

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE DENOSUMAB PATENT
LITIGATION

This Document Relates To:

*Amgen Inc. and Amgen Manufacturing, Ltd.
v. Accord BioPharma, Inc., Accord
Healthcare, Inc., and Intas Pharmaceuticals,
Ltd.*, Case No. 1:25-cv-01305

Civil Action No. 25-md-03138 (CPO) (EAP)
(MDL 3138)

CONSENT JUDGMENT AND INJUNCTION

WHEREAS Amgen Inc. and Amgen Manufacturing Limited (collectively, “Amgen” or “Plaintiffs”), and Accord BioPharma, Inc., Accord Healthcare, Inc., and Intas Pharmaceuticals, Ltd. (collectively, “Accord” or “Defendants”) were involved in litigation in the United States District Court for the District of New Jersey, MDL Case No. 1:25-md-03138, associated Case No. 1:25-cv-01305 (CPO) (EAP) (the “Accord U.S. District Court Litigation”) involving Amgen’s patents covering its denosumab antibody, pharmaceutical compositions containing denosumab, and methods of manufacture, stemming from Accord’s filing of a BLA seeking FDA approval of Accord Biosimilar Products;

WHEREAS Amgen and Accord have reached an agreement to resolve the Accord U.S. District Court Litigation, executing a Confidential Settlement Agreement (“the Agreement”);

WHEREAS, as a part of the Agreement, the parties agreed that the Court would enter judgment and the injunction set forth below;

WHEREAS the parties have waived the entry of findings of fact and conclusions of law under Rule 65 of the Federal Rules of Civil Procedure.

THEREFORE based on the parties' stipulation and consent, it is ORDERED, ADJUDGED, and DECREED as follows:

1. The Court has jurisdiction over the subject matter of the above-captioned case pursuant to 28 U.S.C. §§ 1331 and 1338(a).

2. The Court has personal jurisdiction over the parties, and venue is proper as to all parties pursuant to 28 U.S.C. §§ 1391(b), (c), and 1400(b).

3. The Court retains jurisdiction to enforce or supervise performance under this Order and Injunction and the parties' Agreement dated July 9, 2025.

4. Subject to and pursuant to the terms of the Agreement and as to the Accord Biosimilar Products, the asserted claims of United States Patent Nos. 7,364,736; 7,662,930; 7,888,101; 7,928,205; 8,053,236; 8,058,418; 8,460,896; 8,680,248; 9,012,178; 9,133,493; 9,228,168; 9,320,816; 9,328,134; 9,359,435; 9,388,447; 10,106,829; 10,167,492; 10,227,627; 10,513,723; 10,583,397; 10,655,156; 10,822,630; 10,894,972; 11,077,404; 11,098,079; 11,130,980; 11,254,963; 11,299,760; 11,319,568; 11,434,514; 11,459,595; 11,946,085; 11,952,605; and 12,084,686 ("Asserted Patents") are valid, enforceable and infringed by the making, using, selling, or offering to sell Accord Biosimilar Products in the United States of America, its territories, possessions, protectorates and the Commonwealth of Puerto Rico ("United States Territory"), or by the import of Accord Biosimilar Products into the United States Territory.

5. Subject to and pursuant to the terms of the Agreement, Accord, including any entity directly or indirectly controlled by, controlling, or under common control with it, its officers, agents and employees, and any third party acting on behalf of or in active concert with Accord is hereby enjoined from making, using, offering to sell, or selling the Accord Biosimilar Products in the Territory, or importing the Accord Biosimilar Products into the Territory, except as permitted

under the Agreement, or by 35 U.S.C. § 271(e)(1). The foregoing injunction expires on October 1, 2025.


6. Subject to the terms of the Agreement, the parties' remaining claims and counterclaims in the above-captioned matter are dismissed with prejudice.

7. Judgment is entered with respect to the Asserted Patents, and this order fully resolves the remaining claims and counterclaims.

8. Each party shall bear its own costs.

IT IS SO ORDERED.

Dated: 7/16/2025


Hon. Christine P. O'Hearn
United States District Judge