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

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INDIVIOR, INC., INDIVIOR UK LIM-ITED, and MONOSOL RX, LLC, Plaintiffs, v. TEVA PHARMACEUTICALS USA, INC., Defendant.

C.A. No. 16-178 (RGA)

## NOTICE OF CROSS-APPEAL

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Appellate Procedure 4(a)(3) Defendant Teva Pharmaceutical USA ("Teva") cross-appeals to the United States Court of Appeals for the Federal Circuit from all aspects of the Court's Final Judgment (D.I. 20) resolved adversely to Teva, including all prior interlocutory orders, rulings, decisions, and subsidiary findings resolved adversely to Teva. Without limitation, Teva specifically appeals from:

Aspects of the Final Judgment holding not invalid claims 1, 4, 5, 8 and 9 of U.S. Patent No. 8,017,150; claims 62-65, 69, 71, and 73 of U.S. Patent No. 8,603,514; and claim 24 of U.S. Patent No. 8,900,497;

The corresponding portions of the Trial Opinions dated August 31, 2017 (D.I. 312, 313 in Case No. 14-cv-1451-RGA);

Aspects of the Markman Order (D.I. 179 in No. 14-cv-1451-RGA) construing the terms

 "said matrix having a substantially uniform distribution of said at least one active" and "said matrix having a substantially uniform distribution of said active" in claims 1, 26, 27, and 30 of the '497 patent,

 "to maintain said substantially uniform distribution of said at least one active by locking-in or substantially preventing migration of said at least one active" and "to maintain said substantially uniform distribution of said active by locking-in or substantially preventing migration of said active" in claims 1, 26, 27, and 30 of the '497 patent,

- "rapidly" in claims 1, 26, 27, and 30 of the '497 patent,
- "a taste-masking agent coated or intimately associated with said particulate" in claims 1 and 28 of the '514 patent, and
- "said matrix has a viscosity sufficient to aid in substantially maintaining non-self-aggregating uniformity of the active in the matrix" in claims 1, 16, 28, 48, 58, and 62 of the '514 patent; and

The corresponding portions of the Memorandum Opinion on claim construction dated June 28, 2016 (D.I. 175 in 14-cv-1451-RGA).

Included herewith is payment of the filing fee (\$5.00) and the docketing fee (\$500.00) as required by 28 U.S.C. § 1917, Federal Circuit Rule 52(a)(3)(A), Federal Rule of Appellate Procedure 3(e), and the United States District Court for the District of Delaware fee schedule (effective December 1, 2013).

Respectfully submitted,

<u>/s/John C. Phillips, Jr.</u> John C. Phillips, Jr. (#110) Megan C. Haney (#5016) PHILLIPS, GOLDMAN, McLAUGHLIN & HALL, P.A. 1200 N. Broom Street Wilmington, DE 19801 (302) 655-4200 jcp@pgmhlaw.com mch@pgmhlaw.com

Of Counsel:

Michael K. Nutter WINSTON & STRAWN LLP 35 West Wacker Drive Chicago, IL 60601 (312) 558-5600 mnutter@winston.com

Stephen Smerek David P. Dalke WINSTON & STRAWN LLP 333 S. Grand Ave., Suite 3800 Los Angeles, CA 90071 (213) 615-1700 ssmerek@winston.com ddalke@winston.com

Attorneys for Defendant

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