

Jury Tells Amgen To Pay \$20.2M In Antibody Patent Trial

By **Ryan Davis**

Law360 (June 12, 2026, 8:40 PM EDT) -- A Delaware federal jury decided Friday that Amgen Inc. and its Teneobio Inc. unit willfully infringed a mouse antibody patent asserted by Harbour Antibodies BV and others, and should pay \$20.2 million in damages — the full amount Harbour was seeking.

Following a trial that began Monday and was overseen by U.S. District Judge Maryellen Noreika, the jury returned a verdict that the single claim of the sole patent-at-issue was willfully infringed by Amgen and Teneobio and that they failed to show that the claim is invalid.

The lawsuit, filed in late 2021, involves a patent issued earlier that year on technology for developing human antibodies in rodents. Harbour alleged that Teneobio's UniRat platform rips off the technology in Harbour's Harbour Mice platform. Amgen acquired Teneobio in 2021 for \$900 million.

The jury found that \$20.2 million was the amount that would fairly compensate Harbour for Amgen's infringement of the patent. The jury's finding that the infringement was willful means that Harbour can ask the judge to increase the damages award by up to three times.

Amgen contended that the patent was invalid as obvious based on an earlier patent application and knowledge of those skilled in the art, and was also invalid for lacking an adequate written description and not enabling a skilled person to make and use the invention. The jury rejected all three arguments.

The jury was asked to determine whether Amgen infringed one claim element of the patent literally or under the doctrine of equivalents, and the jurors decided it was the latter.

Harbour licenses the patent from its co-owners, Erasmus University Medical Center Rotterdam and inventor Roger Kingdon Craig. The patent was issued in 2021 and lists the inventors as Franklin G. Grosveld, Richard W. Janssens and Dubravka Drabek, in addition to Craig, according to court filings.

"We are pleased that the jury recognized Professor Grosveld's pioneering research for producing heavy chain only antibodies from transgenic rodents and awarded Harbour its full damages ask," Kyle G. Petrie of Desmarais LLP, an attorney for Harbour, said Friday. "The jury's verdict further confirms the strength of Harbour's IP position in that area."

Amgen said in a statement Friday, "We respect the jury's work but look forward to pursuing certain important legal issues with the court in post-trial proceedings."

Earlier this month, Judge Noreika ruled that two other patents that Harbour asserted in the case were invalid as indefinite, based on a term that she said "everyone agrees" was "nonsensical."

The patent-at-issue is U.S. Patent No. 10,906,970.

Harbour and Erasmus are represented by and Tamir Packin, John M. Desmarais, Kyle G. Petrie, Jordan N. Malz, Michael E. Furrow, Karl Mullen, Jun H. Tong, Brian D. Matty, Pascale S. Boonstra, Adam D. Steinmetz, Rebecca A. Lindhorst, Thomas Romanchek, T. Tyler Golian and Maria Tartakovsky of Desmarais LLP and David E. Moore, Bindu A. Palapura, Malisa C. Dang and Peter T. Sabini of Potter Anderson & Corroon LLP.

Craig is represented by Kathleen M. Williams of Nutter McClennen & Fish LLP, Amir Naini of Naini PC, and Andrew C. Mayo of Ashby & Geddes.

Amgen and Teneobio are represented by Nicholas Groombridge, Eric Alan Stone, Peter Sandel, Rebecca Fett, Naz E. Wehrli, Stephen A. Maniscalco, Eliza P. O'Connor, Chih-wei Wu, Jessica Zhao, Jennifer Rea Deneault, Philip S. May, Chris Keller and Megan F. Raymond of Groombridge Wu Baughman & Stone LLP, by Jeremy A. Tigan, Megan E. Dellinger and Cameron P. Clark of Morris Nichols Arsht & Tunnell LLP, and in-house by Joseph E. Lasher, J. Drew Diamond, Gwen Hochman Stewart, Wendy A. Whiteford and Steven Tang.

The case is Harbour Antibodies BV et al. v. Teneobio Inc., case number 1:21-cv-01807, in the U.S. District Court for the District of Delaware.

--Additional reporting by Dani Kass. Editing by Nick Siwek.