

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TEVA PHARMACEUTICALS USA, INC.,  
TEVA PHARMACEUTICAL  
INDUSTRIES LTD., TEVA  
NEUROSCIENCE, INC., and YEDA  
RESEARCH AND DEVELOPMENT CO.  
LTD.,

*Plaintiffs,*

v.

SANDOZ, INC., SANDOZ  
INTERNATIONAL GMBH, NOVARTIS  
AG, and MOMENTA  
PHARMACEUTICALS, INC.

*Defendants.*

Civil Action No. 09 CV 10112 (KBF)  
ECF Case

**NOTICE OF APPEAL BY PLAINTIFFS TEVA PHARMACEUTICALS USA, INC.,  
TEVA PHARMACEUTICAL INDUSTRIES LTD, TEVA NEUROSCIENCE, INC., AND  
YEDA RESEARCH AND DEVELOPMENT CO. LTD.**

Notice is hereby given that Plaintiffs, Teva Pharmaceuticals USA, Inc., Teva Pharmaceutical Industries Ltd., Teva Neuroscience, Inc. and Yeda Research and Development Co. Ltd. (collectively “Teva”), hereby appeal to the United States Court of Appeals for the Federal Circuit from the Final Judgment entered in this action by the District Court on July 19, 2013 (D.I. 103), the Opinion and Order regarding Defendants Sandoz Inc.’s and Momenta Pharmaceuticals, Inc.’s Motion to Dismiss entered in this action by the District Court on July 16, 2013 (D.I. 102) and from all findings, determinations, conclusions, orders, opinions, decisions, and rulings leading up to those rulings, and from all subsidiary findings and conclusions of the Court.

Teva concurrently submits payment of the \$5 filing fee required by 28 U.S.C. § 1917 and the \$450 docketing fee required by Federal Circuit Rule 52(a)(3)(A), paid to this Court pursuant to Federal Rule of Appellate Procedure 3(e) and Federal Circuit Rule 52(a)(2).

Date: August 19, 2013

By: /s/ David M. Hashmall

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies shall be served by first class mail postage prepaid on all counsel who are not served through the CM/ECF system on August 19, 2013.

/s/ David M. Hashmall