

**Full docket text for document 77:**

ORAL ORDER: The Court has reviewed Alexion's Emergency Motion for Injunction Pending Appeal (D.I. 60). The motion constitutes a motion for reconsideration with respect to the Court's prior injunction. "[T]o obtain reversal [of the denial of a preliminary injunction], the movant must show not only that one or more of the findings relied on by the district court was clearly erroneous, but also that denial of the injunction amounts to an abuse of the court's discretion upon reversal of erroneous findings." *Reebok Int'l Ltd. v. J. Baker, Inc.*, 32 F.3d 1552, 1555 (Fed. Cir. 1994). The Court finds that Alexion has failed to show that the Court clearly erred and abused its discretion. Specifically, the Court finds that the well-reasoned IPR institution decision raises a substantial question of validity. Injunctions are an equitable remedy, and the Court will not grant an injunction on a patent likely to be invalid. See D.I. 57 at 2-5. With respect to the aHUS claim, the Court finds that it did not clearly err in finding that a person of ordinary skill in the art would "have known that SOLIRIS was clinically safe and possessed a reasonable likelihood of successfully treating aHUS by inhibiting the C5 pathway." D.I. 57 at 6. Alexion's arguments re-hash the arguments it has already made, and do not convince the Court that it has clearly erred or abused its discretion. Thus, the Court DENIES Alexion's Emergency Motion for Injunction Pending Appeal. Ordered by Judge Gregory B. Williams on 6/17/2024. (lnb)