

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

CURIA IP HOLDINGS, LLC,

Plaintiff,

v.

SALIX PHARMACEUTICALS, LTD.; SALIX  
PHARMACEUTICALS, INC.; BAUSCH  
HEALTH COMPANIES INC.; ALFASIGMA  
S.P.A.; ALFASIGMA USA, INC.,

Defendants.

Civil Action No. 21-19293

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Curia IP Holdings, LLC (“Curia” or “Plaintiff”), for its Complaint against Defendants Salix Pharmaceuticals, Ltd. (“Salix LTD”) and Salix Pharmaceuticals, Inc. (“Salix INC” collectively with Salix LTD, “Salix”), Bausch Health Companies Inc., (“Bausch Health”), and Alfasigma S.p.A. and Alfasigma USA, Inc. (collectively, or each on its own, “Alfasigma”) (Alfasigma collectively with Salix and Bausch Health, “Defendants”), hereby alleges as follows:

**INTRODUCTION**

1. Curia brings this civil action for patent infringement under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271, 281-85 based on Defendants’ infringement of Curia’s intellectual property relating to mixtures of alpha (“ $\alpha$ ”) and beta (“ $\beta$ ”) polymorphic forms of the compound rifaximin.

**THE PARTIES**

2. Curia is a subsidiary of a global contract research and manufacturing organization that partners with pharmaceutical and biotechnology companies to improve patient outcomes and

quality of life, which provides customized solutions that span drug discovery and candidate selection, drug development, analytical testing services, active pharmaceutical ingredient (“API”) development and manufacturing, and drug product development and manufacturing in support of commercialization.

3. Curia is a company organized and existing under the laws of Delaware with a principal place of business at 26 Corporate Circle, Albany, New York 12203.

4. On information and belief, Salix LTD is a corporation organized and existing under the laws of Delaware having its principal place of business at 400 Somerset Corporate Blvd., Bridgewater, New Jersey 08807.

5. On information and belief, Salix LTD is in the business of, among other things, licensing, developing, and marketing pharmaceutical products that it distributes in the State of New Jersey and throughout the United States.

6. On information and belief, Salix INC is a corporation organized and existing under the laws of California having its principal place of business at 400 Somerset Corporate Blvd., Bridgewater, New Jersey 08807.

7. On information and belief, Salix INC is in the business of, among other things, licensing, developing, and marketing pharmaceutical products that it distributes in the State of New Jersey and throughout the United States.

8. On information and belief, Salix INC is a wholly owned subsidiary of Salix LTD.

9. On information and belief, Salix focuses on the prevention and treatment of gastrointestinal diseases and disorders and is a wholly owned subsidiary of Bausch Health.

10. On information and belief, Bausch Health is a company organized and existing under the laws of Canada having its international headquarters at 2150 St. Elzéar Blvd. West,

Laval, Quebec H7L 4A8, Canada and its U.S. headquarters at 400 Somerset Corporate Blvd., Bridgewater, NJ 08807.

11. On information and belief, Bausch Health is in the business of, among other things, developing, manufacturing, and marketing pharmaceutical products that it distributes in the State of New Jersey and throughout the United States.

12. On information and belief, Alfasigma S.p.A. is a corporation organized and existing under the laws of Italy having its international headquarters at Via Ragazzi del '99, 5 Bologna, Italy.

13. On information and belief, Alfasigma S.p.A. is in the business of, among other things, developing, manufacturing, and marketing pharmaceutical products that are distributed in the State of New Jersey and throughout the United States.

14. On information and belief, Alfasigma USA, Inc. is a corporation organized and existing under the laws of Delaware and having offices at 550 Hills Drive, Suite 110, Bedminster, NJ 07921.

15. On information and belief, Alfasigma USA, Inc. is in the business of, among other things, developing, manufacturing, and marketing pharmaceutical products that are distributed in the State of New Jersey and throughout the United States.

16. On information and belief Alfasigma USA, Inc. is a wholly owned subsidiary of Alfasigma S.p.A.

#### **JURISDICTION AND VENUE**

17. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

18. On information and belief, this Court has personal jurisdiction over Salix LTD, under the New Jersey state long arm statute and consistent with due process of law, by virtue of

the fact that, *inter alia*, it maintains a presence in New Jersey, it regularly does or solicits business in New Jersey, it has continuous and systematic contacts with New Jersey relating to the subject matter of this action, it derives substantial revenue from services or things used or consumed in New Jersey, it has committed, aided, abetted, contributed to, and/or participated in the commission of a tortious act of patent infringement under 35 U.S.C. § 271(a)-(c) that has led and/or will lead to foreseeable harm and injury to Curia in the State of New Jersey, and throughout the United States.

19. On information and belief, Salix LTD purposefully has conducted and continues to conduct business in New Jersey by manufacturing, importing, marketing, and distributing pharmaceutical products, either by itself or through its parent corporation, subsidiaries, and/or affiliates, throughout the United States, including in New Jersey.

20. On information and belief, this Court has personal jurisdiction over Salix INC under the New Jersey state long arm statute and consistent with due process of law, by virtue of the fact that, *inter alia*, it maintains a presence in New Jersey, it regularly does or solicits business in New Jersey, it has continuous and systematic contacts with New Jersey relating to the subject matter of this action, it derives substantial revenue from services or things used or consumed in New Jersey, it has committed, aided, abetted, contributed to, and/or participated in the commission of a tortious act of patent infringement under 35 U.S.C. § 271(a)-(c) that has led and/or will lead to foreseeable harm and injury to Curia in the State of New Jersey, and throughout the United States.

21. On information and belief, Salix INC purposefully has conducted and continues to conduct business in New Jersey by manufacturing, importing, marketing, and distributing pharmaceutical products, either by itself or through its parent corporation, subsidiaries, and/or

affiliates, throughout the United States, including in New Jersey.

22. On information and belief, Salix INC is licensed to do business with the New Jersey Department of Health as a “Manufacturer and Wholesale[r]” of pharmaceuticals in the State of New Jersey (Registration Number 5004435).

23. On information and belief, this Court has personal jurisdiction over Bausch Health under the New Jersey state long arm statute and consistent with due process of law, by virtue of the fact that, *inter alia*, it maintains a presence in New Jersey, it regularly does or solicits business in New Jersey, it has continuous and systematic contacts with New Jersey relating to the subject matter of this action, it derives substantial revenue from services or things used or consumed in New Jersey, it has committed, aided, abetted, contributed to, and/or participated in the commission of a tortious act of patent infringement under 35 U.S.C. § 271(a)-(c) that has led and/or will lead to foreseeable harm and injury to Curia in the State of New Jersey, and throughout the United States.

24. On information and belief, Bausch Health purposefully has conducted and continues to conduct business in New Jersey by manufacturing, importing, marketing, and distributing pharmaceutical products, either by itself or through its parent corporation, subsidiaries, and/or affiliates, throughout the United States, including in New Jersey.

25. On information and belief, this Court has personal jurisdiction over Alfasigma under the New Jersey state long arm statute and consistent with due process of law, by virtue of the fact that, *inter alia*, it maintains a presence in New Jersey, it regularly does or solicits business in New Jersey, it has continuous and systematic contacts with New Jersey relating to the subject matter of this action, it derives substantial revenue from services or things used or consumed in New Jersey, it has committed, aided, abetted, induced, contributed to, and/or

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