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NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

REGENERON PHARMACEUTICALS, INC.,
Plaintiff-Appellant

v.

**MYLAN PHARMACEUTICALS INC., AMGEN USA,
INC., BIOCON BIOLOGICS INC., CELLTRION,
INC., FORMYCON AG, AMGEN INC., SAMSUNG
BIOEPIS CO., LTD., SANDOZ INC.,**
Defendants-Appellees

2024-2351

Appeal from the United States District Court for the Northern District of West Virginia in Nos. 1:22-cv-00061-TSK-JPM, 1:23-cv-00089-TSK-JPM, 1:23-cv-00094-TSK-JPM, 1:23-cv-00097-TSK-JPM, 1:23-cv-00106-TSK-JPM, 1:24-cv-00039-TSK-JPM, 1:24-cv-00053-TSK, and 1:24-md-03103-TSK-JPM, Chief Judge Thomas S. Kleeh.

ON MOTION

PER CURIAM.

O R D E R

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REGENERON PHARMACEUTICALS, INC. v. MYLAN
PHARMACEUTICALS INC.

Regeneron Pharmaceuticals, Inc. moves to expedite briefing and argument in this appeal, proposing to file its opening brief on October 3, 2024. It separately moves to enjoin Amgen, Inc. from “launching its generic version of Regeneron’s Eylea® product” pending the appeal, ECF No. 6 at 7, and for an interim injunction of the launch. Amgen opposes the interim injunction and states it intends to separately respond to the request for an injunction pending appeal.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) Amgen, Inc. is temporarily enjoined from launching its generic version of Regeneron’s Eylea® product until further notice while the court considers the motion for an injunction pending appeal.

(2) Amgen’s responses to the motions are due no later than October 1, 2024. In its response to the motion for an injunction, Amgen should address any appropriate bond for both the temporary stay and a potential stay pending appeal. Regeneron’s replies in support of the motions are due no later than three days after service of the respective response, and Regeneron should address Amgen’s position on the bond issue.

(3) Regeneron’s opening brief is due no later than October 3, 2024.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

September 25, 2024
Date