

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG DIVISION**

IN RE: AFLIBERCEPT PATENT
LITIGATION

MDL No.: 1:24-md-3103-TSK

**THIS DOCUMENT RELATES TO
CASE NO. 1:23-cv-00089-TSK
CASE NO. 1:24-cv-00053-TSK**

**STIPULATION AND ORDER
DISMISSING ALL CLAIMS AND COUNTERCLAIMS, VACATING
PRELIMINARY INJUNCTION PREVIOUSLY ISSUED BY THE COURT,
AND RELEASING PRELIMINARY INJUNCTION BOND**

Plaintiff Regeneron Pharmaceuticals, Inc. (“Regeneron”) and Defendant Celltrion, Inc. (“Celltrion”), subject to the approval of the Court, hereby enter into the following Stipulation to dismiss without prejudice and release the preliminary injunction bond.

WHEREAS, Regeneron and Celltrion have reached an agreement that will resolve all issues between them without further litigation regarding Celltrion’s 2 mg aflibercept product.

NOW THEREFORE Regeneron and Celltrion, by and through their respective undersigned counsel in this Action, and subject to the approval of the Court, stipulate and agree as follows:

1. The Court’s Order for Injunctive Relief Against Celltrion (24-md-3103, ECF No. 252), entered on July 10, 2024, is hereby vacated.
2. Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Regeneron’s Case Nos. 1:23-cv-89 and 1:24-cv-53 against Celltrion (which was made a part of MDL No. 24-md-3103-TSK), including all claims and defenses asserted by

Regeneron against Celltrion and all counterclaims and defenses asserted by Celltrion against Regeneron, are hereby dismissed, without prejudice to the extent specified in the parties' agreement.

3. All parties shall bear their own costs, disbursements, and attorneys' fees.
4. The Court's Order Establishing Security Under Federal Rule of Civil Procedure 65(c) [24-md-3103, ECF No. 272] is hereby vacated and the preliminary injunction bond, Bond #CGB9428697 [24-md-3103, ECF No. 294], is hereby released to the Sureties, Fidelity and Deposit Company of Maryland and Zurich American Insurance Company.
5. The Court's Stipulated Protective Order [23-cv-00089, ECF No. 112] is modified as follows: the prohibitions of sections 9(b) and 9(h) that terminate "one (1) year after final termination of this Action" will instead terminate on September 29, 2026.
6. The Court's Stipulations To Amend Complaint & Set Deadline to Respond [24-md-3103, ECF Nos. 423 and 424] are modified as follows: paragraph 4 of each Order is vacated.

All pending motions in Case Nos 1:23-cv-89 and 1:24-cv-53 are hereby TERMINATED and the Clerk is DIRECTED to STRIKE Case Nos. 1:23-cv-89 and 1:24-cv-53 from the Court's active docket and to STRIKE Celltrion as a party in Case No. 1:24-md-03103.

SO ORDERED this 21st day of October, 2025



Hon. Thomas S. Kleeh, Chief Judge

Date: October 20, 2025

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Dated: October 20, 2025

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