

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RECKITT BENCKISER
PHARMACEUTICALS INC., RB
PHARMACEUTICALS LIMITED, and
MONOSOL RX, LLC,

Plaintiffs,

v.

DR. REDDY'S LABORATORIES S.A. and
DR. REDDY'S LABORATORIES, INC.,

Defendants.

C.A. No. 14-01451-RGA

~~PROPOSED~~ FINAL JUDGMENT

This matter having come before the Court for trial on the merits of all remaining issues in the above-captioned cases, namely to resolve the questions of whether Defendants Dr. Reddy's Laboratories S.A. and Dr. Reddy's Laboratories, Inc. (collectively, "DRL") infringe any claim of U.S. Patent No. 8,017,150 ("the '150 Patent"), U.S. Patent No. 8,603,514 ("the '514 patent"), or U.S. Patent No. 8,900,497 ("the '497 Patent"); and whether those claims are invalid; and the Court having previously entered an Order dated November 3, 2016 (D.I. 250) entering judgment in DRL's favor regarding non-infringement and invalidity of the asserted claims of U.S. Patent No. 8,475,832; and at trial, Plaintiffs asserted Claims 1, 4, 5, 8, and 9 of the '150 Patent, Claims 62-65, 69, 71, and 73 of the '514 Patent, and Claim 24 of the '497 Patent against DRL, and DRL asserted counterclaims of invalidity of Claims 1, 4, 5, 8, and 9 of the '150 Patent, Claims 62-65, 69, 71, and 73 of the '514 Patent, and Claim 24 of the '497 Patent; and the Court having heard the testimony of the expert witnesses and having considered the evidence submitted by the parties; and the Court having reviewed the post-trial briefs of the parties;

IT IS ORDERED AND ADJUDGED, for the reasons set forth in the Court's Trial Opinion dated August 31, 2017 (D.I. 313), that Final Judgment is hereby entered in favor of DRL and against Plaintiffs Reckitt Benckiser Pharmaceuticals Inc., RB Pharmaceuticals Ltd., and MonoSol Rx, LLC (collectively "Plaintiffs"), that DRL's Abbreviated New Drug Application ("ANDA") Nos. 205299 and 205806 do not infringe asserted Claims 1, 4, 5, 8, and 9 of the '150 Patent;

ORDERED AND ADJUDGED, for the reasons set forth in the Court's Trial Opinion dated August 31, 2017 (D.I. 313), that Final Judgment is hereby entered in favor of Plaintiffs and against DRL, that asserted Claims 1, 4, 5, 8, and 9 of the '150 Patent were not shown to be invalid;

ORDERED AND ADJUDGED, for the reasons set forth in the Court's Trial Opinion dated August 31, 2017 (D.I. 312), that Final Judgment is hereby entered in favor of DRL and against Plaintiffs Reckitt Benckiser Pharmaceuticals Inc., RB Pharmaceuticals Ltd., and MonoSol Rx, LLC (collectively "Plaintiffs"), that DRL's Abbreviated New Drug Application ("ANDA") Nos. 205299 and 205806 do not infringe asserted Claims 62-65, 69, 71, and 73 of the '514 Patent;

ORDERED AND ADJUDGED, for the reasons set forth in the Court's Trial Opinion dated August 31, 2017 (D.I. 312), that Final Judgment is hereby entered in favor of Plaintiffs and against DRL, that asserted Claims 62-65, 69, 71, and 73 of the '514 Patent were not shown to be invalid;

ORDERED AND ADJUDGED, for the reasons set forth in the Court's Trial Opinion dated August 31, 2017 (D.I. 312), that Final Judgment is hereby entered in favor of DRL and against Plaintiffs, that the manufacture of DRL's products that are the subject of Abbreviated

New Drug Application ("ANDA") Nos. 205299 and 205806 does not infringe asserted Claim 24 of the '497 Patent;

ORDERED AND ADJUDGED, for the reasons set forth in the Court's Trial Opinion dated August 31, 2017 (D.I. 312), that Final Judgment is hereby entered in favor of Plaintiffs and against DRL, that asserted Claim 24 of the '497 Patent was not shown to be invalid;

ORDERED that, in the event that any party appeals this Final Judgment, any motion for attorneys' fees and/or costs under Fed. R. Civ. P. 54(d) and/or Local Rules 54.1 and/or 54.3, including any motion that this case is exceptional under 35 U.S.C. § 285, shall be considered timely if filed and served within thirty (30) days after final disposition of any such appeal; and it is further

ORDERED that, in the event that no party appeals this Final Judgment, any motion for attorneys' fees and/or costs under Fed. R. Civ. P. 54(d) and/or Local Rules 54.1 and/or 54.3, including any motion that this case is exceptional under 35 U.S.C. § 285, shall be considered timely if filed and served within thirty (30) days after the expiration of the time for filing a notice of appeal under Federal Rules of Appellate Procedure 3 and 4.

Dated: September 20, 2017


UNITED STATES DISTRICT JUDGE