

Plaintiffs,	)	
	)	
v.	)	Civil Action No.:
	)	2:15-cv-05909-KM-JBC
ACTAVIS LABORATORIES FL, INC., AMNEAL	)	
PHARMACEUTICALS LLC, AMNEAL	)	
PHARMACEUTICALS OF NEW YORK, LLC,	)	
APOTEX CORP., APOTEX INC., CITRON PHARMA	)	
LLC, DR. REDDY'S LABORATORIES, INC., DR.	)	
REDDY'S LABORATORIES, LTD., MYLAN	)	
PHARMACEUTICALS INC., MYLAN, INC., PAR	)	
PHARMACEUTICAL, INC., PAR	)	
PHARMACEUTICAL COMPANIES, INC., SUN	)	
PHARMACEUTICALS INDUSTRIES, LTD., SUN	)	
PHARMACEUTICALS INDUSTRIES, INC., TEVA	)	
PHARMACEUTICALS USA, INC., WEST-WARD	)	
PHARMACEUTICALS CORP., HIKMA	)	
PHARMACEUTICALS, LLC, WOCKHARDT BIO AG,	)	
WOCKHARDT USA LLC, WOCKHARDT LTD.,	)	
HETERO USA INC., HETERO LABS LIMITED UNIT-	)	
V, and HETERO LABS LIMITED,	)	
	)	
Defendants.	)	

**~~[PROPOSED]~~ ORDER GRANTING JANSSEN'S MOTION TO SET A HEARING AND CORRECT INVENTORSHIP OF THE '438 PATENT PURSUANT TO 35 U.S.C. § 256 AND AUTHORIZING THE FILING OF A SECOND AMENDED COMPLAINT**

THIS MATTER is before the Court on Janssen's Motion <sup>(ECF no. 176)</sup> To Correct Inventorship of the '438 Patent Pursuant to 35 U.S.C. § 256 ("Motion to Correct Inventorship").<sup>1</sup>

---

<sup>1</sup> As used herein, "Janssen" refers collectively to Plaintiffs Janssen Biotech, Inc. ("Janssen Biotech"), Janssen Oncology, Inc. ("Janssen Oncology"), and Janssen Research & Development, LLC ("Janssen R&D"). "Plaintiffs" refers collectively to Janssen and Plaintiffs BTG International Ltd.



Find authenticated court documents without watermarks at [docketalarm.com](http://docketalarm.com).

Motion to Correct Inventorship;

Upon Janssen's Memorandum of Law in support of its Motion to Correct Inventorship, dated March 8, 2016; as well as the pleadings and papers filed herein,

IT IS on this 24<sup>th</sup> day of January, 2016;

**ORDERED** that Janssen's Motion To Correct Inventorship Of The '438 Patent Pursuant To 35 U.S.C. § 256 is GRANTED in its entirety,

**ORDERED** that, pursuant to 35 U.S.C. 256, the Director of the United States Patent and Trademark Office shall issue a certificate to correct inventorship of U.S. Patent No. 8,822,438 to include co-inventor, Johann S. de Bono, who was inadvertently not identified as an inventor by error, and

**FURTHER ORDERED** that Plaintiffs are granted leave to file a <sup>an</sup> ~~Second~~ Amended Complaint. *reflecting the change in inventors.*

**IT IS SO ORDERED.**

  
**HONORABLE KEVIN MCNULTY**  
**UNITED STATES DISTRICT JUDGE**