

AO 120 (Rev. 08/10)

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| TO: <b>Mail Stop 8</b><br><b>Director of the U.S. Patent and Trademark Office</b><br><b>P.O. Box 1450</b><br><b>Alexandria, VA 22313-1450</b> | <b>REPORT ON THE</b><br><b>FILING OR DETERMINATION OF AN</b><br><b>ACTION REGARDING A PATENT OR</b><br><b>TRADEMARK</b> |
|---|---|

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court \_\_\_\_\_ for the Northern District of West Virginia \_\_\_\_\_ on the following

Trademarks or  Patents. (  the patent action involves 35 U.S.C. § 292.):

|  |                             |   |
|--|-----------------------------|---|
| DOCKET NO.<br>1:15 cv 13   | DATE FILED<br>1/27/2015     | U.S. DISTRICT COURT<br>for the Northern District of West Virginia |
| PLAINTIFF<br>Pfizer Inc.<br>UCB Pharma GMBH  |                             | DEFENDANT<br>Mylan Pharmaceuticals, Inc.                          |
| <b>FILED</b><br><b>JAN 28 2015</b><br><b>U.S. DISTRICT COURT-WVND</b><br><b>CLARKSBURG, WV 26301</b> |                             |   |
| PATENT OR TRADEMARK NO.  | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK                                     |
| 1 6,858,650 B1   | 2/22/2005                   | Schwarz Pharma AG   |
| 2 7,384,980, B2  | 6/10/2008                   | Schwarz Pharma AG   |
| 3 7,855,230 B2   | 12/21/2010                  | UCB Pharma GmbH   |
| 4 7,985,772 B2   | 7/26/2011                   | UCB Pharma GmbH   |
| 5 8,338,478 B2   | 12/25/2012                  | UCB Pharma GmbH   |

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

| DATE INCLUDED           | INCLUDED BY  |                               |  |
|-------------------------|--|-------------------------------|--|
|                         | <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading |                               |  |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK  | HOLDER OF PATENT OR TRADEMARK |  |
| 1                       |  |                               |  |
| 2                       |  |                               |  |
| 3                       |  |                               |  |
| 4                       |  |                               |  |
| 5                       |  |                               |  |

In the above—entitled case, the following decision has been rendered or judgement issued:

|                    |
|--------------------|
| DECISION/JUDGEMENT |
|--------------------|

|                                |                                      |                       |
|--------------------------------|--------------------------------------|-----------------------|
| CLERK <b>Cheryl Dean Riley</b> | (BY) DEPUTY CLERK <i>[Signature]</i> | DATE <b>1/28/2015</b> |
|--------------------------------|--------------------------------------|-----------------------|

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 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy

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|---|---|

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court for the District of Delaware on the following

Trademarks or  Patents. (  the patent action involves 35 U.S.C. § 292.):

|  |                             |   |
|--|-----------------------------|---|
| DOCKET NO.                                   | DATE FILED<br>1/23/2015     | U.S. DISTRICT COURT<br>for the District of Delaware |
| PLAINTIFF<br>PFIZER INC. and UCB PHARMA GMBH |                             | DEFENDANT<br>MYLAN PHARMACEUTICALS INC.             |
| PATENT OR TRADEMARK NO.                      | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK                       |
| 1 6,858,650 B1                               | 2/22/2005                   | UCB Pharma GmbH                                     |
| 2 7,384,980 B2                               | 6/10/2008                   | UCB Pharma GmbH                                     |
| 3 7,855,230 B2                               | 12/21/2010                  | UCB Pharma GmbH                                     |
| 4 7,985,772 B2                               | 7/26/2011                   | UCB Pharma GmbH                                     |
| 5 8,338,478 B2                               | 12/25/2012                  | UCB Pharma GmbH                                     |

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

|                         |   |                               |  |
|-------------------------|---|-------------------------------|--|
| DATE INCLUDED           | INCLUDED BY<br><input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading |                               |  |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK   | HOLDER OF PATENT OR TRADEMARK |  |
| 1                       |   |                               |  |
| 2                       |   |                               |  |
| 3                       |   |                               |  |
| 4                       |   |                               |  |
| 5                       |   |                               |  |

In the above—entitled case, the following decision has been rendered or judgement issued:

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| DECISION/JUDGEMENT |
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|       |                   |      |
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| CLERK | (BY) DEPUTY CLERK | DATE |
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| TO: <b>Mail Stop 8</b><br><b>Director of the U.S. Patent and Trademark Office</b><br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | <b>REPORT ON THE<br/>                 FILING OR DETERMINATION OF AN<br/>                 ACTION REGARDING A PATENT OR<br/>                 TRADEMARK</b> |
|---|--|

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court \_\_\_\_\_ for the District of Delaware \_\_\_\_\_ on the following

Trademarks or  Patents. (  the patent action involves 35 U.S.C. § 292.):

|  |                             |   |
|--|-----------------------------|---|
| DOCKET NO.                                   | DATE FILED<br>6/21/2013     | U.S. DISTRICT COURT<br>for the District of Delaware |
| PLAINTIFF<br>PFIZER INC. and UCB PHARMA GMBH |                             | DEFENDANT<br>IMPAX LABORATORIES, INC.               |
| PATENT OR TRADEMARK NO.                      | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK                       |
| 1 6,858,650 B1                               | 2/22/2005                   | UCB Pharma GmbH                                     |
| 2 7,384,980 B2                               | 6/10/2008                   | UCB Pharma GmbH                                     |
| 3 7,855,230 B2                               | 12/21/2010                  | UCB Pharma GmbH                                     |
| 4 7,985,772 B2                               | 7/26/2011                   | UCB Pharma GmbH                                     |
| 5 8,338,478 B2                               | 12/25/2012                  | UCB Pharma GmbH                                     |

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

|                         |   |                               |
|-------------------------|---|-------------------------------|
| DATE INCLUDED           | INCLUDED BY<br><input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading |                               |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK   | HOLDER OF PATENT OR TRADEMARK |
| 1                       |   |                               |
| 2                       |   |                               |
| 3                       |   |                               |
| 4                       |   |                               |
| 5                       |   |                               |

In the above—entitled case, the following decision has been rendered or judgement issued:

|   |
|---|
| DECISION/JUDGEMENT<br><br><i>Dismissed - See Attached</i> |
|---|

|  |                       |                |
|--|-----------------------|----------------|
| CLERK <b>John A Cerino, Clerk</b><br>United States District Court<br>844 N. King Street, Unit 18<br>Wilmington, DE 19801 | (BY) DEPUTY CLERK<br> | DATE<br>9/2/14 |
|--|-----------------------|----------------|

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

|  |   |                        |
|--|---|------------------------|
| PFIZER INC. and UCB PHARMA GMBH,         | ) |                        |
|  | ) |                        |
| Plaintiffs,                              | ) |                        |
|  | ) |                        |
| v.                                       | ) | C.A. No. 13-1110 (GMS) |
|  | ) | <b>CONSOLIDATED</b>    |
| ALKEM LABORATORIES LTD., <i>et al.</i> , | ) |                        |
|  | ) |                        |
| Defendants.                              | ) |                        |

|                                  |   |                        |
|----------------------------------|---|------------------------|
| PFIZER INC. and UCB PHARMA GMBH, | ) |                        |
|                                  | ) |                        |
| Plaintiffs,                      | ) |                        |
|                                  | ) |                        |
| v.                               | ) | C.A. No. 13-1158 (GMS) |
|                                  | ) |                        |
| IMPAX LABORATORIES, INC.,        | ) |                        |
|                                  | ) |                        |
| Defendant.                       | ) |                        |

**STIPULATION AND ORDER OF DISMISSAL**

WHEREAS, Plaintiffs Pfizer Inc. and UCB Pharma GmbH (collectively, "Plaintiffs") filed this action against Defendant Impax Laboratories, Inc. ("Impax") in connection with Impax's submission of Abbreviated New Drug Application Number ("ANDA") No. 20-4904 to the Food and Drug Administration, which included certifications pursuant to 21 U.S.C. §355(j)(2)(A)(vii)(IV) ("Paragraph IV") with respect to United States Patent Nos. 7,384,980 (the "980 patent"), 7,855,230 (the "230 patent"), 7,985,772 (the "772 patent"), 8,338,478 (the "478 patent"), and 6,858,650 (the "650 patent") (collectively, the "patents in suit"); and

WHEREAS, Impax has asserted counterclaims against the patents in suit;

IT IS HEREBY STIPULATED by Plaintiffs and Impax pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and 41(c), subject to approval of the Court, that all claims and counterclaims between Plaintiffs and Impax are dismissed without prejudice;

IT IS HEREBY FURTHER STIPULATED by Plaintiffs and Impax, subject to approval of the Court, that this Stipulation and Order shall not act as an adjudication on the merits and that each party is responsible for its own costs and fees.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

MORRIS JAMES LLP

*/s/ Maryellen Noreika*

*/s/ Mary B. Matterer*

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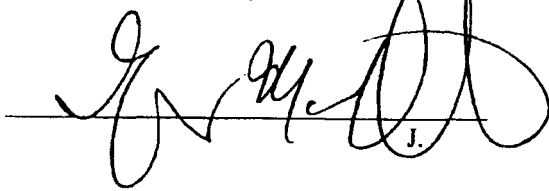
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*Attorneys for Pfizer Inc. and UCB Pharma GmbH*

*Attorneys for Impax Laboratories, Inc.*

SO ORDERED this 15<sup>th</sup> day of August 2014.



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