

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

	)	
AMGEN INC. and AMGEN	)	
MANUFACTURING, LIMITED,	)	
	)	
Plaintiffs,	))	
	)	Case No. 17-546 (LPS) (CJB)
v.	)	
	)	
COHERUS BIOSCIENCES, INC.	)	
	)	
Defendant.	)	

---

**DEFENDANT COHERUS BIOSCIENCES INC.’S MOTION TO DISMISS  
FOR FAILURE TO STATE A CLAIM PURSUANT TO FED. R. CIV. P. 12(b)(6)**

Defendant Coherus Biosciences, Inc., by and through its respective undersigned attorneys, respectfully requests that the Court dismiss Amgen, Inc. and Amgen Manufacturing, Limited’s Complaint for Patent Infringement for failure to state a claim on which relief may be granted. The grounds for this motion are set forth in the Opening Brief in Support which is being filed contemporaneously herewith.

Dated: June 1, 2017

/s/ Kenneth L. Dorsney  
Kenneth L. Dorsney (#3726)  
Richard K. Herrmann(#405)  
MORRIS JAMES LLP  
500 Delaware Avenue, Suite 1500  
Wilmington, DE 19801  
(302) 888-6800  
kdorsey@morrisjames.com

OF COUNSEL:  
Bradford P. Lyerla  
Louis E. Fogel  
JENNER & BLOCK LLP  
353 N. Clark Street  
Chicago, IL 60654  
(312) 222-9350

*Attorneys for Defendant  
Coherus Biosciences, Inc.*

