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Janssen Secures Temporary Block Against Arthritis Biosimilar

By Adam Lidgett

Law360 (October 1, 2026, 5:13 PM EDT) -- A Delaware federal judge has blocked Accord BioPharma from manufacturing a biosimilar version of Janssen's arthritis treatment Simponi while the Johnson & Johnson unit's patent lawsuit plays out.

U.S. District Judge Gregory B. Williams on Wednesday granted Janssen's motion for a preliminary injunction in its lawsuit, saying Accord is barred from making its biosimilar product. The memorandum outlining Judge Williams' reasoning was under seal, but he did require Janssen to post a \$98.8 million bond.

Janssen filed its lawsuit in March over its Simponi and Simponi Aria treatments, which last year alone raked in about \$2.7 billion for the company, according to a filing with the U.S. Securities and Exchange Commission.

Both Simponi, which patients can inject themselves, and Simponi Aria, which is an intravenous infusion done in clinics, are used to treat chronic inflammatory issues, according to court documents.

Janssen has a host of patents on the drugs, including 17 listed in the instant litigation.

But Accord has filed for permission to make a biosimilar version that is interchangeable with the brand name Simponi, according to Janssen. That "proposed launch also would inflict immediate, severe, and irreparable harm on Janssen, including the loss of market share and price erosion," Janssen said in its May bid for a preliminary injunction.

Accord, which said it has gotten U.S. Food and Drug Administration approval for its biosimilar but has held off on launching it, argued that the preliminary injunction bid should not be granted, saying it was unlikely Janssen would succeed in the case.

Accord has said "Janssen has ... not proven irreparable harm from a brief period of pre-trial competition with Accord" and that "Janssen's allegations of harm are speculative and unsupported."

Counsel for the parties declined to comment to Law360.

The patents-in-suit are U.S. Patent

No. 8,017,325; 8,586,356; 8,852,889; 8,956,830; 9,170,249; 9,217,168; 9,475,858; 9,487,810; 9,663,810; 9,890,410; 11,014,982; 11,041,020; 12,122,824; 12,129,292; 12,139,735; 12,180,271; and 12,291,566.

Janssen is represented by Daniel M. Silver and Alexandra M. Joyce of McCarter & English LLP and **Roger J. Chin, Michael Seringhaus, Michael A. Morin, David P. Frazier and Kevin N. Zhang of Latham & Watkins LLP.**

Accord is represented by Anne Shea Gaza, Robert M. Vrana and Daniel G. Mackrides of Young Conaway Stargatt & Taylor LLP and Robert V. Cerwinski, Michael W. Johnson, Michael B. Cottler, Heather M. Schneider and Zachary S. Travis of Gemini Law LLP.

The case is Janssen Biotech Inc. et al. v. Accord BioPharma Inc. et al., case number 1:26-cv-00222, in the U.S. District Court for the District of Delaware.

--Editing by Patrick Reagan.