

James E. Cecchi (JCecchi@carellabyrne.com)

Melissa E. Flax (mflax@carellabyrne.com)

CARELLA, BYRNE, CECCHI, OLSTEIN,

BRODY & AGNELLO, P.C.

5 Becker Farm Road

Roseland, New Jersey 07068-1739

(973) 994-1700 (telephone)

(973) 994-1744 (facsimile)

Of Counsel

William A. Rakoczy (wrakoczy@rmmslegal.com)

Deanne M. Mazzochi (dmazzochi@rmmslegal.com)

Amy D. Brody (abrody@rmmslegal.com)

Tara M. Raghavan (traghavan@rmmslegal.com)

RAKOCZY MOLINO MAZZOCHI SIWIK LLP

6 West Hubbard Street, Suite 500

Chicago, Illinois 60654

(312) 222-6301 (telephone)

(312) 222-6321 (facsimile)

Attorneys for Defendants/Counterclaim-Plaintiffs

Mylan Pharmaceuticals Inc. and Mylan Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JANSSEN PRODUCTS, L.P. et al.,

Plaintiffs,

v.

LUPIN LIMITED et al.,

Defendants.

)
)
) Consolidated Civil Action No.
) 10-5954-WHW-CLW
)

) **NOTICE OF APPEAL**
)

) ***Document Electronically Filed***
)
)
)

Notice is hereby given that Mylan Inc. and Mylan Pharmaceuticals Inc. (collectively, “Mylan”), Defendants and Counterclaim-Plaintiffs in the above-captioned consolidated action, hereby appeal to the United States Court of Appeals for the Federal Circuit from the Court’s

August 14, 2014 Judgment against Mylan¹, and all underlying adverse opinions, orders, decisions, and rulings subsumed within said Judgment and/or made prior to entry of Judgment in this action, and/or relating to the scope of any relief awarded pursuant to said Judgment, including, but not limited to, the Court's August 14, 2014 Trial Opinion (ECF No. 943) and Order (ECF No. 944), the Court's March 12, 2014 Summary Judgment Opinion (ECF No. 769) and Order (ECF No. 770), and the Court's October 15, 2013 Claim Construction Opinion (ECF No. 477) and Order (ECF No. 478).

Included herewith is payment of the filing fee (\$5.00) and the docketing fee (\$500.00) as required by 28 U.S.C. § 1917 and Federal Circuit Rule 52(a)(3)(A), respectively, and Federal Rule of Appellate Procedure 3(e).

Dated: September 12, 2014

Respectfully submitted,

**CARELLA, BYRNE, CECCHI, OLSTEIN,
BRODY & AGNELLO, P.C.**

*Attorneys for Defendants/Counterclaim-Plaintiffs
Mylan Pharmaceuticals Inc. and Mylan Inc.*

By: /s/ Melissa E. Flax
James E. Cecchi (JCecchi@carellabyrne.com)
Melissa E. Flax (mflax@carellabyrne.com)
5 Becker Farm Road
Roseland, New Jersey 07068-1739
(973) 994-1700 (telephone)

Of Counsel
William A. Rakoczy
(wrakoczy@rmmslegal.com)
Deanne M. Mazzochi

¹ Mylan's and Co-defendants Lupin Limited's and Lupin Pharmaceuticals, Inc.'s Motion to Modify the August 14, 2014 Injunction Order Pursuant to Federal Rule of Civil Procedure 60(b) (ECF Nos. 947; *see also* ECF Nos. 976-78) remains pending before the Court presently. Notwithstanding the pendency of this motion, Mylan files this Notice of Appeal out of an abundance of caution in order to ensure adequate preservation of its right to appeal all properly appealable issues in the above-captioned action.

(dmazzochi@rmmslegal.com)

Amy D. Brody (abrody@rmmslegal.com)

Tara M. Raghavan traghavan@rmmslegal.com)

RAKOCZY MOLINO MAZZOCHI SIWIK LLP

6 West Hubbard Street, Suite 500

Chicago, Illinois 60654

(312) 222-6301 (telephone)