

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AMGEN INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. No. 16-853-MSG
	)	CONSOLIDATED
AMNEAL PHARMACEUTICALS LLC, et al.,	)	
	)	
Defendants.	)	

TRIAL ORDER

Plaintiff Amgen, Inc. (“Amgen”) asserts patent infringement claims against Defendants Amneal Pharmaceuticals LLC and Amneal Pharmaceuticals of New York LLC (collectively, “Amneal”), Piramal Healthcare UK Ltd. (“Piramal”), Watson Laboratories, Inc., Actavis, Inc., and Actavis Pharma, Inc. (collectively, “Watson”), and Zydus Pharmaceuticals (USA) Inc. and Cadila Healthcare Ltd. (collectively, “Zydus”). The court bifurcated the infringement claims and invalidity counterclaims for trial. A four-day bench trial on infringement was held between March 5, 2018 and March 9, 2018, and the parties submitted post-trial briefs. (D.I. 353, D.I. 354, D.I. 355, D.I. 356, D.I. 359, D.I. 360, D.I. 366, D.I. 367).

After considering the evidence presented at trial and the submissions of the parties, IT IS HEREBY ORDERED and ADJUDGED, consistent with the opinion issued this same date, that:

1. Amneal does not infringe any of the claims asserted against it, which are claims 1, 2-4, 6, 8-12, and 14-18 of United States Patent No. 9,375,405 (the “’405 patent”);
2. Piramal does not infringe any of the claims asserted against it, which are claims 1-6 and 8-20 of the ’405 patent;
3. Watson does not infringe any of the claims asserted against it, which are claims 1-6

and 8-20 of the '405 patent; and

4. Zydus does not infringe claims 18 and 20 of the '405 patent; but

5. Zydus does infringe claims 1-4, 6, 8-9, 15-17, and 19 of the '405 patent, to the extent each claim is found valid and enforceable.

Dated: July 26, 2018

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG
UNITED STATES DISTRICT JUDGE