

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GENZYME CORPORATION,

Plaintiff

v.

SAREPTA THERAPEUTICS, INC., and
SAREPTA THERAPEUTICS THREE,
LLC.

Defendants.

C.A. No. 24-882-RGA

JURY TRIAL DEMANDED

~~PROPOSED~~ ORDER

(D.I. 164)

The Court, having fully considered the parties' proposals with respect to a mutual reduction of asserted claims and at least obviousness and anticipation references, as ordered on April 22, 2026, hereby **ORDERS** the following:

ORDERED that Genzyme shall narrow its asserted claims to no more than a total of 45 by June 1, 2026, and that Genzyme shall serve updated infringement contentions for all remaining asserted claims by June 1, 2026;

~~[Genzyme proposal]~~ **FURTHER ORDERED** that Sarepta shall not rely on any prior art references or combinations that are not already charted against the asserted claims in Sarepta's invalidity contentions or IPRs, provided that, if Sarepta believes Genzyme has introduced new theories of infringement in its updated infringement contentions ~~for U.S. Patent Nos. 12,031,894 and 12,013,326~~ (as opposed to citing additional evidence in support of existing infringement theories), Sarepta shall disclose any new prior art references or combinations it intends to rely on for the ^{relevant} ~~ATC~~ patents by June 15, 2026, limited to no more than two additional references or combinations.

~~[Sarepta proposal: FURTHER ORDERED that, to date, Sarepta has relied in its prior art invalidity contentions on 13 prior art references and 13 prior art combinations across all asserted patents in the litigation, and may modify these contentions as reasonably necessary in response to updated infringement contentions from Genzyme and/or in response to developments in the pending IPR proceedings.]~~

SO ORDERED.



HONORABLE RICHARD G. ANDREWS
SENIOR UNITED STATES DISTRICT COURT JUDGE

5/13/26