

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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NIPPON SHINYAKU CO., LTD.,

Plaintiff,

v.

SAREPTA THERAPEUTICS, INC.,

Defendant.

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C.A. No. 21-1015-LPS

**MEMORANDUM ORDER**

WHEREAS, on July 13, 2021, Plaintiff Nippon Shinyaku Co., Ltd. (“Nippon Shinyaku”) sued Defendant Sarepta Therapeutics, Inc. (“Sarepta”) for breach of contract and various patent-related claims (*see generally* D.I. 2, 12);

WHEREAS, Nippon Shinyaku simultaneously moved for a preliminary injunction, seeking to require Sarepta to withdraw seven petitions for *inter partes* review pending before the Patent Trial and Appeal Board (*see generally* D.I. 4, 13);

WHEREAS, Nippon Shinyaku and Sarepta both requested that the Court hear oral argument on Nippon Shinyaku’s motion for a preliminary injunction (D.I. 26, 27);

WHEREAS, Nippon Shinyaku subsequently requested that the Court expedite the scheduling of oral argument on its motion (D.I. 46);

WHEREAS, the Court has carefully reviewed the briefing and other materials submitted in connection with Nippon Shinyaku’s motion (*see generally* D.I. 5, 14, 18, 23, 25, 30);

**NOW, THEREFORE, IT IS HEREBY ORDERED** that Nippon Shinyaku’s motion for a preliminary injunction (D.I. 4) is **DENIED**.