

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

<p>SUPERNUS PHARMACEUTICALS, INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>TORRENT PHARMACEUTICALS LTD., <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Civil Action No. 21-06964 (GC) (DEA) Civil Action No. 21-14268 (GC) (DEA)</p> <p style="text-align: center;">ORDER</p>
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THIS MATTER comes before the Court upon a Hatch-Waxman patent-infringement action brought by Plaintiff Supernus Pharmaceuticals, Inc. (Supernus) against Defendants Torrent Pharmaceuticals Ltd. and Torrent Pharma Inc. (Torrent), stemming from Torrent’s Abbreviated New Drug Application seeking approval to market a generic version of Supernus’s drug product. Supernus alleges that Torrent’s ANDA Products infringe claims of three patents in suit: claim 14 of U.S. Patent No. 8,992,989; claim 14 of U.S. Patent No. 9,549,940; and claims 13 and 23 of U.S. Patent No. 9,622,983.¹ The Court held a bench trial on Supernus’s infringement claims and Torrent’s invalidity defenses. Following trial, the parties submitted joint proposed findings of fact along with their respective post-trial briefs. After reviewing the papers, the Court heard closing arguments. For the reasons set forth in the accompanying Opinion, and other good cause shown,

IT IS on this 30th day of January 2024 **ORDERED** as follows:

¹ Collectively, the “Asserted Claims” of the “Patents-in-Suit.”

1. Torrent's oral trial motion under Federal Rule of Civil Procedure 52(c) is **DENIED**.
2. The issue of Supernus's pretrial motion *in limine* (ECF Nos. 126, 127) on which the Court reserved (ECF No. 151) is **DENIED**.
3. The issues of Torrent's pretrial motions *in limine* (ECF Nos. 128, 129) on which the Court reserved (ECF No. 151) are **DENIED**.
4. Torrent's ANDA Products **INFRINGE** on the Asserted Claims of the Patents-in-Suit.
5. The Patents-in-Suit are **VALID**.
6. The Clerk of Court is directed to file an unredacted version of the Court's Opinion **UNDER TEMPORARY SEAL**.
7. Within 21 days after the entry of this Order, the parties shall meet and confer and submit to the Court the following:
 - a. A joint application under Local Civil Rules 5.3(c) and 7.1 to (i) permanently seal the unredacted version of the Court's Opinion, and (ii) file a redacted version of the Court's Opinion on the public docket, setting forth the proposed portions to be redacted and the bases for the redactions, and attaching a proposed version of the redacted Opinion.
 - b. A proposed Judgment or, if any outstanding issues preclude the entry of judgment, a letter advising how the parties wish to proceed on any outstanding issue.



GEORGETTE CASTNER
UNITED STATES DISTRICT JUDGE