## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

RECKITT BENCKISER PHARMACEUTICALS INC. and MONOSOL RX, LLC,

Plaintiffs,

ν.

Civil Action No. 14-1573-RGA

PAR PHARMACEUTICAL, INC. and INTELGENX TECHNOLOGIES CORP.,

Defendants.

## NOTICE OF APPEAL BY PLAINTIFFS RECKITT BENCKISER PHARMACEUTICALS INC. AND MONOSOL RX, LLC

Notice is hereby given that, pursuant to Federal Rule of Appellate Procedure 4(a)(3), Plaintiffs Reckitt Benckiser Pharmaceuticals Inc. and MonoSol RX, LLC hereby appeal to the United States Court of Appeals for the Federal Circuit from the Final Judgment dated September 20, 2017 (D.I. 224 in C.A. No. 14-1573-RGA), as to the Par Defendants, the Memorandum Opinion Providing Claim Construction for Multiple Terms (D.I. 143 in C.A. No. 14-1573-RGA), the Markman Order (D.I. 146 in C.A. No. 14-1573-RGA), and the Trial Opinion (D.I. 222 in C.A. No. 14-1573-RGA), along with all adverse findings, holdings, rulings, determinations, conclusions, orders, claim constructions, opinions, and decisions leading thereto or merged or incorporated therein, including, but not limited to, any and all subsidiary findings and conclusions of the District Court.

Included herewith pursuant to Federal Rule of Appellate Procedure 3(e) is payment of the filing fee (\$5.00) as required by 28 U.S.C. § 1917 and the docketing fee (\$500.00) as required by Federal Circuit Rules 52(a)(2) and 52(a)(3).

Dated: October 13, 2017

Of Counsel:

Daniel A. Ladow James M. Bollinger Timothy P. Heaton J. Magnus Essunger TROUTMAN SANDERS LLP 875 Third Avenue New York, New York 10022 (212) 704-6000 daniel.ladow@troutman.com james.bollinger@troutman.com timothy.heaton@troutman.com magnus.essunger@troutman.com

Counsel for Plaintiffs Reckitt Benckiser Pharmaceuticals Inc.

Erica N. Andersen Jeffrey B. Elikan Jeffrey H. Lerner COVINGTON & BURLING LLP One CityCenter 850 Tenth Street, NW Washington, D.C. 20001 eandersen@cov.com jelikan@cov.com jlerner@cov.com

Counsel for Plaintiffs Reckitt Benckiser Pharmaceuticals Inc. Respectfully submitted,

/s/ Mary W. Bourke

Mary W. Bourke Dana Kathryn Severance Daniel Marcus Attaway WOMBLE CARLYLE SANDRIDGE RICE LLP 222 Delaware Avenue, Suite 1501 Wilmington, DE 19801 (302) 252-4320 mbourke@wcsr.com dseverance@wcsr.com dattaway@wcsr.com

Counsel for Plaintiffs

Cassandra A. Adams STEPTOE & JOHNSON LLP 1114 Avenue of the Americas New York, New York 10036 (212) 506-3900 cadams@steptoe.com

James F. Hibey STEPTOE & JOHNSON LLP 1330 Connecticut Avenue, NW Washington, DC 20036 (212) 429-3000 jhibey@steptoe.com

Counsel for Plaintiff MonoSol Rx, LLC