

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**ALLERGAN SALES, LLC AND  
QUALICAPS CO., LTD.,**

Plaintiffs,

v.

**TEVA PHARMACEUTICALS USA, INC.,**

Defendant.

Civil Action No. 2:15-cv-1471-JRG-RSP

Civil Action No. 2:17-cv-343-JRG-RSP

**LEAD CONSOLIDATED CASE**

**ALLERGAN SALES, LLC AND  
QUALICAPS CO., LTD.,**

Plaintiffs,

v.

**MYLAN PHARMACEUTICALS, INC.,  
MYLAN LABORATORIES LIMITED,  
AND MYLAN, INC.,**

Defendants.

Civil Action No. 2:15-cv-1740-JRG-RSP

**NOTICE OF APPEAL**

Notice is hereby given that, pursuant to Federal Rules of Appellate Procedure 3 and 4, Plaintiffs Allergan Sales, LLC and Qualicaps Co., Ltd. appeal to the United States Court of Appeals for the Federal Circuit from the United States District Court for the Eastern District of Texas's Final Judgment Pursuant to Rule 54(b) (Dkt. 264 (October 24, 2017)) in the above-captioned cases, including, without limitation, any and all decisions, rulings, opinions, and judgments, whether written or oral, underlying, incorporated in, antecedent to, ancillary to, or leading to the foregoing, including but not limited to the Memorandum Opinion and Order (Dkt.

263 (October 24, 2017)), Order denying in part Plaintiffs' Motion to Supplement Infringement Contentions ((Dkt. 189 (July 12, 2017)), objections overruled (Dkt. 209 (July 28, 2017))), Claim Construction Opinion and Order ((Dkt. 191 (July 12, 2017)), objections overruled (Dkt. 207 (July 26, 2017))), Report and Recommendation on Plaintiffs' Motion to Dismiss ((Dkt. 197 (July 25, 2017)), objections overruled (Dkt. 220 (Aug. 10, 2017))), and Report and Recommendation on Defendants' Motions for Summary Judgment of Noninfringement (Dkt. 258 (September 28, 2017)). This appeal is timely under 28 U.S.C. § 2107(a) and Federal Rule of Appellate Procedure 4(a)(1)(A).

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

Dated: November 21, 2017

Respectfully submitted,

/s/ George F. Pappas (w/permission Wesley Hill)

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on November 21, 2017.

/s/ Wesley Hill  
Wesley Hill