

Arnold B. Calmann (abc@saiber.com)  
Geri L. Albin (gla@saiber.com)  
**SAIBER LLC**  
One Gateway Center, 10<sup>th</sup> Floor  
Newark, New Jersey 07102-5311  
(973) 622-3333

Ron E. Shulman (rshulman@wsgr.com)  
Terry Kearney (tkearney@wsgr.com)  
Richard G. Frenkel (rfrenkel@wsgr.com)  
**WILSON SONSINI GOODRICH & ROSATI**  
650 Page Mill Road  
Palo Alto, California 94304  
(650) 493-9300

Roger J. Chin (rchin@wsgr.com)  
**WILSON SONSINI GOODRICH & ROSATI**  
One Market Street  
Spear Tower, Suite 3300  
San Francisco, California 94105  
(415) 947-2000

Attorneys for Defendants  
Mylan Pharmaceuticals Inc. and Mylan Inc.

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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NOVARTIS PHARMACEUTICALS  
CORPORATION,

Plaintiff,

v.

MYLAN PHARMACEUTICALS INC. AND  
MYLAN INC.,

Defendants.

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Civil Action No. 2:08-CV-5042 (PGS)(ES)

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

*DOCUMENT ELECTRONICALLY FILED*

**PLEASE TAKE NOTICE** that Defendants Mylan Pharmaceuticals Inc. and Mylan Inc. (collectively "Mylan"), the defendants in the captioned case, hereby appeal to the United States Court of Appeals for the Federal Circuit from the District Court's Order, dated January 20, 2011, which resolved all claims at issue in the above captioned case by granting Novartis Pharmaceuticals Corp.'s Motion for Summary Judgment of No Prosecution Laches and No

Patent Misuse, and denying Mylan's Motion for Summary Judgment of Prosecution Laches (Dkt. No. 181), as well as from the subsequent January 26, 2011, Opinion (Dkt. No. 183) incorporated by reference into the January 20, 2011, Order.

Dated: February 8, 2011

Respectfully submitted,

**SAIBER LLC**  
Attorneys for Defendants  
Mylan Pharmaceuticals Inc. and Mylan Inc.

s/ Arnold B. Calmann  
Arnold B. Calmann (abc@saiber.com)  
Geri L. Albin(gla@saiber.com)  
**SAIBER LLC**  
One Gateway Center, 10th Floor  
Newark, NJ 07102-5311  
Telephone: (973) 622-3333  
Facsimile: (973) 622-3349

Roger J. Chin (rchin@wsgr.com)  
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ROSATI**  
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