IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Y-TRAP, INC., Plaintiff, v. BIOCON LTD. AND BICARA THERAPEUTICS, INC., Defendants.	Civil Action No. 1:24-cv-12678 **JURY TRIAL DEMANDED**

FIRST AMENDED COMPLAINT

Plaintiff Y-Trap, Inc. ("Y-Trap") files this First Amended Complaint against Defendants Biocon Ltd. ("Biocon") and Bicara Therapeutics, Inc. ("Bicara") (collectively, "Defendants").

PRELIMINARY STATEMENT

1. Y-Trap is a start-up biotechnology company based in South San Francisco. Y-Trap's founders, Dr. Atul Bedi and Dr. Rajani Ravi, made groundbreaking discoveries leading to the invention of a novel class of molecules for cancer immunotherapy. Drs. Bedi and Ravi made these discoveries as part of their research at Johns Hopkins University ("JHU") and are the named inventors of patent families protecting these inventions—referred to as the "'789 Bedi IP."[1] JHU provided an exclusive license to Y-Trap to make, use, sell, and otherwise exploit the '789 Bedi IP and the inventions they describe.

2. Biocon is a pharmaceutical company founded by its chairperson, Kiran Mazumdar-Shaw. After Drs. Bedi and Ravi filed patent applications relating to their inventions,

[1] The '789 Bedi IP includes PCT/US2011/027317, which published as WO2011/109789, and all related patents and foreign counterparts including, but not limited to, U.S. Patent Nos. 8,993,524; 9,441,044; 9,850,306; 10,442,860; and 11,274,156; Indian Patent Application 8417/CHENP/2012; and Indian Patent Nos. 481076 and 547495.

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Dr. Bedi confidentially shared specific molecules from the '789 Bedi IP with Mazumdar-Shaw and Biocon. Mazumdar-Shaw and other Biocon employees knew that these molecules were invented by Drs. Bedi and Ravi.

3. Yet Biocon set out to obtain a series of patents wrongfully claiming its own employees as inventors. Biocon secretly filed its own copycat version of the '789 Bedi IP—published as WO2013/164694 and family members (the "Copycat Biocon IP")[2]—claiming the same inventions made by Drs. Bedi and Ravi and shared under a confidentiality agreement.

4. Unbeknownst to Y-Trap, Biocon also founded Bicara in this District with Mazumdar-Shaw as a director and her niece, Claire Mazumdar, as CEO. Bicara was founded to monetize the Copycat Biocon IP and launder the stolen technology through a new vehicle. Both Defendants knew the technology was invented by Drs. Bedi and Ravi, yet Biocon purported to license the Copycat Biocon IP to Bicara and Bicara's lead asset, BCA101, is blatantly copied from the '789 Bedi IP. BCA101 comprises an *identical* antibody fused at an *identical* site to an *identical* extracellular domain via an *identical* linker, as described in the '789 Bedi IP.

5. Biocon publicly and falsely claimed inventorship of BCA101, providing a veneer of legitimacy for Bicara's rights in BCA101. Bicara adopted Biocon's false claims and misrepresented BCA101 as its own "developed in-house" molecule to investors, partners, the oncology community, and the public, even though Bicara knew it was copied from the '789 Bedi IP. Through their repeated false statements, Biocon and Bicara also obscured that BCA101 was

[2] The Copycat Biocon IP includes PCT/IB2013/001155 which published as WO2013/164694 and all related patents and foreign counterparts including, but not limited to, U.S. Patent Nos. 8,815,247; 9,340,617; 9,758,582; 9,809,651; 10,144,934; 10,385,348; 11,028,399; 11,060,097; 12,049,632; and U.S. Patent Application No. 18/746,907.

copied from the '789 Bedi IP—a fact Y-Trap was able to uncover only in October 2023 upon the first public disclosure of Bicara's fusion protein's sequence.

6. Biocon and Bicara have unjustly enriched themselves through their scheme. Bicara has attracted hundreds of millions of dollars in third-party funding beginning in March 2023—all based on Defendants' false claim to own BCA101. Even when Y-Trap contacted Defendants in 2024 to provide notice of its claims, Defendants persisted with Bicara's IPO and now operate a business worth hundreds of millions of dollars.

7. Defendants' activities have caused and continue to cause substantial harm to Y-Trap. Defendants have diminished the value of Y-Trap's intellectual property and hindered Y-Trap's ability to secure crucial funding, establish partnerships in the biotechnology sector and, ultimately, develop multiple life-saving immunotherapies for cancer. Indeed, Defendants' unlawful conduct allowed them to secure funding from investors that Y-Trap otherwise would have received, denying Y-Trap the benefits of clear and unencumbered intellectual property.

PARTIES

8. Y-Trap, Inc. is incorporated in the State of Delaware with its principal place of business located at 1 Tower Place, Suite 800, South San Francisco, CA 94080.

9. Upon information and belief, Bicara Therapeutics, Inc. is incorporated in the State of Delaware with its principal place of business located at 116 Huntington Avenue, Suite 703, Boston, MA 02116.

10. Upon information and belief, Biocon Ltd. is incorporated in India with its principal place of business located at 20th KM Hosur Road, Electronics City, Bengaluru 560100 Karnataka India.

JURISDICTION AND VENUE

11. This Court has subject matter jurisdiction because Count I presents a federal question under 28 U.S.C. §§ 1331, 1338, and 35 U.S.C. § 256. Y-Trap seeks to correct inventorship of patents of the Copycat Biocon IP, naming Drs. Bedi and Ravi as the sole proper inventors (Count I).

12. This Court has supplemental jurisdiction over Y-Trap's state law claims for unfair competition (Counts II and III), civil conspiracy (Count VI), and unjust enrichment (Counts IV and V) because these state law claims (Counts II–VI) arise from a common nucleus of operative fact as the federal law claim (Count I).

13. This Court has personal jurisdiction over Bicara because it has its principal place of business in this District and conducts extensive, continuous, and systematic business activities in this District, which are directly related to the subject matter of this action. Upon information and belief, by way of example, Bicara's activities in this District include developing molecules called "bifunctional antibodies" which are related to the subject matter of this action. *See* "About," Bicara Therapeutics, Inc. (https://www.bicara.com/about/).

14. This Court has personal jurisdiction over Biocon based on acts it committed within the Commonwealth of Massachusetts that have given rise to this suit and/or have established at least minimum contacts with the Commonwealth of Massachusetts such that it should reasonably and fairly anticipate being brought into court in this District and that the exercise of jurisdiction would not offend traditional notions of fair play and substantial justice. For example, upon information and belief, Biocon founded Bicara and established its business in this District for the express purpose of monetizing the Copycat Biocon IP and knowingly and unfairly competing with Y-Trap. Upon information and belief, Biocon selected this District at least because this District is a well-known biotechnology hub. Upon information and belief,

Bicara is an agent of Biocon. Biocon created Bicara and continues to direct the activities of Bicara within this District as its primary means for monetizing the Copycat Biocon IP. Biocon is using Bicara to research, develop, and manufacture BCA101, and also transferred to Bicara contracts related to developing BCA101 as well as a license to the Copycat Biocon IP, which claims BCA101. *See, e.g.*, Bicara Therapeutics Inc. Form S-1 Registration Statement, Aug. 22, 2024, (https://www.sec.gov/Archives/edgar/data/2023658/000119312524205393/d821336ds1.htm at 126) ("Bicara S-1 Statement"). By licensing the Copycat Biocon IP to Bicara, Biocon will receive licensing revenue if Bicara monetizes BCA101 and other intellectual property owned by, or derived from intellectual property owned by, Y-Trap. Further, Biocon operates and controls a wholly-owned subsidiary in the District of Massachusetts, Biocon Biologics, Inc. ("Biocon Biologics"). Upon information and belief, Biocon Biologics' activities in this District include manufacturing for Bicara the "bifunctional antibodies" that are related to the subject matter of this action. Thus, Biocon has unfairly competed with Y-Trap by creating Bicara, headquartered in this District, to research, develop, and manufacture BCA101, leading to the filing of an Investigational New Drug (IND) application and clinical trials for BCA101.

15. Alternatively, this Court has personal jurisdiction over Biocon under Federal Rule of Civil Procedure 4(k)(2). This action arises from actions of Biocon directed toward the United States, including its tortious conduct directed at and contacts with the Commonwealth of Massachusetts, as described herein.

16. Moreover, Biocon has additional contacts with the United States. For example, Biocon is the assignee of several United States patents related to the technology at issue which it has exclusively licensed to Bicara (a Massachusetts company) to enable development and

commercialization of BCA101 in this District. As Biocon has purposefully availed itself of the benefits of the United States, including this District, the exercise of jurisdiction over Biocon would not offend traditional notions of fair play and substantial justice.

17. Venue is proper in this judicial district under 28 U.S.C. § 1391(b). Each Defendant either has its principal place of business in this District (Bicara) or has a substantial presence in this District (Biocon). Further, a substantial part of the events or omissions giving rise to Y-Trap's claims occurred in this District and a substantial part of the property that is the subject of this suit is located in or carried out in this District, including licenses related to BCA101 and BCA101 itself. For example, upon information and belief, Biocon founded and regularly and systematically communicates with Bicara in this District in connection with the research, development, and testing of BCA101 and intellectual property protection related thereto. Upon information and belief, the actions that Biocon and Bicara took to encumber the '789 Bedi IP and obtain the Copycat Biocon IP, which are the subject of this action, benefited not just Biocon but also Bicara, which has its principal place of business in this District. Further, upon information and belief, the majority of relevant witnesses and documents reside in the United States, including in this District, where all Defendants maintain a significant presence.

BACKGROUND

A. Inventions Made at JHU by Dr. Bedi and Dr. Ravi.

18. In 2010, Dr. Bedi, a medical oncologist and Associate Professor, and Dr. Ravi, an Assistant Professor, were both full-time faculty members at JHU in the Departments of Oncology and Otolaryngology – Head and Neck Surgery in the Division of Head and Neck Cancer Research. In the course of their NIH-sponsored research, they conceived of several revolutionary cancer immunotherapies.

19. Between 2010 and 2011, Drs. Bedi and Ravi conceived of inventions that encompass certain novel fusion proteins—i.e., proteins with multiple parts, or moieties, fused together—and their use in cancer immunotherapy. One class of fusion proteins that they invented comprises a targeting antibody that binds to epidermal growth factor receptor (EGFR), fused via a linker to an immunomodulatory moiety that is a specific ligand-binding sequence of the extracellular domain of TGFβRII (a protein that binds TGFβ). Such a fusion protein, referred to as an "EGFR/TGFβ-binding fusion protein," promotes antitumor immunity by binding and disabling EGFR and simultaneously counteracting TGFβ-induced immune tolerance within the localized microenvironment of EGFR-expressing tumor cells. The inventions of the '789 Bedi IP are not limited to EGFR/TGFβ-binding fusion proteins. For example, other fusion proteins of the invention include CTLA4/TGFβ-binding fusion proteins, HER2/TGFβ-binding fusion proteins, PDL1/TGFβ-binding fusion proteins, and PD1/VEGF-binding fusion proteins.

20. Drs. Bedi and Ravi assigned their inventions to their employer, JHU. JHU filed patent applications protecting the inventions, including an international patent application in March 2011 (PCT/US2011/027317) that claims priority to U.S. Provisional Application Nos. 61/311,255 (filed March 5, 2010) and 61/435,671 (filed January 24, 2011). These applications are part of the '789 Bedi IP as explained above.

B. Interaction of Mazumdar-Shaw and Drs. Bedi and Ravi through IATRICa.

21. Prior to the invention of the subject matter disclosed in the '789 Bedi IP, Drs. Bedi and Ravi co-invented an unrelated technology in 2006-2008 with Dr. Shulin Li of Louisiana State University, including WO2007/089871 (the "WO '871 family"). The WO '871 family was exclusively licensed to a U.S. company—IATRICa, Inc.—founded by Drs. Bedi and Ravi. In 2008, Biocon became the largest investor in IATRICa, and Biocon chairperson Mazumdar-Shaw became a member of IATRICa's Board of Directors.

22. Neither Biocon nor IATRICa has ever held any rights to the '789 Bedi IP.

C. Dr. Bedi Makes Confidential Disclosures to Mazumdar-Shaw and Biocon, After Filing '789 Bedi IP Patent Applications.

23. On March 5, 2010, JHU and Dr. Bedi filed U.S. Provisional Application No. 61/311,255 ("2010 Provisional Application"), the first filing of the '789 Bedi IP. The 2010 Provisional Application describes, *inter alia*, fusion proteins comprising a targeting moiety that binds EGFR fused to an immunomodulatory moiety comprising a ligand-binding sequence of the extracellular domain of TGFβRII (a protein that binds TGFβ). In particular, the application describes a fusion protein comprising a specific EGFR antibody (cetuximab), wherein the C-terminus of its light chain is fused to a specific ligand-binding sequence of the TGFβRII extracellular domain via a flexible linker. The 2010 Provisional Application provides the exact sequence of such a fusion protein.

24. On June 23, 2010, following filing of this provisional application, Dr. Bedi confidentially disclosed material regarding the inventions encompassed in the '789 Bedi IP to Mazumdar-Shaw in her capacity as a Board member of IATRICa. Dr. Bedi made this disclosure to enable the IATRICa Board to evaluate a potential new licensing opportunity for IATRICa. This disclosure to Mazumdar-Shaw, the chairperson of Biocon, was the first instance wherein any employee of Biocon learned of the inventions. Mazumdar-Shaw requested that Dr. Bedi disclose confidential information pertaining to this invention to Biocon scientists, including Dr. Harish Iyer, Biocon's Head of Research and Development at the time, to evaluate its suitability as a possible new licensing opportunity. Dr. Bedi met Dr. Iyer on July 1, 2010 and confidentially disclosed the information in JHU's 2010 Provisional Application, including information about the EGFR/TGFβ-binding fusion proteins described above. This was the first instance wherein any employee of Biocon, other than Mazumdar-Shaw, learned of these

inventions. At the time of this disclosure, the 2010 Provisional Application had not yet published and was not publicly available.

25. On January 24, 2011, JHU and Drs. Bedi and Ravi filed a second provisional application disclosing additional fusion proteins and their corresponding sequences, U.S. Provisional Application No. 61/435,671 (the "2011 Provisional Application"). Biocon had no knowledge of these additional fusion proteins until Dr. Bedi made a second confidential disclosure to Biocon employees in February 2011, after the second provisional application had been filed. At the time of this disclosure, the 2011 Provisional Application had not yet published and was not publicly available.

26. In March 2011, JHU and Drs. Bedi and Ravi filed an international patent application, PCT/US2011/027317, claiming priority to the 2010 Provisional Application and the 2011 Provisional Application. This international patent application identified Drs. Bedi and Ravi as the inventors.

27. All information disclosed by Dr. Bedi to Mazumdar-Shaw and Biocon's representatives concerning the '789 Bedi IP, including EGFR/TGFβ-binding fusion proteins, were subject to confidentiality agreements executed between JHU and IATRICa and between Biocon and IATRICa effective March 2007. Mazumdar-Shaw, Biocon, and Biocon's representatives understood that all such information was confidential, that Drs. Bedi and Ravi were the inventors of the technology, and that the disclosure was solely to evaluate a potential licensing opportunity for IATRICa.

28. In sum, no Biocon scientist was aware of any embodiment of the '789 Bedi IP until after Dr. Bedi filed the 2010 Provisional Application. Further, no Biocon scientist was aware of any embodiment disclosed in the 2011 Provisional Application until after that

application was filed. As such, no Biocon scientist could have made any inventive contributions to these patent applications.

D. Biocon Accepts Drs. Bedi and Ravi Were the Proper Inventors of the '789 Bedi IP Assigned to JHU.

29. Biocon acknowledged and accepted that the '789 Bedi IP was JHU's intellectual property. For example, in an email from Dr. Iyer to Dr. Bedi and others on December 29, 2010, Dr. Iyer acknowledged that Dr. Bedi had filed a provisional application in March 2010, and that Dr. Bedi would file a full PCT before March 2011. As Head of Research and Development for Biocon, Dr. Iyer knew that no Biocon employees were inventors on these applications and made no such claim.

30. As another example, in a February 2011 email to Biocon scientists (Kedarnath Sastry and Nagaraj Govindappa), Dr. Bedi reiterated that the confidential fusion proteins (including, without limitation, an EGFR/TGFβ-binding fusion protein) were JHU intellectual property: "As we had discussed, the sequences are IP of Johns Hopkins University and cannot be disclosed without a confidentiality agreement." Govindappa and Sastry did not raise any objection to Dr. Bedi's statements, nor did they suggest Dr. Bedi's disclosure would not be governed by Biocon's existing confidentiality obligations. Dr. Bedi's email was a confidential disclosure of fusion proteins from the '789 Bedi IP that he had already invented, and filed in patent applications that were assigned to JHU. Because the material in this email was disclosed to the Biocon scientists under confidentiality agreement after the invention had already been completed and patent applications had been filed, neither Govindappa nor Sastry, nor any other Biocon scientist has any legitimate claim to be an inventor. And, in responding to this email, neither of these Biocon scientists made any claim of inventorship.

31. Biocon's understanding that Drs. Bedi and Ravi are the true inventors of the '789 Bedi IP is also evident from Mazumdar-Shaw's attempts to secure a license/sublicense to the'789 Bedi IP. Between January and April 2012, in written and oral communications, Mazumdar-Shaw repeatedly pressured Dr. Bedi to obtain a license to the '789 Bedi IP from JHU to IATRICa, and a sub-license of three molecules encompassed by the '789 Bedi IP from IATRICa to Biocon. In these communications, Mazumdar-Shaw agreed that the '789 Bedi IP is JHU intellectual property, with no claim of Biocon scientists' involvement as inventors. No license to IATRICa, nor a sub-license to Biocon, was ever granted.

BIOCON COPIED THE '789 BEDI IP AND FALSELY CLAIMED IT AS ITS OWN

A. Biocon Filed Copycat Intellectual Property.

32. On April 30, 2012, Biocon filed a provisional patent application (1689/CHE/2012) of its own, claiming the same subject matter to the '789 Bedi IP. This nearly identical patent application is the first filing of the Copycat Biocon IP and falsely states that Biocon scientists—not Drs. Bedi and Ravi—are the inventors of this revolutionary technology. The three inventors listed on the Copycat Biocon IP are Nagaraj Govindappa, Kedarnath Sastry, and Melina Soares. Govindappa, Sastry, and Soares are the same Biocon employees to whom Dr. Bedi confidentially disclosed the fusion proteins described and claimed in the '789 Bedi IP, and who had no knowledge of these fusion proteins before Dr. Bedi's disclosure. Because Dr. Bedi's disclosures to these scientists occurred after his patent application filings, the Biocon scientists knew they were not the inventors of the technology. Yet, Govindappa, Sastry, and Soares falsely claimed they invented these same fusion proteins.

33. The Copycat Biocon IP describes, *inter alia*, the same EGFR/TGFβ-binding fusion protein described in the 2010 Provisional Application from the '789 Bedi IP. This fusion protein comprises the *identical* anti-EGFR antibody (cetuximab) fused to the *identical*

extracellular domain sequence of TGFβRII at the *identical* site (C terminus of the antibody light chain), via the *identical* linker. This molecule is the subject of, *inter alia*, issued U.S. Patent No. 8,815,247 (the "'247 patent") issued to Biocon in the Copycat Biocon IP family.

34. The heavy chain of the aforementioned molecule in the Copycat Biocon IP is the cetuximab heavy chain. That heavy chain is exactly described, amino-acid-for-amino-acid, in the 2010 Provisional Application, with the insignificant deletion of a single amino acid (lysine) at its C-terminus. This trivial deletion of the C-terminal lysine for any antibody heavy chain was already well-known in the art and, as such, does not constitute an inventive contribution by Biocon scientists.

35. The rest of the Copycat Biocon IP lists the same improper inventors as the '247 patent. Indeed, the fusion proteins and methods of treatment recited in the rest of the Copycat Biocon IP are not the invention of the named Biocon scientists, but instead of Dr. Bedi or Drs. Bedi and Ravi.

36. Thus, the inventorship listed for the Copycat Biocon IP is incorrect. In fact, the true and sole inventor of the '247 patent is Dr. Bedi, and more generally, Dr. Bedi or Drs. Ravi and Bedi are the inventors of all other patents in the Copycat Biocon IP.

37. Despite their prior interactions, Biocon and its subsidiary, Bicara, did not inform Dr. Bedi, Dr. Ravi, or anyone at JHU that Biocon and Bicara was commercializing the Copycat Biocon IP. Upon information and belief, Defendants deliberately chose not to share their actions with Y-Trap to prevent Y-Trap from discovering Defendants' misappropriation.

B. Biocon's Unsubstantiated Inventorship Allegations Against the '789 Bedi IP Prior to 2016.

38. Prior to Y-Trap's acquisition of its exclusive license to the '789 Bedi IP in 2016, upon information and belief, in one or more letters to JHU and in a books and records demand to

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IATRICa, Biocon alleged that Biocon scientists should be named co-inventors of the '789 Bedi IP. Upon information and belief, Biocon did not provide any credible support or basis for this assertion.

39. Upon information and belief, Biocon made these false claims in an attempt to coerce a license or sublicense to the '789 Bedi IP from JHU.

40. When it was rebuffed by JHU, Biocon appeared to abandon its efforts to secure a license to the '789 Bedi IP and appeared to cease its false inventorship claims on the same. Biocon did not make any claims to the United States Patent and Trademark Office ("USPTO") alleging inventorship over the '789 Bedi IP. It appeared, and Y-Trap reasonably believed, that by the time it licensed the '789 Bedi IP in 2016, Biocon had ceased any public statements or activity with regard to its baseless and unsubstantiated inventorship claims or development efforts of fusion proteins from the '789 Bedi IP, including EGFR/TGFβ binding fusion proteins.

C. Y-Trap Developed Molecules from the '789 Bedi IP Amid Silence from Biocon.

41. In September 2015, Drs. Bedi and Ravi co-founded Y-Trap to develop products from the '789 Bedi IP. Dr. Bedi and Dr. Ravi are co-founders of Y-Trap, and Dr. Bedi serves as the Chief Scientific Officer of Y-Trap. In July 2016, Y-Trap procured an exclusive license from JHU to the '789 Bedi IP, including the patents and applications and inventions disclosed therein. Y-Trap developed multiple fusion proteins of the '789 Bedi IP, including but not limited to EGFR/TGFβ-binding fusion proteins, PDL1/TGFβ-binding fusion proteins, and PD1/VEGF-binding fusion proteins.

42. In September 2016, the USPTO granted U.S. Patent No. 9,441,044 naming Drs. Bedi and Ravi as the inventors. This patent relates to a targeting moiety fused with an immunomodulatory moiety, wherein: (a) the targeting moiety specifically binds epidermal growth factor receptor (EGFR); and (b) the immunomodulatory moiety comprises an amino acid

sequence of the extracellular domain of transforming growth factor-beta receptor II (TGFβRII). Upon information and belief, Biocon made no efforts to approach the USPTO to challenge inventorship of this patent. Following the issuance of patents in the '789 Bedi IP, Y-Trap started working on development of Drs. Bedi and Ravi's inventions.

43. Biocon made no effort to contact Y-Trap after the issuance of the '789 Bedi IP. Y-Trap did not become aware of Biocon and Bicara's unlawful actions until at least 2022 and 2023.

BIOCON AND BICARA CONSPIRE TO USURP AND MONETIZE THEIR STOLEN IP

44. Biocon and Bicara executed a conspiracy against Y-Trap, or alternatively, Bicara was an agent of or worked with Biocon, to usurp and monetize the '789 Bedi IP, which relied upon at least the following three coordinated and fraudulent actions, described in (A), (B), and (C) below; and came to light between 2022 and 2024 as described in (D).

A. Biocon Licenses its Copycat Biocon IP to Bicara, a Subsidiary it Launched to Monetize BCA101.

45. Biocon founded Bicara within this District and later provided $40 million in seed money and a license to the Copycat Biocon IP. Bicara existed as a wholly owned subsidiary of Biocon, operating out of the public eye, until Biocon spun out Bicara in or around March 2021. *See* Ex. B, *Bicara debuts with $40M from Biocon to bankroll bifunctional antibodies*, Fierce Biotech, Mar. 15, 2021 (https://www.fiercebiotech.com/biotech/bicara-debuts-40m-from-biocon-to-bankroll-bifunctional-antibodies) (hereinafter "Ex. B"); 2021 Biocon Annual Report, https://www.biocon.com/docs/Biocon_Annual_Report_2021.pdf at 15 ("Bicara started operating as a standalone company under an independent management team in FY21 after we ceded control to its Board and Management."). Biocon founded and launched Bicara, headed by Mazumdar-Shaw's niece, Claire Mazumdar, to develop and commercialize BCA101, a molecule

Biocon copied verbatim from the '789 Bedi IP. *See* Ex. B; *see also* News in Brief, *First-in-Class and Discovered in India*, 39 Nature Biotechnology 399 (2021) ("News in Brief"). When announcing that Bicara was spun out from Biocon, Defendants made no mention of the '789 Bedi IP, Y-Trap, Dr. Bedi, Dr. Ravi, or the sequence of BCA101 (later called ficerafusp alfa). Ex. B. Indeed, Bicara's spokesperson disguised the true origin of Bicara's lead compound, stating that Bicara's "molecules were developed in-house and Bicara owns all rights and licenses." Mark Zipkin, *Biocon Launches Bifunctional Antibody IO Subsidiary Bicara with $40 Million*, BioSpace, https://www.biospace.com/biocon-launches-bifunctional-antibody-io-subsidiary-bicara-with-40-million (Mar. 15, 2021) ("Zipkin"). This sentiment was repeated a month later, when BCA101 was described as a "first-in-class bifunctional/trap antibody *discovered in India*." News in Brief (emphasis added). Taking these statements at face value, all Y-Trap and the public knew when Bicara launched was that Bicara received $40 million in seed money to develop an antibody "which zeroes in on EGFR-expressing cancer cells and blocks TGFβ." Ex. B. Based on these scant disclosures and Bicara's statements about its in-house development, there was no way for Y-Trap to know that Bicara was developing a molecule copied from the '789 Bedi IP.

46. However, as would be publicly disclosed in 2023, BCA101 comprises the *identical* anti-EGFR antibody (cetuximab) fused to the *identical* extracellular domain sequence of TGFβRII at the *identical* site (C terminus of the antibody light chain), via the *identical* linker ((GGGGS)3) as is described in the '789 Bedi IP, including as early as the 2010 Provisional Application. BCA101 comprises a heavy chain and a light chain. The sequence of the light chain fusion protein is exactly described, amino-acid-for-amino-acid in the 2010 Provisional Application. The heavy chain of BCA101 comprises an antigen-binding region that is identical

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to cetuximab and is exactly described, amino-acid-for-amino-acid, in the 2010 Provisional Application. *See* Ex. A. The only difference between BCA101 and the sequence disclosed in the 2010 Provisional Application is a single amino acid deletion of the heavy chain C-terminal lysine, a trivial modification well-known in the art as noted above in ¶ 34. Drs. Bedi and Ravi are therefore the true inventors of BCA101 and the Copycat Biocon IP, and no Biocon or Bicara employee made any inventive contribution to BCA101 or the Copycat Biocon IP.

47. Upon information and belief, Biocon provided to Bicara a license to the Copycat Biocon IP covering the BCA101 molecule. Licensing the Copycat Biocon IP to Bicara was pivotal to the conspiracy, as it enabled Bicara to claim protection from the '247 patent and falsely assert intellectual property rights to BCA101. Bicara was undoubtedly aware that Biocon had copied BCA101 from the '789 Bedi IP, since Biocon founded Bicara as a subsidiary and Biocon insiders serve on Bicara's Board and management team.

B. Biocon Interferes With Y-Trap By Opposing the '789 Bedi IP Via False Inventorship Claims.

48. Unbeknownst to Dr. Bedi and prior to Y-Trap's incorporation, in 2014, Biocon filed a pre-grant opposition in the Indian Patent Office to Patent Application 8417/CHENP/2012 (a portion of the '789 Bedi IP) on the basis of incorrect inventorship. No action was taken by the Indian Patent Office following Biocon's initial filing and Dr. Bedi (and Y-Trap) were unaware of, and not informed about, that initial filing until 2022.

49. In February 2022, Biocon filed a Representation for Opposition at the Indian Patent Office, renewing its false inventorship claims by urging the Indian Patent Office to act on its 2014 filing.

50. Neither Biocon nor the Indian Patent Office informed the applicant (JHU) or the named inventors of Biocon's 2014 opposition filing until at least February 2022. Biocon stated

in its February 2022 letter to the Indian Patent Office: "We also do not find, in the available documents in the Patent Office website, any Notice under Rule 55 (3) issued by the Patent Office requesting the applicant to file Reply Statement. Neither have we received a copy of the same." Thus, Dr. Bedi, JHU, and Y-Trap were first made aware of Biocon's opposition in February 2022 when they received notice from the Indian Patent Office.

51. The opposition was Biocon's first formal claim of inventorship over the '789 Bedi IP in any patent office worldwide. The opposition articulated, for the first time, Biocon's alleged basis for its inventorship claim, including Biocon's purported lab notebook pages supposedly authored by Govindappa (the same Biocon employee Dr. Bedi made his confidential disclosure to) and other purported supporting evidence. It was also the first time Biocon provided detailed argument outlining the alleged significance of the submitted information. However, all of Biocon's purported evidence and related argument relied on a deceptive attempt to claim an inventive contribution to the '789 Bedi IP on the basis of completely unrelated IATRICa/Biocon co-development work—the WO '871 family that Drs. Bedi, Ravi, and Li had developed between 2006 and 2008 and which had been licensed to IATRICa, as described above.

52. Though Biocon knew its scientists were not inventors of the '789 Bedi IP, Biocon knowingly made public false representations between February 2022 and August 2024 to the Indian Patent Office in an attempt to substantiate their claims of inventorship.

53. Ultimately, in August 2024, the Indian Patent Office ruled that Biocon scientists had no inventive contribution to the '789 Bedi IP, rejected Biocon's opposition, and granted the applicant (JHU) the requested patent affirming Drs. Bedi and Ravi as its sole inventors. Upon information and belief, Bicara knew about this ruling before its IPO in September 2024.

54. Biocon's knowingly false claims about the inventorship of the '789 Bedi IP were aimed at undermining the legitimacy of the '789 Bedi IP and allowing Bicara to evade scrutiny for not holding rights to it. This false claim of inventorship enabled Bicara to perpetuate the narrative that Biocon was the original inventor of that intellectual property, and to claim Bicara had rights to BCA101. Biocon's false statements also unfairly interfered with Y-Trap's ability to secure financing to develop any products from the '789 Bedi IP, by casting doubt over the proper inventorship and ownership of this intellectual property. Thus, by the time the Indian Patent Office rejected Biocon's false claims in August 2024, Bicara had already leveraged its false narrative between 2022 and 2024 for its own illicit gains at Y-Trap's expense.

C. Bicara Falsely Represents BCA101 as its Own, Claiming to Have All Rights and Licenses.

55. Upon information and belief, Bicara knew, and at the very least should have known, of the falsity of Biocon's claims that its employees had conceived of any inventive contribution to BCA101, an invention claimed by the '789 Bedi IP. Yet Bicara nevertheless falsely represented BCA101 as its own to investors, partners, the oncology community, and the public. Bicara thus accepted the benefits of and adopted Biocon's false inventorship claims and made its own similar false claims.

56. For example, following Bicara's announcement of its spin-out and seed funding to develop BCA101, a spokesperson for Bicara averred that "its molecules were developed in-house and Bicara owns all rights and licenses." Zipkin; *see also Red Tree, RA Capital Lead $108M Infusion Into Bicara and Its Bifunctional I/O Drug*, Endpoints News, Mar. 6, 2023 (https://endpts.com/red-tree-ra-capital-lead-108m-infusion-into-bicara-and-its-bifunctional-i-o-drug/). ("BCA101 initially came out of the R&D unit of India's biosimilars giant Biocon"). Also in 2023, Bicara represented to the public that BCA101 was a "first-in-class bifunctional mAb

fusion designed to simultaneously target EGFR and sequester TGFβ." Boreddy et al., *BCA101 is A Tumor-Targeted Bifunctional Fusion Antibody That Simultaneously Inhibits EGFR and TGFβ Signaling to Durably Suppress Tumor Growth*, 83(11) Cancer Research 1883, 1884, 1889 (2023) ("Boreddy") ; *see also id.* at 1901 ("BCA101 to the best of our knowledge is a first-in-class bifunctional therapeutic molecule targeting TGFβ and EGFR signaling simultaneously."); *id.* at 1883 ("Here, we developed BCA101, an anti-EGFR IgG1 mAb linked to an extracellular domain of human TGFβRII."). The same publication credits authors from the Mazumdar Shaw Medical Foundation, Mazumdar Shaw Medical Center, Biocon Biologics Limited, and Bicara Therapeutics for the development of BCA101. *Id.* at 1883. All these claims are false. BCA101 was copied from the '789 Bedi IP, it was developed out of confidential disclosures from Dr. Bedi to Biocon, and it is described explicitly by issued patents from the '789 Bedi IP family. Upon information and belief, Bicara made these false claims to mislead Y-Trap, investors, and others from the truth that BCA101 is copied from the '789 Bedi IP.

57. Upon information and belief, it was not until at least October 2023 that Bicara publicly disclosed the structure of BCA101, from which Y-Trap discovered that it is directly copied from the '789 Bedi IP. *See WHO Drug Information*, Vol. 37, No. 4 (https://iris.who.int/bitstream/handle/10665/376278/9789240089969-eng.pdf) at 1038–40; *see also* Ex. A.

58. Bicara continues to publicly tout BCA101 as "first-in-class." *See, e.g.*, "Bicara Therapeutics Reports Updated Interim Phase 1/1b Data of Ficerafusp Alfa (BCA101) in 1L HPV-negative Recurrent/Metastatic Head and Neck Squamous Cell Carcinoma (HNSCC)" Bicara Therapeutics (Jun. 27, 2024), https://ir.bicara.com/node/6556/pdf.

59. Bicara made further false and misleading public statements regarding its purported development of EGFR/TGFβ-binding fusion proteins, including in the Bicara S-1 Statement. For example, Bicara stated:

> We have built a platform designed to facilitate the development of bifunctional therapies that precisely target the tumor and deliver a tumor-modulating payload to the tumor site . . . . This approach was deployed in the development of ficerafusp alfa, where we believe the bifunctional design can improve upon the therapeutic profile of immunotherapies . . . .

Bicara S-1 Statement at 1-2, 103. Bicara repeated these statements in registration statements dated September 2, 2024, September 6, 2024, and September 11, 2024. These statements are also contrary to the fact that BCA101 is encompassed by and copied from the '789 Bedi IP.

60. By falsely representing intellectual property relating to BCA101 as its own, Bicara was able to solicit large private and public financings as described below and use the illegitimately procured funds to conduct clinical trials with their stolen product and widely circulate their results in prestigious oncology conferences and other public forums. This cemented its false public narrative that Bicara was the rightful owner of this intellectual property, thereby enabling Bicara to cloak the Copycat Biocon IP with a veneer of credibility that Bicara ultimately exploited to enrich itself at Y-Trap's expense and to Y-Trap's detriment.

D. Elements of Defendants' Conspiracy Came to Light Between 2022 and 2024.

61. The elements of Defendants' conspiracy first came to light between 2022 and 2024. Until at least October 2023, BCA101 was simply a codenamed molecule with no published structure, and might have been one of numerous compounds that are potentially capable of targeting EGFR and TGFβ.

62. In fact, Bicara's public statements in March 2021 were designed to disguise the true origin of Bicara's technology. *See, e.g.*, Zipkin; *see also* News in Brief. As such, Y-Trap was led to believe that BCA101 was different from the molecules described and claimed in the

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'789 Bedi IP. Y-Trap did not know or have reason to know that Biocon would assert ownership and inventorship of the '789 Bedi IP until Y-Trap learned of Biocon's Opposition in the Indian Patent Office, in February 2022 as described above.

63. Y-Trap also did not know, had no reason to know, and could not have determined the connection between BCA101 and the '789 Bedi IP until at least October 2023—when Bicara's scientists published the sequence of BCA101. Only then could Y-Trap reasonably discern the conspiracy underlying Defendants' unfair acts: Biocon and Bicara had conspired to finance and advance a molecule copied from the '789 Bedi IP, while simultaneously blocking Y-Trap from financing and advancing its own molecules via false claims of inventorship over the '789 Bedi IP between 2022 and 2024, thereby unfairly competing with Y-Trap and unjustly enriching themselves through hundreds of millions in public and private financing during this time period, at the expense of Y-Trap.

E. Defendants Have Significantly Profited From Their Conspiracy.

64. Led by its CEO, Claire Mazumdar, Bicara has raised hundreds of millions of dollars which, upon information and belief, it obtained solely because of the molecule invented by Drs. Bedi and Ravi.

65. Upon information and belief, Bicara first received outside funding in an undisclosed Series A financing, raising $42 million in or before March 2023. *Red Tree, RA Capital Lead $108M Infusion Into Bicara and Its Bifunctional I/O Drug*, Endpoints News, Mar. 6, 2023 (https://endpts.com/red-tree-ra-capital-lead-108m-infusion-into-bicara-and-its-bifunctional-i-o-drug/). In March 2023, Bicara raised an additional $108 million in a Series B round, followed by a $165 million Series C financing. *Bicara nets second nine-digit haul in nine months, raising $165M series C*, Fierce Biotech, Dec. 12, 2023 (https://www.fiercebiotech.com/biotech/bicara-nets-second-nine-digit-haul-nine-months-raising-

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165m-series-c). Recently, Bicara raised $362 million in its IPO. *Bicara Therapeutics closes $362m IPO in flurry of biotech listing activity*, Yahoo! Finance, Sep. 17, 2024 (https://finance.yahoo.com/news/bicara-therapeutics-closes-362m-ipo-131350103.html). As of October 21, 2024, Bicara's market capitalization was calculated at about $1.2 billion. *See Bicara Therapeutics Inc.*, Yahoo! Finance (https://finance.yahoo.com/quote/BCAX/) (last visited October 29, 2024). As evidenced by the Bicara S-1 Statement, BCA101 is the primary asset in Bicara's pipeline (and Bicara's only clinical stage asset), and as such, their valuation is primarily, if not entirely, based on technology invented by Drs. Bedi and Ravi. Indeed, Bicara stated, "Our business is highly dependent on the success of ficerafusp alfa. If we are unable to successfully complete clinical development, obtain regulatory approval for or commercialize ficerafusp alfa, or if we experience delays in doing so, our business will be materially harmed." Bicara S-1 Statement at 6. If BCA101 gains regulatory approval, Defendants stand to further unjustly enrich themselves with billions of dollars in prospective sales.

66. In addition, Bicara may develop additional assets disclosed in the '789 Bedi IP. For example, the Bicara S-1 Statement references BCA300, BCA400, and BCA600, which may be derived from the Copycat Biocon IP copied from the '789 Bedi IP. Upon information and belief, Bicara has not disclosed the structures or amino acid sequences of BCA300, BCA400, and BCA600.

F. Bicara, Originally a Biocon Subsidiary, Remains Deeply Intertwined with Biocon.

67. Biocon and Bicara share a close corporate relationship, and each serve to benefit from the unfair and deceptive acts committed by the other in connection with the '789 Bedi IP.

68. Upon information and belief, Biocon founded Bicara as a wholly-owned subsidiary of Biocon in this District in late 2018.

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69. On October 1, 2019, Bicara and Biocon entered into a Contract Transfer and License Agreement, whereby the parties agreed that Biocon would grant Bicara a license "to make, use, sell, offer to sell, import, and otherwise exploit certain fusion protein products of which ficerafusp alfa was the most advanced program." Bicara S-1 Statement at 126. Bicara paid Biocon INR 550 million as consideration for the license grant. *Id*.

70. Upon information and belief, Biocon spun out Bicara in early 2021 so that it could continue and expand its operations, including in this District. Biocon invested $40 million dollars in Bicara in exchange for 40 million shares of Series Seed Preferred Stock. *Id.* at F-5, F-6, F-16, F-38.

71. In a Q2 2024 investor presentation, Biocon reported that it controlled the operations and the Board of Directors of Bicara until at least Q4 2021. In its Fiscal Year 2023 annual report, Biocon further stated that "…it continues to have significant influence over [Bicara]." 2023 Annual Report, https://www.biocon.com/docs/Biocon_Integrated_Annual_Report_2023.pdf at 187-188. Upon information and belief, the leadership, operations, and financial interests of Biocon and Bicara remain, and will continue to remain, intertwined and Biocon—as a significant investor in Bicara—continues to direct and profit from Bicara's activities.

72. Biocon's and Bicara's leadership overlap substantially. Biocon's August 2024 Registration Statement discloses that Mazumdar-Shaw, the chairperson at Biocon, is an investor in Bicara and sits on Bicara's Board of Directors. Bicara S-1 Statement at 152. Further, Bicara's CEO, Mazumdar, is the niece of Mazumdar-Shaw. *Id*. at 150, 154-55. Further, Harvard Medical School professor Vijay Kuchroo served on Bicara's Board of Directors until September 2024, and on Biocon's Board of Directors from 2015 until July 2023. *Id.* at 150, 152.

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73. Bicara's research and development of BCA101 was dependent on the resources of Biocon. For example, upon information and belief, Bicara's research and development of BCA101 was performed at least in part by a team of "protein engineers, immunologists, and manufacturing experts *employed by Biocon and based in Bangalore*, but contracted to Bicara." News in Brief (emphasis added). In fact, subsequent publications describing the development of BCA101 list Biocon scientists as primary authors. *See, e.g.*, Boreddy.

74. Biocon has also provided Bicara with financial support. For example, Bicara's Aug. 2024 Registration Statement discloses that Biocon provided $9 million to Bicara pursuant to an unsecured loan agreement. Bicara S-1 Statement at F-16.

75. Due to Biocon's ownership interest in Bicara, Biocon has benefited and will continue to benefit from Bicara's success. In its August 2024 SEC filing, Bicara disclosed that "Biocon Limited and its affiliates ('Biocon') with which the Company conducts business, *is the Company's largest shareholder*." *See id.* (emphasis added). According to Bicara's August 2024 Registration Statement, Biocon currently holds 1,070,000 shares of common stock and 81,790,144 shares of Series Seed Preferred Stock. *Id.* at 187, F-16, F-37–38.

76. Due to Bicara's contractual obligations to Biocon subsidiaries, Biocon has and will continue to financially benefit from Bicara's success. By way of example and without limitation, Bicara and Biocon have entered into a number of agreements which, upon information and belief, are related to the research, development, and manufacture of BCA101 or its predicates. For example, Bicara entered into a master services agreement with Biocon which, upon information and belief, is for services related to research and development, clinical trials, regulatory interactions, and manufacturing related to BCA101 or its predicates. *Id.* at 183–84, F-24, F-44. Bicara also entered into a master services agreement with Biofusion Therapeutics

Limited, which, upon information and belief, is for research and development services related to BCA101 or its predicates. *Id.* at 183–84, F-25, F-44. Biofusion Therapeutics is a wholly-owned subsidiary of Biocon. *Id.* at F-25.

77. By further example, Bicara entered into a manufacturing agreement with Biocon Biologics Limited which, upon information and belief, is for the manufacture of BCA101 or its predicates. *Id*. BBL is a wholly-owned subsidiary of Biocon. *Id.* at 184. Upon information and belief, Biocon Biologics, Inc. carries out the obligations of that agreement in the United States. Biocon Biologics, Inc. has its principal place of business in the District.

78. As a further example, Bicara entered into a manufacturing agreement and a master contract services agreement with Syngene International Limited. *Id.* at 183-84, F-24. Upon information and belief, these agreements are related to the manufacture, research, and development of BCA101 or its predicates. *Id.* Syngene is a wholly-owned subsidiary of Biocon. *Id.* at F-44.

DEFENDANTS HARMED Y-TRAP'S INTEREST IN THE RELEVANT INTELLECTUAL PROPERTY THROUGH THEIR CONSPIRACY

A. Y-Trap is the Exclusive Licensee of the '789 Bedi IP and the Inventions Disclosed and/or Claimed Therein.

79. In September 2015, Y-Trap was co-founded by Drs. Bedi and Ravi to develop products from the '789 Bedi IP, including bifunctional fusion proteins comprising a targeting antibody that binds EGFR fused to a ligand-binding sequence of the TGFβ receptor II ectodomain.

80. In 2016, Y-Trap procured an exclusive license from JHU to Y-Trap for the '789 Bedi IP and the inventions disclosed and/or claimed therein.

81. Y-Trap has a financial interest in and is the rightful, exclusive licensee of the Copycat Biocon IP because: (1) Y-Trap has an exclusive license from JHU to the invention

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disclosed and claimed in the '789 Bedi IP, (2) the Copycat Biocon IP claims the same inventions as are disclosed in the '789 Bedi IP, and (3) Drs. Bedi and Ravi are the proper and sole inventors of the inventions in the Copycat Biocon IP. Indeed, if not for Biocon's and Bicara's unlawful conduct and the incorrect inventorship of the Copycat Biocon IP, Drs. Bedi and Ravi would be known as the sole rightful inventors of the technology claimed in those patents, and Y-Trap would be the exclusive licensee of the Copycat Biocon IP alongside the '789 Bedi IP.

82. Y-Trap has a further interest because Y-Trap has a financial and reputational interest in ensuring that the intellectual property (including the '789 Bedi IP) invented by Y-Trap's Chief Scientific Officer, Dr. Bedi, is unencumbered and unsullied by Biocon and Bicara. Correcting the inventorship of the Copycat Biocon IP would restore the true inventorship and would allow Y-Trap to commercialize the inventions it alone has the right to develop.

B. Defendants Unjustly Enriched Themselves at the Expense of Y-Trap.

83. Defendants conspired to deprive Y-Trap of the benefits of its rightfully licensed '789 Bedi IP, while reaping the benefits of advancing a product copied from the same '789 Bedi IP. Defendants obtained hundreds of millions of dollars[3] and a $1 billion valuation by falsely representing a product from Y-Trap's licensed '789 Bedi IP as their own first-in-class product. Y-Trap has irreparably lost these financial, reputational, and strategic rewards of having the first-in-class EGFR/TGFβ-binding fusion protein, including the high-valuation IPO unfairly obtained by Bicara.

84. Defendants were not content to simply acquire the Copycat Biocon IP. Instead, they disparaged Y-Trap's intellectual property to clear the way for Bicara to take over the

[3] Approximately $315 million in total across Series A ($42 million), B ($108 million), and C ($165 million) private financings announced in 2023; and $362 million in their IPO in September 2024.

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market. Biocon and Bicara repeatedly and explicitly represented to the public that BCA101 was a molecule developed "in-house" at Biocon, that Biocon's scientists had been responsible for its early development, and that Bicara owned all rights and licenses in that molecule. Based on these representations, and the fact that the '247 patent is not prior art to the '789 Bedi IP (having been filed after the '789 Bedi IP), Y-Trap reasonably believed that Defendants had come to accept the true inventorship of the '789 Bedi IP and that Defendants were developing their own invention. When Biocon renewed its vexatious challenges to the '789 Bedi IP before the Indian Patent Office and Y-Trap subsequently learned that Biocon and Bicara were directly competing with Y-Trap using a product copied from the '789 Bedi IP, Y-Trap filed this suit.

85. Notably, Bicara proceeded with its IPO in September 2024 even after Y-Trap informed it of the facts in this Complaint, and after Biocon's claims of inventorship over the '789 Bedi IP had been rejected by the Indian Patent Office. Bicara's decision to proceed with its IPO furthered the irreparable damage to Y-Trap.

86. In addition to unjustly enriching themselves at Y-Trap's expense, Defendants' ongoing conspiracy and unfair competition provide Bicara's copied product BCA101 an unhindered path towards future FDA approval, and the ensuing valuable financial, reputational, and strategic benefits, while depriving Y-Trap of the same. For example, being the first to clinically develop the copied EGFR/TGFβ-binding fusion protein additionally gave Bicara an unfair advantage in running a clinical trial combining BCA101 with Keytruda (pembrolizumab), the standard of care in many tumor types including head and neck cancer. This advantage positions Bicara for a pivotal trial leading to FDA approval, which will allow Bicara to accrue potential billions in sales at the expense of Y-Trap.

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C. Defendants Hindered Y-Trap's Efforts to Develop Fusion Proteins From its Large Portfolio of Products From its Rightfully Licensed IP.

87. Defendants' coordinated activities have also caused substantial harm to Y-Trap. By falsely claiming inventorship over both '789 Bedi IP and Copycat Biocon IP, Defendants have hindered Y-Trap's ability to secure crucial funding, establish partnerships in the biotechnology sector and, ultimately, develop life-saving immunotherapies for cancer. Defendants' actions have caused, and continue to cause, irrevocable harm to Y-Trap by denying it the benefits of its own clear and unencumbered intellectual property.

88. Defendants' obstruction of Y-Trap has irreparably depressed the value of Y-Trap and its intellectual property and limited Y-Trap's ability to raise capital on both private and public markets to advance its products. Beginning February 2022, when Biocon formally opposed the validity of the '789 Bedi IP in patent office proceedings on the basis of their false claims of inventorship, Defendants' overt conspiracy injured Y-Trap's ability to raise funding and develop products from its large portfolio of molecules derived from this IP. Indeed, this action by Biocon allowed Bicara to secure critical venture capital funding and public financing that, upon information and belief, Y-Trap otherwise would have accrued—thereby enriching Defendants at Y-Trap's expense. Defendants' false statements about the inventorship of the Copycat Biocon IP have prevented Y-Trap from effectively commercializing the inventions described in the '789 Bedi IP by mischaracterizing Y-Trap as merely copying Bicara—when the opposite is true. Besides EGFR/TGFβ-binding fusion proteins, additional valuable fusion proteins whose development have been unjustly hindered by Defendants include PDL1/TGFβ-binding fusion proteins and PD1/VEGF-binding fusion proteins. This has resulted in loss of precious patent life and allowed other competitors to eclipse Y-Trap and monetize their products, thereby depriving Y-Trap of these benefits.

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89. In addition, Defendants' actions have injured Y-Trap's relationships with existing and prospective partners for development of products from the '789 Bedi IP. Indeed, due to Defendants' actions, Y-Trap suffered an injury in this District, including injury to Y-Trap's relationship with a Massachusetts-based partner.

90. Furthermore, Defendants' conspiracy has relegated Y-Trap to being seen as offering unoriginal technology (despite being the exclusive licensee of the inventions of the '789 Bedi IP and having been founded by its rightful inventors), thus diminishing the value of Y-Trap's intellectual property and painting Y-Trap in an unfavorable light, to the significant detriment of its valuation.

91. Relatedly, by misrepresenting BCA101 as their own, Defendants have brazenly stolen the scientific and professional accolades and reputational benefits that should have solely accrued to Drs. Bedi and Ravi. Furthermore, Biocon's public defamatory statements in patent office proceedings impugning the legitimacy of Drs. Bedi and Ravi's inventions have damaged their scientific and professional reputation. As Drs. Bedi and Ravi are the scientific co-founders of Y-Trap, and Dr. Bedi serves as its Chief Scientific Officer, these actions have also irreparably harmed Y-Trap. These reputational injuries are directly related to Defendants' unlawful appropriation of the '789 Bedi IP and can be remedied only by correcting the inventors listed on the Copycat Biocon IP.

D. Continued Harm to Y-Trap If Defendants' Wrongful Actions Are Allowed to Stand.

92. Y-Trap remains at risk if Defendants' knowingly false misrepresentations in public forums continues, further damaging the value of Y-Trap's intellectual property and obstructing its ability to develop any of its legitimately licensed products from the '789 Bedi IP while Defendants continue to profit from their wrongful acts.

93. Biocon copied many molecules from the '789 Bedi IP into its Copycat Biocon IP. As such, significant risk exists that Defendants will repeat their playbook of advancing and monetizing such blatantly copied molecules, whether through Bicara or any other entity Biocon may spawn for this nefarious purpose. Defendants may already be developing, or develop in the future, additional pipeline products from the Copycat Biocon IP and employ the same blueprint to continue to unjustly enrich themselves at the expense of Y-Trap.

COUNT I:
CORRECTION OF INVENTORSHIP FOR THE COPYCAT BIOCON IP AGAINST BIOCON AND BICARA PURSUANT TO 35 U.S.C. § 256

94. Y-Trap incorporates and realleges the foregoing paragraphs as if fully set forth herein.

95. Dr. Atul Bedi, or Dr. Bedi and Dr. Rajani Ravi, are inventors of inventions claimed by the Copycat Biocon IP, and patents issuing therefrom, for at least all the reasons detailed above.

96. Through omission, Dr. Bedi or Dr. Bedi and Dr. Ravi[4] are not listed as inventors on the face of the issued patents of the Copycat Biocon IP, including the '247 patent, and the inventors currently listed on the face of the issued patents of the Copycat Biocon IP were improperly listed. The omission occurred without any deceptive intent on the part of Dr. Bedi or Dr. Ravi. The omission of Dr. Bedi or Dr. Bedi and Dr. Ravi was the result of the inequitable and deceptive conduct of Biocon and made for the benefit of Bicara, the exclusive licensee of the Copycat Biocon IP.

97. For at least all the reasons discussed above, Dr. Bedi or Drs. Bedi and Ravi conceived of all the significant features of the inventions claimed by the Copycat Biocon IP and

[4] Certain claims should have Dr. Bedi as the inventor and certain claims Dr. Bedi and Dr. Ravi, as will be established at trial.

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patents issued therefrom. These contributions were more than explanations of well-known concepts and/or the state of the art at the time of invention.

98. For at least all the reasons discussed above, Nagaraj Govindappa, Kedarnath Sastry, and Maria Melina Soares did not contribute to the conception of any significant features of the inventions claimed by the Copycat Biocon IP, and patents issued therefrom. Any alleged contribution of Nagaraj Govindappa, Kedarnath Sastry, and Maria Melina Soares to the inventions claimed by the Copycat Biocon IP, and patents issued therefrom were simply well-known concepts and/or the state of the art at the time of invention.

99. Thus, Dr. Bedi or Drs. Bedi and Ravi are the sole inventors of the inventions disclosed and claimed by the Copycat Biocon IP, and the patents issuing therefrom.

100. At the time Dr. Bedi and Dr. Ravi conceived of the inventions claimed by the Copycat Biocon IP, Drs. Bedi and Ravi were under an obligation to assign any inventions, which would include those claimed by the Copycat Biocon IP, to JHU.

101. Y-Trap is the exclusive licensee of the '789 Bedi IP and all inventions disclosed and claimed therein, including patents claiming fusion proteins comprising a targeting moiety, which binds epidermal growth factor receptor (EGFR) fused to an immunomodulatory moiety that is a specific ligand-binding sequence of the extracellular domain of TGFβRII, via a specific flexible linker. Thus, Y-Trap's exclusive license with JHU would include the Copycat Biocon IP and patents issuing therefrom.

102. Because of Biocon and Bicara's unlawful conduct, Y-Trap has suffered both reputational and financial injury. Biocon and Bicara's actions have prevented Y-Trap from exercising its rights as the exclusive licensee of Drs. Bedi and Ravi's inventions. Because of Defendants' actions, Y-Trap is not properly recognized as the developer of its own novel

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oncology product, which has led to a loss of reputation in the immuno-oncology and pharmaceutical industries. This reputational harm is traceable to Biocon and Bicara's misappropriation of the inventions of the '789 Bedi IP. Y-Trap's reputational injuries have led to financial injuries as well. As the rightful exclusive licensee of the inventions encompassed by the Copycat Biocon IP, Y-Trap derives a financial benefit from and thus has a concrete financial interest in the proper inventorship of the Copycat Biocon IP. Y-Trap also has a financial interest as the exclusive licensee of the '789 Bedi IP, which covers BCA101, and this financial interest has been injured by the Copycat Biocon IP. Indeed, if not for Biocon's and Bicara's unlawful conduct and the incorrect inventorship of the Copycat Biocon IP, Drs. Bedi and Ravi would be known as the rightful inventors of the technology claimed in those patents, and Y-Trap would be the exclusive licensee of the Copycat Biocon IP alongside the '789 Bedi IP. Correction of the inventorship of the Copycat Biocon IP will allow Y-Trap to repair its reputation as an innovator company and to recoup its lost commercialization opportunities.

103. Unless Biocon and Bicara are enjoined from asserting that any of Nagaraj Govindappa, Kedarnath Sastry, and Maria Melina Soares are inventors of the Copycat Biocon IP, in violation of U.S. federal patent laws, Y-Trap will suffer irreparable injury. Y-Trap has no adequate remedy at law.

104. Because Dr. Bedi or Drs. Bedi and Ravi are the rightful sole inventors of the claimed features of the inventions claimed in the Copycat Biocon IP and the patents issued therefrom, this Court should direct the Commissioner of Patents to add Dr. Bedi or Drs. Bedi and Ravi to each of the patents issued from the Copycat Biocon IP as joint inventors and remove Nagaraj Govindappa, Kedarnath Sastry, and Maria Melina Soares as listed inventors.

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COUNT II:
UNFAIR COMPETITION BY BIOCON PURSUANT TO M.G.L. CH. 93A

105. Y-Trap incorporates and realleges the foregoing paragraphs as if fully set forth herein.

106. Y-Trap and Biocon both participate in the pharmaceutical product industry, and in particular, in the business of developing novel therapeutics for cancer therapy.

107. Biocon has engaged and continues to engage in an unfair and deceptive method of competition by, for example, licensing a molecule it copied from the '789 Bedi IP to its former subsidiary Bicara that it created to advance and monetize the copied molecule. Biocon simultaneously blocked rightful licensee Y-Trap from procuring investment and developing the same, and other, molecules from the '789 Bedi IP by repeatedly and baselessly claiming inventorship of the '789 Bedi IP and the inventions disclosed and claimed therein (which include the Copycat Biocon IP) in patent office proceedings from February 2022 to August 2024.

108. Biocon's unfair and deceptive methods of competition are detailed above, including its false claims of inventorship and ownership that continue at least through 2024.

109. Upon information and belief, Biocon engaged in its unfair and deceptive method of competition in order to clear the path for its former subsidiary, Bicara, to take a molecule copied from the '789 Bedi IP to market. Upon information and belief, Biocon engaged in its unfair and deceptive method of competition to prevent the exclusive licensee of the technology described in the '789 Bedi IP, Y-Trap, from raising investment and bringing to market a product that would compete with Bicara's misappropriated product.

110. Biocon's unfair and deceptive methods of competition have occurred substantially in Massachusetts as described in this Complaint. By way of example, and without limitation, Biocon's unfair and deceptive acts have been received and acted upon in Massachusetts, where

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Bicara and Biocon subsidiary, Biocon Biologics, reside, and where the development of BCA101 continues to take place. Biocon's activity in the District includes forming Bicara to conduct business and unfairly compete with Y-Trap in this District, as well as agreements and continued involvement with Bicara both directly and through Biocon's subsidiaries related to the technology at issue. Biocon's unfair and deceptive method of competition has benefitted and continues to benefit Biocon, as an investor and major shareholder of Bicara.

111. Biocon has engaged in its unfair and deceptive method of competition willfully and knowingly.

112. Biocon's activities have caused, are causing, and will continue to cause severe and irreparable injury to Y-Trap, including in the form of loss and diminution of its competitive position in the marketplace, reduced valuation, loss of public and private financing, loss of its ability to offer unique products, diminished value of its intellectual property and technology, and lost opportunities to capitalize on its status as the exclusive licensee of the '789 Bedi IP in the marketplace, for which there is no adequate remedy at law. Y-Trap is therefore entitled to an injunction restraining and enjoining Biocon and its agents, servants, officers, directors, and employees, and all persons acting thereunder, in concert with, or on its behalf, from making further disparaging and untrue statements about the inventorship and ownership of the '789 Bedi IP or the Copycat Biocon IP.

113. Further, by way of example, and without limitation, Defendants' unfair and deceptive acts have harmed Y-Trap in Massachusetts, where, due to Defendants' actions, Y-Trap suffered an injury, including injury to the value of Y-Trap's intellectual property and technology and injury to Y-Trap's relationship with a Massachusetts-based partner.

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114. Further, Biocon's false claims of inventorship sullied the legitimacy of the '789 Bedi IP, impairing Y-Trap's ability to secure investment, including from (but not limited to) prospective investors who instead invested in Biocon's spin-off Bicara. This unfairly prevented Y-Trap from being able to compete with Bicara, who was meanwhile capitalizing on Biocon's false statements to raise hundreds of millions of dollars from private and public investors on the basis of a copied molecule that belonged to Y-Trap.

115. Biocon's activities have directly and proximately caused significant damages to Y-Trap, including in the form of loss of competitive position in the marketplace, reduced valuation, lost public and private financing, lost opportunity to commercialize its lucrative class of cancer immunotherapy drugs, diminished value of its intellectual property and technology, lost licensing revenue, and other general and specific damages in an amount to be proven at trial.

116. Biocon's violation of M.G.L. Ch. 93A through its unfair or deceptive acts or trade practices was done willfully and/or knowingly, thereby entitling Y-Trap to enhanced damages and attorneys' fees and costs as permitted by M.G.L. Ch. 93A.

COUNT III:
UNFAIR COMPETITION BY BICARA PURSUANT TO M.G.L. CH. 93A

117. Y-Trap incorporates and realleges the foregoing paragraphs as if fully set forth herein.

118. Y-Trap and Bicara are both focused on developing molecules for immunotherapy of cancer, including bifunctional EGFR/TGFβ-binding fusion proteins.

119. Bicara has engaged and continues to engage in an unfair and deceptive method of competition at least through adopting Biocon's repeated and baseless claims of inventorship and ownership of the technology claimed in the '789 Bedi IP and the Copycat Biocon IP.

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120. As of its inception, Bicara knew or should have known of the falsity of any claim that Biocon's or Bicara's employees conceived of any part of the invention claimed by the '789 Bedi IP or the Copycat Biocon IP, including BCA101. Bicara has benefited from the lack of competition in bringing BCA101 to market and from Biocon's encumbrance of the '789 Bedi IP by hindering Y-Trap's ability to compete. Because Bicara has accepted the benefits of Biocon's unfair and deceptive method of competition and has ratified and engaged in the same unfair and deceptive acts, Bicara is thus liable for unfair competition.

121. Bicara has engaged and continues to engage in an unfair method of competition by repeatedly and baselessly claiming all rights and licenses, including by endorsing Biocon's false inventorship and ownership claims over the '789 Bedi IP, and the inventions disclosed and claimed therein (which includes the Copycat Biocon IP), of which Y-Trap is the exclusive licensee. Bicara ratified Biocon's unfair and deceptive acts and perpetuated its own, including through statements claiming to have developed BCA101 and the associated fusion protein technology in-house, when they were actually taken from the '789 Bedi IP to which they had no rights or licenses.

122. Bicara has engaged in its unfair and deceptive method of competition willfully and knowingly.

123. Bicara's unfair or deceptive acts or trade practices have occurred substantially in Massachusetts as described in this Complaint. By way of example and without limitation, Bicara, which resides in Massachusetts, has ratified Biocon's unfair or deceptive acts or trade practices in Massachusetts by accepting in Massachusetts the benefits of Biocon's unfair and deceptive method of competition.

124. Bicara's activities have caused, are causing, and will continue to cause severe and irreparable injury to Y-Trap, including in the form of loss and diminution of its competitive position in the marketplace, loss of its ability to offer unique products, diminished value of its intellectual property and technology, and lost opportunities to capitalize on its status in the marketplace, for which there is no adequate remedy at law. Y-Trap is therefore entitled to an injunction restraining and enjoining Bicara and its agents, servants, officers, directors, and employees, and all persons acting thereunder, in concert with, or on its behalf, from making further disparaging and untrue statements about the inventorship and ownership of the '789 Bedi IP and the inventions disclosed and claimed therein (which includes the Copycat Biocon IP).

125. Bicara's activities have directly and proximately caused significant damages to Y-Trap, including in the form of loss of competitive position in the marketplace, reduced valuation, lost public and private financing, lost opportunity to commercialize its lucrative class of cancer immunotherapy drugs, diminished value of its intellectual property and technology, lost licensing revenue, and other general and specific damages in an amount to be proven at trial.

126. Bicara's violation of M.G.L. Ch. 93A through its unfair or deceptive acts or trade practices was done willfully and/or knowingly, thereby entitling Y-Trap to enhanced damages and attorneys' fees and costs as permitted by M.G.L. Ch. 93A.

COUNT IV:
UNJUST ENRICHMENT BY BICARA

127. Y-Trap incorporates and realleges the foregoing paragraphs as if fully set forth herein.

128. Biocon received confidential information about the '789 Bedi IP, including the amino acid sequences for EGFR/TGFβ-binding fusion proteins. When Biocon was unable to obtain a license to the inventions of Drs. Bedi and Ravi inventions, Biocon misappropriated the

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information it had received to file applications for and acquire the Copycat Biocon IP. Rather than develop the Copycat Biocon IP itself, Biocon created and then spun out its subsidiary Bicara, and provided Bicara with a license to the Copycat Biocon IP. Bicara has since used BCA101, a molecule from the Copycat Biocon IP—based on Biocon's misappropriations of confidential information and misrepresentations as to inventorship—to acquire hundreds of millions of dollars in funding, launch clinical trials, and enrich itself and Biocon at Y-Trap's expense.

129. Bicara has been, and is continuing to be, unjustly enriched by licensing the Copycat Biocon IP, by receiving the benefit of the false statements made by Biocon related to inventorship and ownership of the '789 Bedi IP, and by falsely representing that Bicara has all rights and licenses to the molecule comprising BCA101, which is part of the inventions disclosed and claimed in the '789 Bedi IP. Though Bicara may not have directly received the confidential information of Drs. Bedi and Ravi or JHU, Bicara is not an innocent actor. It knowingly ratified and perpetuated Biocon's unlawful conduct and has received an unjust benefit from Biocon's actions.

130. By way of example, and without limitation, upon information and belief, Bicara has improperly used its position in the marketplace to raise hundreds of millions of dollars and to reach an IPO with a market capitalization over one billion dollars, all with recognition that the foundation for its valuation—the Copycat Biocon IP—was ill-gotten and had actually been invented by Drs. Bedi and Ravi of Y-Trap.

131. Bicara has received and will receive significant financial and other rewards as a result of the benefit of Biocon's statements with regard to inventorship of the '789 Bedi IP,

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including in its ability to raise hundreds of millions of dollars and to reach an IPO with a market capitalization over one billion dollars—benefits which should have accrued to Y-Trap.

132. Allowing Bicara to retain the benefits under the circumstances from its improper ratification of Biocon's false statements regarding inventorship and ownership of the Copycat Biocon IP and the '789 Bedi IP would be unjust, unwarranted, and inequitable.

133. Bicara's activities have caused, are causing, and will continue to cause severe and irreparable injury to Y-Trap, including in the form of loss and diminution of its competitive position in the marketplace, loss of its ability to offer unique products, diminished value of its intellectual property and technology, and lost opportunities to capitalize on its status in the marketplace, for which there is no adequate remedy at law. Y-Trap is therefore entitled to an injunction restraining and enjoining Bicara and its agents, servants, officers, directors, and employees, and all persons acting there under, in concert with, or on its behalf, from making disparaging and untrue statements about the inventorship of the '789 Bedi IP, representing that Bicara owns all rights to the underlying technology of BCA101, and representing the Copycat Biocon IP as being invented by anyone other than Dr. Bedi and/or Dr. Ravi.

134. Bicara's activities have directly and proximately caused significant damages to Y-Trap, including in the form of loss of competitive position in the marketplace, reduced valuation of itself and its intellectual property, lost public and private investment, lost opportunity to commercialize its lucrative class of cancer immunotherapy drugs, other economic losses, and other general and specific damages in an amount to be proven at trial.

COUNT V:
UNJUST ENRICHMENT BY BIOCON

135. Y-Trap incorporates and realleges the foregoing paragraphs as if fully set forth herein.

136. Biocon has been, and is continuing to be, unjustly enriched by licensing the Copycat Biocon IP to Bicara, by receiving the benefit of the false statements Biocon made related to inventorship and ownership of the '789 Bedi IP, and by receiving the benefit of Bicara's false representations that it has all rights and licenses to the molecule comprising BCA101, which is part of the inventions disclosed and claimed in the '789 Bedi IP licensed to Y-Trap.

137. Biocon's actions conferred a benefit on Biocon by allowing it to earn significant return on its investment in Bicara. By way of example, and without limitation, upon information and belief, Bicara has improperly used its position in the marketplace to raise hundreds of millions of dollars and to reach an IPO with a market capitalization over one billion dollars. Biocon, as a major investor in Bicara, stands to earn significant return on its initial investment.

138. Upon information and belief, Biocon has purported to provide Bicara with a license to the Copycat Biocon IP covering BCA101. As such, Biocon stands to benefit from potential future licensing revenue that may be owed to it by Bicara in the form of milestone payments and/or royalties under the terms of their licensing agreement.

139. Biocon has been further unjustly enriched by falsely representing itself as the owner of the Copycat Biocon IP and an owner of the '789 Bedi IP, which describe many novel fusion proteins with significant financial value.

140. Allowing Biocon to retain the benefits under the circumstances from its false statements regarding inventorship and ownership of the '789 Bedi IP would be unjust, unwarranted, and inequitable.

141. Biocon's activities have caused, are causing, and will continue to cause severe and irreparable injury to Y-Trap, including in the form of loss and diminution of its competitive

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position in the marketplace, loss of its ability to offer unique products, diminished value of its intellectual property and technology, and lost opportunities to capitalize on its status in the marketplace, for which there is no adequate remedy at law. Y-Trap is therefore entitled to an injunction restraining and enjoining Biocon and its agents, servants, officers, directors, and employees, and all persons acting there under, in concert with, or on its behalf, from making further disparaging and untrue statements about the inventorship and ownership of the '789 Bedi IP.

142. Biocon's activities have directly and proximately caused significant damages to Y-Trap, including in the form of loss of competitive position in the marketplace, lost public and private financing, reduced valuation of itself and its intellectual property, lost opportunity to commercialize its lucrative technology class of cancer immunotherapy drugs, other economic losses, and other general and specific damages in an amount to be proven at trial.

COUNT VI:
CIVIL CONSPIRACY TO COMMIT UNFAIR COMPETITION
BY BIOCON AND BICARA TOGETHER

143. Y-Trap incorporates and realleges the foregoing paragraphs as if fully set forth herein.

144. By engaging in the wrongful and unlawful conduct described above, Defendants Biocon and Bicara intentionally and willfully entered into a conspiracy for Defendants' own benefit and in derogation of Y-Trap's interests to unlawfully disrupt Y-Trap's ability to compete in the market.

145. Defendants conspired to weaken the '789 Bedi IP and copied the inventions disclosed in the '789 Bedi IP to enable themselves to develop and commercialize technologies competing directly with Y-Trap, and improve their competitive position, and increase their market share in the field.

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146. Defendants' activities have caused, are causing, and will continue to cause severe and irreparable injury to Y-Trap, including in the form of loss and diminution of its competitive position in the marketplace, loss of its ability to offer unique products, and lost opportunities to capitalize on its status in the marketplace, for which there is no adequate remedy at law. Y-Trap is therefore entitled to an injunction restraining and enjoining Defendants and their agents, servants, officers, directors, and employees, and all persons acting thereunder, in concert with, or on their behalf, from making further disparaging and untrue statements about the inventorship and ownership of the '789 Bedi IP.

147. Defendants' activities have directly and proximately caused significant damages to Y-Trap, including in the form of loss of competitive position in the marketplace, lost public and private financing, lost opportunity to commercialize its lucrative class of cancer immunotherapy drugs, other economic losses, and other general and specific damages in an amount to be proven at trial.

JURY TRIAL DEMAND

148. Y-Trap hereby demands a trial by jury of all issues so triable.

PRAYER FOR RELIEF

Wherefore, Y-Trap prays for judgment as follows:

A. Compensatory damages (including, without limitation, Y-Trap's lost profits and consequential damages, disgorgement of Defendants' ill-gotten profits, unjust enrichment) in an amount to be determined at trial, with interest;

B. Enhanced and punitive damages as permitted by law, including M.G.L. Ch. 93 § 42B and M.G.L. Ch. 93A § 11;

C. An order under 35 U.S.C. § 256 naming Dr. Bedi or Drs. Bedi and Ravi as

the sole inventors of the Copycat Biocon IP and all patents issued therefrom;

D. Any and all equitable relief that may be available to Y-Trap, including, without limitation, restitution, disgorgement, the imposition of a constructive trust, and/or specific performance of assignment of BCA101 and any fusion proteins disclosed in or derived from the '789 Bedi IP;

E. Injunctive relief under M.G.L. Ch. 93 § 42B and M.G.L. Ch. 93A § 11;

F. Costs and reasonable attorneys' fees, as permitted by law; and

G. Such other and further relief as the Court deems just and reasonable.

Dated: January 31, 2025

Respectfully submitted,

Y-TRAP, INC.

By its attorneys,

By: */s/ David K. Tellekson*

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on January 31, 2025.

/s/ David K. Tellekson
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