

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

HELSINN HEALTHCARE S.A. and
ROCHE PALO ALTO LLC,

Plaintiffs,

v.

DR. REDDY'S LABORATORIES, LTD.,
DR. REDDY'S LABORATORIES, INC., TEVA
PHARMACEUTICALS USA, INC., and TEVA
PHARMACEUTICAL INDUSTRIES, LTD.,

Defendants.

Civil Action No. 11-3962 (MLC) (DEA)
(Consolidated)

Hon. Mary L. Cooper, U.S.D.J.
Hon. Douglas E. Arpert, U.S.M.J.

(Filed Electronically)

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AT 8:30 _____ M
WILLIAM T. WALSH CLERK

STIPULATION AND ORDER

WHEREAS, Plaintiffs Helsinn Healthcare S.A. and Roche Palo Alto LLC (collectively, "Plaintiffs") and Defendants Dr. Reddy's Laboratories, Ltd., Dr. Reddy's Laboratories, Inc., Teva Pharmaceuticals USA, Inc., and Teva Pharmaceutical Industries, Ltd. (collectively, "Defendants") previously submitted briefing regarding the construction of the claim term "pharmaceutically stable" (*see* D.I. 88, 92, 94, 96);

WHEREAS, Plaintiffs proposed that this term be construed as "shelf stable for periods greater than 24 months at room temperature";

WHEREAS, Defendants proposed that this term be construed as "without significant change in chemical and physical integrity for pharmaceutical use";

WHEREAS, the Court deferred ruling on this issue until it could hear expert testimony addressing this issue during trial (*see* D.I. 103 at 77:15-78:3);

Dr. Reddy's Laboratories, Ltd., et al.
v.
Helsinn Healthcare S.A., et al.

WHEREAS, during the May 19, 2015 trial management conference, Defendants stated that, in order to streamline the issues for trial, they will not contest Plaintiffs' construction of the "pharmaceutically stable" claim term;

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and Defendants, through their undersigned counsel, and subject to the approval of the Court, that the claim term "pharmaceutically stable" is construed to mean "shelf stable for periods greater than 24 months at room temperature." Defendants reserve the right to appeal the construction of this term after the trial has been completed.

Respectfully submitted,

Dated: June 1, 2015

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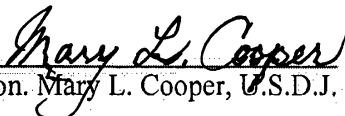
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IT IS SO ORDERED this 1ST day of JUNE 2015.


Hon. Mary L. Cooper, U.S.D.J.