

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

APOTEX INC.,)	
)	
Plaintiff,)	Case No. 1:16-cv-3145-WTL-MJD
)	
v.)	
)	
ALCON RESEARCH, LTD.,)	
ALCON LABORATORIES, INC., and)	
ALCON PHARMACEUTICALS LTD.,)	
)	
Defendants,)	
)	
BARR LABORATORIES, INC.)	
)	
Intervenor-Defendant.)	
_____)	

**NOTICE OF APPEAL
TO THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

Notice is hereby given that Plaintiff Apotex Inc. appeals to the United States Court of Appeals for the **Federal Circuit** from the Order Denying Plaintiff’s Motion to Amend/Correct Judgment Under Fed. R. Civ. P. 59(a) and Motion to Amend the Complaint Under Fed. R. Civ. P. 15(b) entered in this action on May 15, 2017 (D.E. No. 59), and from any and all underlying orders, rulings, findings, or conclusions relating thereto, including, without limitation, Judgment granting Intervenor-Defendant Barr Laboratories, Inc.’s Motion to Dismiss, (D.E. 45 and 46) entered in this action on February 27, 2017. 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), and Federal Rule of Appellate Procedure 3(e).

Dated: May 18, 2018

Respectfully submitted,

s/Jonathan G. Polak

Jonathan G. Polak (21954-49)

jpolak@taftlaw.com

Cristina A. Costa (31271-29)

ccosta@taftlaw.com

TAFT STETTINIUS & HOLLISTER LLP

One Indiana Square, Suite 3500

Indianapolis, IN 46204

Tel.: (317) 713-3500

Fax: (317) 713-3699

Counsel for Plaintiff, Apotex Inc

CERTIFICATE OF SERVICE

I certify that on May 18th, 2017, I caused the foregoing to be filed using the Court's CM/ECF system. Notice of this filing will be sent to counsel of record by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Jonathan G. Polak