

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ENDO PHARMACEUTICALS INC. and)	
MALLINCKRODT LLC,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 14-1389 (RGA)
)	
TEVA PHARMACEUTICALS USA, INC.)	
and BARR LABORATORIES, INC.,)	
)	
Defendants.)	

**ENDO PHARMACEUTICAL INC.'S NOTICE OF CROSS-APPEAL
TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

Notice is hereby given that Plaintiff Endo Pharmaceuticals Inc. ("Endo") cross-appeals in the above-named case to the United States Court of Appeals for the Federal Circuit from the October 7, 2016 Opinion (D.I. 192) and Judgment entered on November 30, 2016 (D.I. 203), insofar as that Judgment denies Endo's requests for relief regarding U.S. Patent No. 8,808,737 ("the '737 Patent"), and from the Orders preceding that Judgment, including without limitation:

- 1) The February 9, 2016, Ordered Stipulation (D.I. 108) dismissing Endo's claim for infringement of the '737 patent;
- 2) The February 9, 2016, Partial Judgment (D.I. 109) that the claims of the '737 patent are invalid under 35 U.S.C. § 101, and dismissing Endo's claims against Teva for infringement of the '737 patent;
- 3) Magistrate Judge Thyng's September 23, 2015, Report and Recommendation in *Endo Pharmaceuticals Inc. et al. v. Actavis Inc.*, No. 14-1381-RGA (D. Del. 2014) (the "Actavis Action") recommending that Endo's claims against Actavis for infringement of the '737 patent

be dismissed on the grounds that the '737 patent is invalid under 35 U.S.C. § 101 (D.I. 51 in the Actavis Action);

4) This Court's November 17, 2015 Order Adopting Judge Thyng's Report and Recommendation over Endo's objections, and accordingly dismissing Endo's claims against Actavis for infringement of the '737 patent (D.I. 67 in the Actavis Action), which was adopted by stipulation in this case (D.I. 108); and

5) All opinions, orders, and rulings subsumed therein and made prior and after thereto resulting in final judgment adverse to Endo's requests for relief.

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January 5, 2017

CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2017, I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused to be served copies of the foregoing document on January 5, 2017, upon the following in the manner indicated:

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