE of Attorney Appearance - Pro Hac Vice by Alexandra Olson on behalf of Sun Pharma Advanced Research Company Ltd., Sun Pharmaceutical Industries Ltd., Sun Pharmaceutical Medicare Ltd., Sun Pharmaceuticals Industries, Inc.. Filing fee \$ 100, receipt number ATXEDC-10881352. (Olson, Alexandra) (Entered: 06/04/2025)
06/09/2025	58	REDACTION to 56 Sealed Document, <i>Nivagen Opening Claim Construction Brief</i> by Nivagen, Inc.. (Attachments: # 1 Affidavit/Declaration, # 2 Affidavit/Declaration, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Exhibit G)(Davis, William) (Entered: 06/09/2025)
06/11/2025	59	NOTICE of Discovery Disclosure by Nivagen, Inc. <i>First Amended Initial Disclosures</i> (Davis, William) (Entered: 06/11/2025)
06/11/2025	60	NOTICE of Attorney Appearance by Ty William Wilson on behalf of Nivagen, Inc. (Wilson, Ty) (Entered: 06/11/2025)
06/18/2025	61	NOTICE <i>Defendant Sun Pharmaceutical Industries, Inc.'s Notice Regarding Pending Motion to Dismiss (Dkt. 16)</i> by Sun Pharmaceuticals Industries, Inc. re 16 OPPOSED SEALED MOTION <i>Defendants' Motion to Dismiss for Improper Venue or, in the Alternative, Transfer</i> (Findlay, Eric) (Entered: 06/18/2025)
07/07/2025	62	OPPOSED SEALED MOTION <i>Defendant Sun Pharmaceutical Industries, Inc.'s Opposed Motion to Compel Discovery</i> by Sun Pharmaceuticals Industries, Inc.. (Attachments: # 1 Proposed Order, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4)(Findlay, Eric) (Entered: 07/07/2025)
07/08/2025		NOTICE of Hearing on Motion 62 OPPOSED SEALED MOTION <i>Defendant Sun Pharmaceutical Industries, Inc.'s Opposed Motion to Compel Discovery</i> : Motion Hearing set for 8/14/2025 at 09:00 AM before Magistrate Judge Roy S. Payne. (wea) (Entered: 07/08/2025)
07/17/2025	63	Sealed Document - Defendant Sun's Responsive Claim Construction Brief. (Attachments: # 1 Declaration of Samuel T. Lockner, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13, # 15 Exhibit 14, # 16 Exhibit 15, # 17 Exhibit 16, # 18 Exhibit 17, # 19 Exhibit 18, # 20 Exhibit 19, # 21 Exhibit 20, # 22 Exhibit 21, # 23 Exhibit 22)(Findlay, Eric) (Entered: 07/17/2025)

PACER Service Center			
Transaction Receipt			
07/18/2025 09:54:33			
PACER Login:	babatzer	Client Code:	Nivagen
Description:	Docket Report	Search Criteria:	2:24-cv-00036-RWS-RSP
Billable Pages:	10	Cost:	1.00