

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

| | | |
|------------------------------|---|----------------------------|
| MONOSOL RX, LLC, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | |
| |) | |
| BIODELIVERY SCIENCES |) | Civ. No. 10-5695 (FLW/DEA) |
| INTERNATIONAL, INC., MEDA |) | |
| PHARMACEUTICALS INC., AND |) | |
| AVEVA DRUG DELIVERY SYSTEMS, |) | |
| INC. |) | |
| |) | |
| Defendants. | | |

NOTICE OF APPEAL

MonoSol, Rx, LLC, (“MonoSol”), Plaintiff in the above-captioned action, hereby appeals to the United States Court of Appeals for the Federal Circuit from the Court’s Final Judgment dated September 25, 2015 (Dkt. No. 72) and from all decisions, opinions, orders and rulings subsumed therein and/or made prior to the entry of Final Judgment in this action, including the Court’s Order on Defendants’ Motion for Summary Judgment for Intervening Rights dated September 25, 2015 (Dkt. No. 73).

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: October 26, 2015

Respectfully submitted,
STEPTOE & JOHNSON, LLP
/s/David L. Hecht
David L. Hecht
STEPTOE & JOHNSON LLP
1114 Avenue of the Americas
New York, NY 10036
(212) 506-3900
(212) 506-3950 (Fax)
dhecht@steptoe.com

James F. Hibey (*Pro Hac Vice*)
Timothy C. Bickham (*Pro Hac Vice*)
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, NW
Washington DC 20036
(202) 429-3000
(202) 429-3902 (Fax)
jhibey@steptoe.com
tbickham@steptoe.com

Attorneys for Plaintiff
MonoSol Rx, LLC

CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2015 I caused a copy of the foregoing Notice of Appeal to be electronically filed with the Clerk of the Court using the ECF system in case number 3:10-cv-05695, which will send notification of such filing to the counsel of record.

/s/ David L. Hecht