

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

KING PHARMACEUTICALS, INC. and )  
KING PHARMACEUTICALS )  
RESEARCH AND DEVELOPMENT, )  
INC., )

Plaintiffs, )

v. )

EON LABS, INC., )

Defendant, )

v. )

ELAN PHARMACEUTICALS, INC., )  
KING PHARMACEUTICALS, INC., )  
KING PHARMACEUTICALS )  
RESEARCH AND DEVELOPMENT, )  
INC. and JONES PHARMA INC., )

Counterclaim Defendants. )

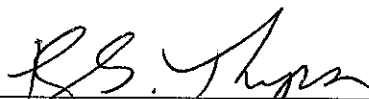
CIVIL ACTION NO. 04-5540 (DGT, RLM)

**NOTICE OF APPEAL**

Notice is hereby given that defendant Eon Labs, Inc. in the above-named case hereby appeals to the United States Court of Appeals for the Federal Circuit from the district court's Memorandum and Order (Dckt. No. 356) entered in this action on September 28, 2010, and deciding defendant Eon Labs, Inc.'s motion for all of its litigation expenses, including attorney fees, under 35 U.S.C. § 285 and the district court's inherent power (Dckt. No. 305).

Dated: October 25, 2010

COHEN PONTANI LIEBERMAN & PAVANE LLP



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