

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

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IN RE COPAXONE 40 MG CONSOLIDATED)	Civil Action No. 14-1171-GMS
CASES)	(CONSOLIDATED)
)	
)	

JOINT CLAIM CONSTRUCTION CHART

Pursuant to the Court’s Scheduling Order, the parties in the above-captioned matter submit their Joint Claim Construction Chart for certain claim terms in U.S. Patent Nos. 8,232,250; 8,399,413; and 8,969,302. A copy of the Joint Claim Construction Chart is attached as Exhibit A.¹

During the meet and confer process, the parties reached an agreement on the construction of the claim terms set forth in Section I of the attached chart. The parties jointly and respectfully submit that, if the Court deems it appropriate, the Court include these agreed-upon constructions in the ultimate claim construction order. In the alternative, the parties agree that these agreed-upon constructions are binding between the parties.

Section II of the attached chart includes the parties’ proposed constructions of the disputed claim terms with citations to the intrinsic evidence in support of their respective proposed constructions. The parties have made a good-faith effort to include herein all known support for their respective constructions, but reserve the right to supplement the attached chart with additional intrinsic evidence and to rely on such evidence in their claim construction briefs.

¹ Defendants’ position is that their proposed constructions shall not be construed or interpreted, and shall not work, operate or be urged or deemed in any way, as an admission by Defendants that any claim or claim limitation of the patents-in-suit is in compliance with the requirements of 35 U.S.C. §§ 101, 102, 103, or 112 or as a waiver by any Defendant of its right to assert in this action that any claim of the patents-in-suit is invalid for failure to comply with the requirements of 35 U.S.C. §§ 101, 102, 103, or 112.

Section III of the attached chart identifies claim terms that Defendants contend are not limiting and Plaintiffs' responses to these contentions.

Finally, Section IV of the attached chart contains constructions of the phrases in Section III that the parties agree upon only if the court finds that the phrases are limiting. As explained in Section III, however, Defendants maintain that the phrases are not limiting.

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/s/ Stephen B. Brauerman

Richard D. Kirk (No. 922)
Stephen B. Brauerman (No. 4952)
Vanessa R. Tiradentes (No. 5398)
Sara E. Bussiere (No. 5725)
BAYARD, P.A.
222 Delaware Avenue, Suite 900
Wilmington, DE 19801
(302) 655-5000
rkirk@bayardlaw.com
sbrauerman@bayardlaw.com
vtiradentes@bayardlaw.com
sbussiere@bayardlaw.com

/s/ David M. Fry

John W. Shaw (No. 3362)
Karen E. Keller (No. 4489)
David M. Fry (No. 5486)
SHAW KELLER LLP
300 Delaware Avenue, Suite 1120
Wilmington, DE 19801
(302) 298-0700
jshaw@shawkeller.com
kkeller@shawkeller.com

David M. Hashmall
Elizabeth J. Holland
GOODWIN PROCTER LLP
The New York Times Building
620 Eighth Avenue
New York, NY 10018-1405
(212) 813-8800

Daryl L. Wiesen
John T. Bennett
Nicholas K. Mitrokostas
GOODWIN PROCTER LLP
Exchange Place
53 State Street
Boston, MA 02109
(617) 570-1000

William G. James
GOODWIN PROCTER LLP
901 New York Avenue, NW
Washington, DC 20001
(202) 346-4000

*Attorneys for Plaintiffs Teva Pharmaceuticals
USA, Inc., Teva Pharmaceutical Industries,
Ltd., Teva Neuroscience, Inc. and Yeda*

/s/ John C. Phillips, Jr.

John C. Phillips, Jr. (No. 110)
David A. Bilson (No. 4986)
PHILLIPS, GOLDMAN & SPENCE, P.A.
1200 North Broom Street
Wilmington, DE 19806
jcp@pgslaw.com
dab@pgslaw.com

Constance S. Huttner
Beshoy M. Sharoupim
BUDD LARNER, P.C.
150 John F. Kennedy Parkway
Short Hills, NJ 07078
(973) 315-4430

Attorneys for DRL Defendants

/s/ Arun J. Mohan

Frederick L. Cottrell, III (No. 2555)
Arun J. Mohan (No. 6110)
RICHARDS, LAYTON & FINGER, P.C.
One Rodney Square
920 North King Street
Wilmington, DE 19801
(302) 651-7700
cottrell@rlf.com
mohan@rlf.com

Shannon M. Bloodworth
PERKINS COIE LLP
700 13th Street, NW
Washington, DC 20005
(202) 654-6204

*Attorneys for Mylan Inc., Mylan
Pharmaceuticals Inc.*

/s/ Dominick T. Gattuso

Dominick T. Gattuso (No. 3630)
PROCTOR HEYMAN ENERIO LLP
300 Delaware Avenue, Suite 200
Wilmington, DE 19801
(308) 472-7300
DGattuso@proctorheyman.com

William A. Rakoczy
Deanne M. Mazzochi
Rachel Pernic Waldron
RAKOCZYMOLINOMAZZOCHI SIWIK LLP
6 West Hubbard Street, Suite 500
Chicago, IL 60654
(312) 222-7543
wrakoczy@rmmslegal.com
dmazzochi@rmmslegal.com
rwaldron@rmmslegal.com

*Attorneys for Defendants Sandoz Inc.
and Momenta Pharmaceuticals, Inc.*

/s/ Richard L. Renck

Richard L. Renck (No. 3893)
DUANE MORRIS LLP
222 Delaware Avenue, Suite 1600
Wilmington, DE 19801-1659
(302) 657-4900

Anthony J. Fitzpatrick
Vincent L. Capuano
Christopher S. Kroon
Carolyn A. Alenci
DUANE MORRIS LLP
100 High Street, Suite 2400
Boston, MA 02110-1724
(857) 488-4200

Attorneys for Amneal Pharmaceuticals LLC

/s/ Robert M. Vrana

Melanie K. Sharp (No. 2501)
Robert M. Vrana (No. 5666)
Samantha G. Wilson (No. 5816)
YOUNG CONAWAY STARGATT &
TAYLOR LLP
1000 North King Street
Wilmington, DE 19801
(302) 571-6681
msharp@ycst.com
rvrana@ycst.com
swilson@ycst.com

E. Anthony Figg
Sharon L. Davis
R. Elizabeth Brenner-Leifer
Seth E. Cockrum
Jennifer Nock
ROTHWELL, FIGG, ERNST &
MANBECK, P.C.
607 14th Street, NW, Suite 800
Washington, DC 20005
(202) 783-6040

*Attorneys for Synthon Pharmaceuticals Inc.,
Synthon B.V, and Synthon s.r.o.*

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