

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PURDUE PHARMA L.P.,)	
PURDUE PHARMACEUTICALS L.P.,)	
THE P.F. LABORATORIES, INC. and)	
RHODES TECHNOLOGIES,)	
)	
Plaintiffs,)	C.A. No. 17-210 (RGA)
v.)	CONSOLIDATED
)	
AMNEAL PHARMACEUTICALS, LLC,)	
)	
Defendant.)	

~~PROPOSED~~ **CLAIM CONSTRUCTION ORDER**

After having considered the submissions of the parties and having heard oral argument on the matter, IT IS HEREBY ORDERED that the following terms, as used in the asserted claims of U.S. Patent Nos. 9,492,392 and 9,492,393, have the following meanings:¹

Claim Term	Construction
“at least one high molecular weight polyethylene oxide having, based on rheological measurements, an approximate molecular weight selected from the group consisting of 4,000,000, 7,000,000, and a combination thereof”	“one or a combination of polyethylene oxides having an overall weight average molecular weight of approximately 4,000,000 daltons, 7,000,000 daltons, or a combination thereof based on rheological measurements”
“at least one low molecular weight polyethylene oxide having, based on rheological measurements, an approximate molecular weight of less than 1,000,000”	“one or a combination of polyethylene oxides having an overall weight average molecular weight of less than approximately 1,000,000 daltons based on rheological measurements”

SO ORDERED this 29 day of May, 2018.


UNITED STATES DISTRICT JUDGE

11923654

¹ The term “at least 1 kg of the oxycodone HCl is prepared” appears in dependent claims 3 and 17 of U.S. Patent No. 9,522,919 (the “’919 Patent”). Although the parties originally asked for construction of this term, claims 3 and 17 of the ’919 Patent are no longer a part of the case. Accordingly, there is no reason for the Court to construe this term.