

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

SUMITOMO DAINIPPON PHARMA
CO., LTD. and SUNOVION
PHARMACEUTICALS INC.,

Plaintiffs,

v.

EMCURE PHARMACEUTICALS
LIMITED, *et al.*,

Defendants.

Civil Action No. 15-280 (SRC) (CLW)
Civil Action No. 15-281 (SRC) (CLW)
Civil Action No. 15-6401 (SRC) (CLW)
(Consolidated)

NOTICE OF APPEAL

Notice is hereby given that Defendants Emcure Pharmaceuticals Limited and Heritage Pharma Labs Inc. (formerly known as Emcure Pharmaceuticals USA, Inc.) (collectively, "Emcure") hereby appeal to the United States Court of Appeals for the Federal Circuit from the Final Judgment and Order of Permanent Injunction entered against Emcure on February 15, 2017 (D.I. 138) based on the Opinion and Order on Claim Construction entered in this action on November 16, 2016 (D.I. 106), and from any and all other findings, determinations, conclusions, orders, opinions, decisions, judgments and rulings relating to the aforementioned Opinion and Order on Claim Construction, and from all subsidiary findings and conclusions of the Court.

Dated: March 9, 2017

Respectfully submitted,

/s/ David C. Kistler

Stephen M. Orlofsky
David C. Kistler
BLANK ROME LLP
New Jersey Resident Partners
301 Carnegie Center, 3rd Floor
Princeton, NJ 08540
*Attorneys for Defendants
Emcure Pharmaceuticals Limited and
Heritage Pharma Labs Inc.*

CERTIFICATE OF SERVICE

I certify that on March 9, 2017, a copy of the foregoing document was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system:

Charles M. Lizza
William C. Baton
SAUL EWING LLP
One Riverfront Plaza, Suite 1520
Newark, NJ 07102-5426
clizza@saul.com
Attorneys for Plaintiff

James T. Evans
Joseph M. O'Malley, Jr.
Preston K. Ratliff II
Bruce M. Wexler
Imtiaz Yakub
Leo Desesso
Nao Takada
Mi Zhou
Mark R. Sperling
PAUL HASTINGS LLP
200 Park Avenue
New York, NY 10166
Attorneys for Plaintiff

Michael E. Patunas, Esquire
Patunas Law
24 Commerce Street, Suite 606
Newark, NJ 07102
mpatunas@patunaslaw.com
*Attorneys for Defendants Teva
Pharmaceuticals USA, Inc. and Teva
Pharmaceutical Industries, Ltd.*

Ira J. Levy
Cynthia Lambert Hardman
Brian Prew
Goodwin Procter LLP
The NY Times Bldg.
620 Eighth Avenue
New York, NY 10018
*Attorneys for Defendants Teva
Pharmaceuticals USA, Inc. and Teva
Pharmaceutical Industries, Ltd.*

Salvatore Guerriero
Robert Silver (*Pro Hac Vice*)
Caesar Rivise PC
1634 Market Street
12th Floor – Seven Penn Center
Philadelphia, PA 19103-2212
*Attorneys for Defendant
InvaGen Pharmaceuticals, Inc.*

/s/ David C. Kistler
DAVID C. KISTLER