

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTENDIS GMBH, INTRASERV GMBH)	
& CO. KG and BAYER HEALTHCARE)	
PHARMACEUTICALS INC.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 13-421 (SLR)
)	
GLENMARK GENERICS LIMITED and)	
GLENMARK PHARMACEUTICALS INC., USA,)	
)	
Defendants.)	

[PROPOSED] AMENDED JUDGMENT

Whereas the Court issued its post-trial Memorandum Opinion and Order and entered Judgment on July 27, 2015 stating that “IT IS ORDERED AND ADJUDGED that judgment be and is hereby entered in favor of plaintiffs and against defendants,” the Judgment is hereby amended in its entirety as follows:

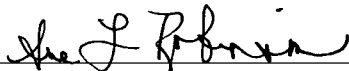
IT IS HEREBY ORDERED AND ADJUDGED on this 14th day of August, 2015,

that:

1. Plaintiffs Intendis GmbH, Intraserv GmbH & Co KG, and Bayer HealthCare Pharmaceuticals Inc. (“Bayer”) asserted claims 1-12 of U.S. Patent No. 6,534,070 (“the ’070 patent”);
2. Judgment is hereby entered in favor of plaintiffs Bayer and against defendants Glenmark Generics Ltd. and Glenmark Pharmaceuticals Inc., USA (“Glenmark”) in accordance with the Court’s Memorandum Opinion and Order dated July 27, 2015;
3. Pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Glenmark’s Abbreviated New Drug Application No. 204637 under § 505(j) of the Federal Food, Drug & Cosmetic Act (21 U.S.C. § 355(j)) for the drug product described therein (“Glenmark’s

ANDA Product”) shall be a date not earlier than the November 18, 2018 expiration of the '070 patent; and

4. In accordance with 35 U.S.C. § 271(e)(4)(B), Glenmark, its officers, agents, servants, employees, and attorneys, other persons who are in active concert or participation with them, and any person or entity to whom Glenmark transfers Abbreviated New Drug Application No. 204637 are enjoined from engaging in the commercial manufacture, use, offer to sell (as defined in 35 U.S.C. § 271(i)) and/or sale of Glenmark's ANDA Product within the United States or importing Glenmark's ANDA Product into the United States until after the November 18, 2018 expiration of the '070 patent.


UNITED STATES DISTRICT JUDGE