

Michael R. Griffinger, Esq.
David E. De Lorenzi, Esq.
Sheila F. McShane, Esq.
GIBBONS P.C.
One Gateway Center
Newark, New Jersey 07102-5310
Telephone No.: (973) 596-4743
Facsimile No.: (973) 639-6235

Mark E. Waddell, Esq.
John M. Griem, Jr., Esq.
Warren MacRae, Esq.
Paula K. Colbath, Esq.
LOEB & LOEB LLP
345 Park Avenue
New York, New York 10154-1895
Telephone No.: (212) 407-4000
Facsimile No.: (212) 407-4990

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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	:
HOFFMANN-LA ROCHE INC. and	: Civil Action No. 07-4539 (SRC)(CLW)
GENENTECH, INC.,	: Civil Action No. 07-4540 (SRC)(MAS)
	: Civil Action No. 08-4054 (SRC)(MAS)
Plaintiffs,	: Civil Action No. 10-6206 (SRC)(MAS)
	: (consolidated with 07-4539 for all purposes)
v.	:
	:
WATSON LABORATORIES, INC.,	:
WATSON PHARMACEUTICALS, INC.,	:
WATSON PHARMA, INC.,	:
COBALT PHARMACEUTICALS INC., and	:
COBALT LABORATORIES, INC.,	:
	:
Defendants.	:
-----X	

AMENDED NOTICE OF APPEAL

Notice is hereby given that pursuant to 28 U.S.C. § 1295 and Fed. R. App. P. 4(a)(4)(B)(ii), Plaintiffs Hoffmann-La Roche Inc. and Genentech, Inc. (collectively, "Plaintiffs") in the above named case, hereby amend their Notice of Appeal previously docketed with the United States Court of Appeals for the Federal Circuit as docket number 13-1162.

On January 17, 2013 this appeal was deactivated by the Clerk of the Federal Circuit pending entry of an order by the district court disposing of the outstanding Rule 59(e) motion. *See* Order dated January 17, 2013, Fed. Cir. No. 13-1162, Dkt. 2. On January 25, 2013 the district court denied Plaintiffs' Motion for Reconsideration pursuant to Rule 59(e) (C.A. 07-4539, Dkt. 636). No other motion of the type enumerated in Fed. R. App. P. 4(a)(4) remains pending in the district court.

Accordingly, Plaintiffs appeal to the United States Court of Appeals for the Federal Circuit from:

- 1) Final Judgment entered on November 16, 2012 (C.A. 07-4539, Dkt. 631) directing that claims 1-8 of U.S. Patent 7,718,634 are invalid as obvious pursuant to summary judgment entered on May 7, 2012 (C.A. 07-4417, Dkt. 490) and that claims 1-10 of U.S. Patent 7,410,957 are invalid as obvious pursuant to summary judgment entered on October 1, 2012 (C.A. 07-4539, Dkt. 624); and
- 2) Opinion and Order entered on January 25, 2013 denying Plaintiffs' Motion for Reconsideration pursuant to Fed. R. Civ. P. 59(e) (C.A. 07-4539, Dkt. 636).

Pursuant to Fed. R. App. P. 4(a)(4)(B)(iii) no fee is required with this Amended Notice of Appeal.

Dated: February 1, 2013

Respectfully submitted,
HOFFMANN-LA ROCHE INC. and
GENENTECH, INC.,

Michael R. Griffinger, Esq.
David E. De Lorenzi, Esq.
Sheila F. McShane, Esq.
GIBBONS P.C.
One Gateway Center
Newark, New Jersey 07102-5310
Telephone No.: (973) 596-4743
Facsimile No.: (973) 639-6235

By: s/ Mark E. Waddell
Mark E. Waddell, Esq.
345 Park Avenue
New York, NY 10154
Telephone: (212) 407-4000
Facsimile: (212) 407-4990

Attorneys for Plaintiffs Hoffmann-La Roche Inc. and Genentech, Inc.

CERTIFICATE OF SERVICE

Sheila McShane certifies as follows under penalties of perjury:

I caused to be served a true and correct copy of the foregoing AMENDED NOTICE OF APPEAL by ECF Notice on February 1, 2013 upon the following:

James E. Cecchi, Esq.
Melissa E. Flax Esq.
Carella, Byrne, Cecchi, Olstein,
Brody & Agnello, P.C.
5 Becker Farm Road
Roseland, New Jersey 07068-1739
jcecchi@carellabyrne.com
MFlax@carellabyrne.com

William A. Rakoczy, Esq.
Paul J. Molino Esq.
Deanne M. Mazzochi Esq.
Tara M. Raghavan Esq.
Eric R. Hunt, Esq.
Rakoczy Molino Mazzochi Siwik LLP
6 West Hubbard Street, Ste. 500
Chicago, IL 60654
wrakoczy@rmmslegal.com
pmolino@rmmslegal.com
dmazzochi@rmmslegal.com
traghavan@rmmslegal.com
ehunt@rmmslegal.com

s/ Sheila McShane