

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

JANSSEN BIOTECH, INC. and JANSSEN
SCIENCES IRELAND UC,

Plaintiffs,

Civil Action No. 1:26-cv-1754

v.

ALVOTECH HF. and ALVOTECH USA INC.,

Defendants,

TEVA PHARMACEUTICALS USA, INC.,

Proposed- Intervenor.

ORDER

THIS MATTER comes before the Court on Teva Pharmaceuticals USA, Inc.'s Consent Motion to Intervene. The Court finds that Teva Pharmaceuticals USA, Inc.'s ("Teva") claims share common questions of law and fact with the action by Plaintiffs Janssen Biotech, Inc. and Janssen Sciences Ireland UC ("Janssen") against Defendants Alvotech hf. and Alvotech USA Inc. ("Alvotech"). Janssen filed a Complaint (Dkt. No. 1) against Alvotech asserting that the manufacture, sale, offer for sale, and importation of Alvotech's biosimilar golimumab products would infringe fourteen asserted patents. Janssen's Complaint further alleges that the accused products "will be offered for sale and sold by Teva within the United States" and "will be imported by Alvotech and/or Teva into the United States." (Dkt. No. 1, ¶ 47). It also seeks "a preliminary and permanent injunction enjoining Alvotech . . . together with any other persons who are in active concert or participation with them, including but not limited to Teva, from making, using, offering to sell, selling, or importing [Alvotech's biosimilar golimumab products] in the United States."

(Dkt. No. 1 at 90). Teva's claims of noninfringement and patent invalidity concern the same patent, the same accused products, and present common questions of law and fact as claims or defenses by Alvotech USA Inc. *See* Dkt. No. 52.

Teva's intervention will not "unduly delay or prejudice the adjudication" of Janssen's rights. Fed. R. Civ. P. 24(b). Teva is willing to coordinate and consolidate case submissions according to all existing deadlines, including submissions concerning Janssen's pending Preliminary Injunction Motion (Dkt. No. 19), with Alvotech. Furthermore, the Court does not find sufficient "untimeliness" to warrant denying Teva's motion. Teva submitted correspondence between Janssen and Alvotech regarding Teva's involvement in the case. Having reviewed the contents and the dates of this correspondence, the Court is satisfied that Teva moved to intervene in a timely manner. Therefore, the timing of Teva's motion has not caused "undue delay." Fed. R. Civ. P. 24(b).

Having found common questions of law and fact and no undue delay or prejudice, the Court allows permissive intervention of Teva as a defendant pursuant to Rule 24(b)(2). The Court need not decide whether intervention must be permitted as a matter of right pursuant to Rule 24(a)(2).

Upon consideration of Teva Pharmaceuticals USA, Inc.'s Consent Motion to Intervene, the consent of Plaintiffs Janssen Biotech, Inc. and Janssen Sciences Ireland UC and of Defendants Alvotech hf. and Alvotech USA Inc., and for good cause shown, it is hereby

ORDERED that the motion is GRANTED; it is further

ORDERED that Teva is bound by all existing orders in this action; it is further

ORDERED that Teva shall be heard on the same preliminary injunction briefing schedule as Alvotech, and Teva shall participate in the hearing to be held on October 8, 2026 at 10:00 a.m.

Entered this 9th day of September, 2026.
Alexandria, Virginia



Patricia Tolliver Giles
United States District Judge