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*Counsel for Defendant/Counterclaim-
 Plaintiff Sandoz Inc.*

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

BAYER SCHERING PHARMA AG	)	No. 2:08-cv-00995-KJD-(GWF)
and BAYER HEALTHCARE	)	Consolidated with
PHARMACEUTICALS INC.,	)	No. 2:07-cv-01472-KJD-(GWF)
	)	
Plaintiffs/Counter-Defendants,	)	
	)	
v.	)	
	)	
WATSON PHARMACEUTICALS, INC.	)	NOTICE OF APPEAL
and WATSON LABORATORIES, INC.,	)	
	)	
Defendants/Counter-Plaintiffs,	)	
and	)	
	)	
SANDOZ INC.,	)	
	)	
Defendant/Counter-Plaintiff.	)	

1 Notice is hereby given that Defendant Sandoz Inc. ("Sandoz") in the above-named case
2 hereby appeals to the United States Court of Appeals for the Federal Circuit from the Judgment
3 entered on March 30, 2012 (Docket No. 336) and the Court's March 30, 2012 Order (Docket No.
4 333) granting Plaintiffs Bayer Schering Pharma AG's and Bayer HealthCare Pharmaceuticals
5 Inc.'s (jointly "Bayer") motion for summary judgment of non-obviousness of United States Reissue
6 Patent No. 37,564, and any and all of the decisions of this Court underlying or leading to any of the
7 foregoing.

8 Sandoz submits that the Court's Judgment entered on March 30, 2012 is not a final decision
9 within the meaning of 28 U.S.C. § 1295 because the Judgment does not contain any determinations
10 relating to the remedies being sought by Bayer in this case, including damages and the request for a
11 permanent injunction contained in Bayer's Complaint, which requests are still pending. *See* Dkt.
12 No. 1, No. 08-00995, at pp. 6-7. Sandoz is thus filing this Notice of Appeal out of an abundance of
13 caution and to preserve all of its rights in connection with the Court's March 30, 2012 Judgment.
14 Sandoz and Watson have moved for entry of a partial judgment under Fed. R. Civ. P. 54(b). *See*
15 Docket No. 340.

16 Dated: April 27, 2012

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2012, a true and correct copy of the foregoing was filed electronically with the Clerk of the Court using CM/ECF System. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system. Parties/counsel who are to receive service include:

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