

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 24/06/2022 11:16:36 AM AEST and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

Filing and Hearing Details

Document Lodged:	Originating Application - Form 15 - Rule 8.01(1)
File Number:	VID360/2022
File Title:	SAMSUNG BIOEPIS AU PTY LTD v FRESENIUS KABI DEUTSCHLAND GMBH
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



Dated: 24/06/2022 4:21:47 PM AEST

A handwritten signature in blue ink that reads 'Sia Lagos'.

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



Originating application

of 2022

Federal Court of Australia
District Registry: Victoria
Division: General

Samsung Bioepis AU Pty Ltd ACN 611 890 094

Applicant

Fresenius Kabi Deutschland GmbH

Respondent

To the Respondent

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Time and date for hearing:

Place: Commonwealth Law Courts, 305 William Street, Melbourne

Date:

A handwritten signature in red ink, appearing to read 'Matthew Swinn'.

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Signed by an officer acting with the authority
of the District Registrar

Filed on behalf of Samsung Bioepis AU Pty Ltd, the Applicant

Prepared by Matthew Swinn

Law firm **KING & WOOD MALLESONS**

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Address for service: Level 27, Collins Arch, 447 Collins Street, Melbourne VIC 3000

Ref: MGS:6030042240



Details of claim

On the grounds stated in the accompanying statement of claim, the Applicant claims:

- 1 A declaration that each of claims 1 to 14 (inclusive) of Australian patent number 2020201090 titled *Liquid pharmaceutical composition (090 Patent)* is invalid.
- 2 An order that the 090 Patent be revoked.
- 3 Costs.
- 4 Such further or other orders as the Court thinks fit.

Applicant's address

The Applicant's address for service is:

Lawyer: Matthew Swinn
King & Wood Mallesons
Place: Level 27, Collins Arch
447 Collins Street
MELBOURNE VIC 3000
Email: matthew.swinn@au.kwm.com
(Ref: MGS:6030042240)

The Applicant's address is Level 16, 201 Elizabeth Street, SYDNEY NSW 2000.

Service on the Respondent

It is intended to serve this application on the Respondent.

Date: 24 June 2022

A handwritten signature in red ink, appearing to read 'Matthew Swinn'.

.....
Matthew Swinn
Lawyer for the Applicant
King & Wood Mallesons