IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FOREST LABORATORIES, INC., FOREST LABORATORIES HOLDINGS, LTD., MERZ PHARMA GMBH & CO. KGAA, MERZ PHARMACEUTICALS GMBH, and ADAMAS PHARMACEUTICALS, INC.,	)	
Plaintiffs,	)	
v.	)	C.A. No. _____
AMNEAL PHARMACEUTICALS LLC, AMNEAL PHARMACEUTICALS OF NEW YORK, LLC, AMERIGEN PHARMACEUTICALS, INC., AMERIGEN PHARMACEUTICALS LTD., and MYLAN PHARMACEUTICALS INC.,	)	
Defendants.	)	

COMPLAINT

Plaintiffs Forest Laboratories, Inc., Forest Laboratories Holdings, Ltd., Merz Pharma GmbH & Co. KGaA, Merz Pharmaceuticals GmbH, and Adamas Pharmaceuticals, Inc. (collectively, "Plaintiffs"), for their Complaint against Defendants Amneal Pharmaceuticals LLC, Amneal Pharmaceuticals of New York, LLC, Amerigen Pharmaceuticals, Inc., Amerigen Pharmaceuticals Ltd., and Mylan Pharmaceuticals Inc. (collectively, "Defendants"), hereby allege as follows.

PARTIES

1. Plaintiff Forest Laboratories, Inc. is a Delaware corporation having a principal place of business at 909 Third Avenue, New York, New York 10022.

2. Plaintiff Forest Laboratories Holdings, Ltd. is an Irish corporation having a principal place of business at Columbia House, 1 Victoria Street, Hamilton HM11, Bermuda (referred to herein, together with Forest Laboratories, Inc., as "Forest").

3. Plaintiff Merz Pharma GmbH & Co. KGaA is a German corporation having a principal place of business at Eckenheimer Landstraße 100, D-60318 Frankfurt am Main, Germany.

4. Plaintiff Merz Pharmaceuticals GmbH is a German corporation having a principal place of business at Eckenheimer Landstraße 100, D-60318 Frankfurt am Main, Germany (referred to herein, together with Merz Pharma GmbH & Co. KGaA, as "Merz").

5. Plaintiff Adamas Pharmaceuticals, Inc. ("Adamas") is a Delaware corporation having a principal place of business at 2200 Powell Street, Suite 220, Emeryville, California 94608.

6. Upon information and belief, Defendant Amneal Pharmaceuticals LLC is a Delaware limited liability company having a principal place of business at 440 US Highway 22 East, Suite 104, Bridgewater, New Jersey 08807. Upon information and belief, Defendant Amneal Pharmaceuticals LLC manufactures and/or distributes numerous generic drugs for sale and use throughout the United States, including in this judicial district, and including through its subsidiary and agent Amneal Pharmaceuticals of New York, LLC.

7. Upon information and belief, Defendant Amneal Pharmaceuticals of New York, LLC is a Delaware limited liability company having a principal place of business at 85 Adams Avenue, Hauppage, New York 11788. Upon information and belief, Defendant Amneal Pharmaceuticals of New York, LLC (referred to herein, together with Amneal Pharmaceuticals LLC as "Amneal") is a wholly owned subsidiary of Amneal Pharmaceuticals LLC. Upon

information and belief, Defendant Amneal Pharmaceuticals of New York, LLC manufactures and/or distributes numerous generic drugs for sale and use throughout the United States, including in this judicial district, and including as a subsidiary and agent of Amneal Pharmaceuticals LLC.

8. Upon information and belief, Defendant Amerigen Pharmaceuticals, Inc. is a Delaware corporation having a principal place of business at 9 Polito Avenue, Suite 900, Lyndhurst, New Jersey, 07071. Upon information and belief, Defendant Amerigen Pharmaceuticals, Inc. manufactures and/or distributes numerous generic drugs for sale and use throughout the United States, including in this judicial district, and including as an agent for Amerigen Pharmaceuticals Ltd.

9. Upon information and belief, Defendant Amerigen Pharmaceuticals Ltd. is a Cayman Islands corporation having a registered office at C/O Codan Trust Company (Cayman) Limited, Cricket Square, Hutchins Drive, P.O. Box 2681, Grand Cayman, KY1-1111 Cayman. Upon information and belief, Defendant Amerigen Pharmaceuticals Ltd. (referred to herein, together with Amerigen Pharmaceuticals, Inc. as "Amerigen") manufactures and/or distributes numerous generic drugs for sale and use throughout the United States, including in this judicial district, and including through its agent Amerigen Pharmaceuticals, Inc.

10. Upon information and belief, Defendant Mylan Pharmaceuticals Inc. ("Mylan") is a West Virginia corporation having a principal place of business at 781 Chestnut Ridge Road, Morgantown, West Virginia 26505. Upon information and belief, Defendant Mylan Pharmaceuticals Inc. manufactures and/or distributes numerous generic drugs for sale and use throughout the United States, including in this judicial district.

NATURE OF THE ACTION

11. This is a civil action for the infringement of one or more of the following patents by each of the Defendants: United States Patent Nos. 5,061,703, as corrected and reexamined ("the '703 patent"); 8,039,009 ("the '009 patent"); 8,168,209, as corrected ("the '209 patent"); 8,173,708 ("the '708 patent"); 8,283,379 ("the '379 patent"); 8,329,752 ("the '752 patent"); 8,362,085 ("the '085 patent"); and 8,598,233 ("the '233 patent"). This action is based upon the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

JURISDICTION AND VENUE

12. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

13. This Court has personal jurisdiction over each of the Defendants by virtue of the fact that, *inter alia*, each Defendant has committed, or aided, abetted, induced, contributed to, and/or participated in the commission of, a tortious act of patent infringement that has led to foreseeable harm and injury to Plaintiffs in Delaware. This Court has personal jurisdiction over each of the Defendants for the additional reasons set forth below and for other reasons that will be presented to the Court if such personal jurisdiction is challenged.

14. This Court has personal jurisdiction over Defendant Amneal Pharmaceuticals LLC by virtue of, *inter alia*, the fact that Amneal Pharmaceuticals LLC is a Delaware limited liability company.

15. This Court has personal jurisdiction over Defendant Amneal Pharmaceuticals of New York, LLC, by virtue of, *inter alia*, the fact that Amneal Pharmaceuticals of New York, LLC is a Delaware limited liability company.

16. This Court has personal jurisdiction over Defendant Amerigen Pharmaceuticals, Inc. by virtue of, *inter alia*, the fact that Amerigen Pharmaceuticals, Inc. is a Delaware corporation.

17. This Court has personal jurisdiction over Defendant Amerigen Pharmaceuticals Ltd. by virtue of, *inter alia*: (1) its presence in Delaware, including through its agent Defendant Amerigen Pharmaceuticals, Inc.; and (2) its systematic and continuous contacts with Delaware, including through its agent Defendant Amerigen Pharmaceuticals, Inc. On information and belief, Amerigen Pharmaceuticals Ltd. is amenable to litigating in this forum based on Amerigen Pharmaceuticals Ltd.'s conduct in multiple prior litigations in this District. In particular, Amerigen Pharmaceuticals Ltd. did not contest jurisdiction in Civil Action No. 12-305 (D.I. 37) or Civil Action No. 13-1156 (D.I. 9).

18. This Court has personal jurisdiction over Defendant Mylan Pharmaceuticals Inc. by virtue of, *inter alia*: (1) its presence in Delaware; (2) its registration to do business in Delaware, including appointment of a registered agent for the receipt of service of process in Delaware; and (3) its systematic and continuous contacts with Delaware. On information and belief, Mylan Pharmaceuticals Inc. is amenable to litigating in this forum based on Mylan Pharmaceuticals Inc.'s conduct in multiple prior litigations in this District. In particular, Mylan Pharmaceuticals Inc. did not contest jurisdiction in Civil Action No. 12-257 (D.I. 7), Civil Action No. 12-523 (D.I. 10), Civil Action No. 12-1065 (D.I. 7), Civil Action No. 13-1214 (D.I. 11), Civil Action No. 13-1605 (D.I. 10), or Civil Action No. 13-1781 (D.I. 10).

19. Venue is proper in this judicial district as to all Defendants pursuant to 28 U.S.C. §§ 1391 and 1400(b).

THE PATENTS

20. On October 29, 1991, the '703 patent, titled "Adamantane Derivatives In The Prevention And Treatment Of Cerebral Ischemia," was duly and legally issued by the United States Patent and Trademark Office ("USPTO"). The USPTO issued a certificate of correction for the '703 patent on June 5, 2007. Merz + Co. GmbH & Co. was the original assignee of the '703 patent and assigned the '703 patent to Merz Pharma GmbH & Co. KGaA in 2002. Since that time, Merz Pharma GmbH & Co. KGaA has been, and continues to be, the sole owner of the '703 patent. Forest is the exclusive licensee of the '703 patent in the United States. A copy of the '703 patent, including its certificate of correction, is attached hereto as Exhibit A.

21. On August 18, 2004, Merz submitted a request to the USPTO for reexamination of the '703 patent. The USPTO issued a reexamination certificate for the '703 patent on November 7, 2006. A copy of the reexamination certificate for the '703 patent is attached hereto as Exhibit B.

22. On October 18, 2011, the '009 patent, titled "Modified Release Formulations Of Memantine Oral Dosage Forms," was duly and legally issued by the USPTO. Since the issuance of the '009 patent, Forest Laboratories Holdings, Ltd. has been, and continues to be, the '009 patent's sole owner. A copy of the '009 patent is attached hereto as Exhibit C.

23. On May 1, 2012, the '209 patent, titled "Method And Composition For Administering An NMDA Receptor Antagonist To A Subject," was duly and legally issued by the USPTO. The USPTO issued a certificate of correction for the '209 patent on June 26, 2012. Since the issuance of the '209 patent, Adamas has been, and continues to be, the '209 patent's sole owner. Forest is the exclusive licensee of the '209 patent with respect to commercializing

pharmaceutical products containing memantine in the United States. A copy of the '209 patent, including its certificate of correction, is attached hereto as Exhibit D.

24. On May 8, 2012, the '708 patent, titled "Method And Composition For Administering An NMDA Receptor Antagonist To A Subject," was duly and legally issued by the USPTO. Since the issuance of the '708 patent, Adamas has been, and continues to be, the '708 patent's sole owner. Forest is the exclusive licensee of the '708 patent with respect to commercializing pharmaceutical products containing memantine in the United States. A copy of the '708 patent is attached hereto as Exhibit E.

25. On October 9, 2012, the '379 patent, titled "Method And Compositions For The Treatment Of CNS-Related Conditions," was duly and legally issued by the USPTO. Since the issuance of the '379 patent, Adamas has been, and continues to be, the '379 patent's sole owner. Forest is the exclusive licensee of the '379 patent with respect to commercializing pharmaceutical products containing memantine in the United States. A copy of the '379 patent is attached hereto as Exhibit F.

26. On December 11, 2012, the '752 patent, titled "Composition For Administering An NMDA Receptor Antagonist To A Subject," was duly and legally issued by the USPTO. Since the issuance of the '752 patent, Adamas has been, and continues to be, the '752 patent's sole owner. Forest is the exclusive licensee of the '752 patent with respect to commercializing pharmaceutical products containing memantine in the United States. A copy of the '752 patent is attached hereto as Exhibit G.

27. On January 29, 2013, the '085 patent, titled "Method For Administering An NMDA Receptor Antagonist To A Subject," was duly and legally issued by the USPTO. Since the issuance of the '085 patent, Adamas has been, and continues to be, the '085 patent's sole

owner. Forest is the exclusive licensee of the '085 patent with respect to commercializing pharmaceutical products containing memantine in the United States. A copy of the '085 patent is attached hereto as Exhibit H.

28. On December 3, 2013, the '233 patent, titled "Method For Administering An NMDA Receptor Antagonist To A Subject," was duly and legally issued by the USPTO. Since the issuance of the '233 patent, Adamas has been, and continues to be, the '233 patent's sole owner. Forest is the exclusive licensee of the '233 patent with respect to commercializing pharmaceutical products containing memantine in the United States. A copy of the '233 patent is attached hereto as Exhibit I.

29. Forest Laboratories, Inc. holds New Drug Application ("NDA") 22-525 for Namenda XR® brand memantine hydrochloride extended release capsules. The '703 patent, the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent are all listed in *Approved Drug Products with Therapeutic Equivalence Evaluations* ("the Orange Book") for Namenda XR®.

30. Forest is the exclusive distributor of Namenda XR® in the United States.

ACTS GIVING RISE TO THIS ACTION

Count I – Patent Infringement by Amneal

31. Upon information and belief, on or before March 7, 2014, Amneal submitted ANDA No. 205825 to the United States Food and Drug Administration ("FDA") under § 505 of the Federal Food, Drug and Cosmetic Act (21 U.S.C. § 355(j)). ANDA No. 205825 seeks FDA approval for the commercial manufacture, use, and sale of generic extended release capsule products containing 7, 14, 21, and 28 milligrams of memantine hydrochloride as the active ingredient ("the Amneal Generic Products"). ANDA No. 205825 specifically seeks FDA

approval to market the Amneal Generic Products prior to the expiration of the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent.

32. Pursuant to § 505(j)(2)(A)(vii)(IV) of the Federal Food, Drug and Cosmetic Act, ANDA No. 205825 alleges that the claims of the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent are invalid, unenforceable, and/or will not be infringed by the manufacture, use, or sale of the Amneal Generic Products. Forest and Adamas received written notification of ANDA No. 205825 and its § 505(j)(2)(A)(vii)(IV) allegations on or about March 10, 2014.

33. Amneal's submission of ANDA No. 205825 to the FDA, including its § 505(j)(2)(A)(vii)(IV) allegations, constitutes infringement of the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent under 35 U.S.C. § 271(e)(2)(A). Moreover, if Amneal commercially manufactures, uses, offers for sale, or sells within the United States, or imports into the United States, the Amneal Generic Products, or induces or contributes to any such conduct, it would further infringe the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent under 35 U.S.C. § 271(a), (b), and/or (c). For purposes of clarity, Forest and Adamas state that they are not asserting Claims 6-15 of the '379 patent against the Amneal Generic Products or any other generic extended release memantine hydrochloride product that contains memantine hydrochloride as the sole active ingredient. Relying on the representations set out in Amneal's notice of Paragraph IV Certification pursuant to 21 U.S.C. § 355(j)(2)(B)(ii) and 21 C.F.R. § 314.95, Plaintiffs do not allege at this time that the Amneal Generic Products infringe the '009 patent. To the extent that discovery in this action demonstrates that assertion of the '009 patent against the Amneal Generic Products is warranted, Plaintiffs reserve the right to assert it.

34. Upon information and belief, each of Amneal Pharmaceuticals LLC and Amneal Pharmaceuticals of New York, LLC has participated in, contributed to, aided, abetted, and/or induced infringement of the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent and/or will participate in, contribute to, aid, abet, and/or induce infringement of the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent once the Amneal Generic Products are manufactured, used, offered for sale, or sold in the United States, or imported into the United States. Each of Amneal Pharmaceuticals LLC and Amneal Pharmaceuticals of New York, LLC is jointly and severally liable for the infringement of the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent.

35. Amneal was aware of the '209 patent, the '708 patent, the '379 patent, the '752 patent, and the '085 patent prior to filing ANDA No. 205825, including its § 505(j)(2)(A)(vii)(IV) allegations with respect to those patents, and was aware of the '233 patent prior to making its § 505(j)(2)(A)(vii)(IV) allegation with respect to that patent.

36. Amneal's actions render this an exceptional case under 35 U.S.C. § 285.

37. Forest and Adamas will be irreparably harmed by Amneal's infringing activities unless those activities are enjoined by this Court. Forest and Adamas do not have an adequate remedy at law.

Count II – Patent Infringement By Amerigen

38. Upon information and belief, on or before March 31, 2014, Amerigen submitted ANDA No. 205365 to the United States Food and Drug Administration ("FDA") under § 505 of the Federal Food, Drug and Cosmetic Act (21 U.S.C. § 355(j)). ANDA No. 205365 seeks FDA approval for the commercial manufacture, use, and sale of generic extended release capsule

products containing 7, 14, and 28 milligrams of memantine hydrochloride as the active ingredient ("the Amerigen Generic Products"). ANDA No. 205365 specifically seeks FDA approval to market the Amerigen Generic Products prior to the expiration of the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent.

39. Pursuant to § 505(j)(2)(A)(vii)(IV) of the Federal Food, Drug and Cosmetic Act, ANDA No. 205365 alleges that the claims of the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent are invalid, unenforceable, and/or will not be infringed by the manufacture, use, or sale of the Amerigen Generic Products. Forest and Adamas received written notification of ANDA No. 205365 and its § 505(j)(2)(A)(vii)(IV) allegations on or about April 1, 2014.

40. Amerigen's submission of ANDA No. 205365 to the FDA, including its § 505(j)(2)(A)(vii)(IV) allegations, constitutes infringement of the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent under 35 U.S.C. § 271(e)(2)(A). Moreover, if Amerigen commercially manufactures, uses, offers for sale, or sells within the United States, or imports into the United States, the Amerigen Generic Products, or induces or contributes to any such conduct, it would further infringe the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent under 35 U.S.C. § 271(a), (b), and/or (c). For purposes of clarity, Forest and Adamas state that they are not asserting Claims 6-15 of the '379 patent against the Amerigen Generic Products or any other generic extended release memantine hydrochloride product that contains memantine hydrochloride as the sole active ingredient.

41. Upon information and belief, each of Amerigen Pharmaceuticals, Inc. and Amerigen Pharmaceuticals Ltd. has participated in, contributed to, aided, abetted, and/or induced

infringement of the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent and/or will participate in, contribute to, aid, abet, and/or induce infringement of the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent once the Amerigen Generic Products are manufactured, used, offered for sale, or sold in the United States, or imported into the United States. Each of Amerigen Pharmaceuticals, Inc. and Amerigen Pharmaceuticals Ltd. is jointly and severally liable for the infringement of the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent.

42. Amerigen was aware of the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, and the '085 patent prior to filing ANDA No. 205365, including its § 505(j)(2)(A)(vii)(IV) allegations with respect to those patents, and was aware of the '233 patent prior to making its § 505(j)(2)(A)(vii)(IV) allegation with respect to that patent.

43. Amerigen's actions render this an exceptional case under 35 U.S.C. § 285.

44. Forest and Adamas will be irreparably harmed by Amerigen's infringing activities unless those activities are enjoined by this Court. Forest and Adamas do not have an adequate remedy at law.

Count III – Patent Infringement By Mylan

45. Upon information and belief, on or before March 18, 2014, Mylan submitted ANDA No. 206032 to the United States Food and Drug Administration ("FDA") under § 505 of the Federal Food, Drug and Cosmetic Act (21 U.S.C. § 355(j)). ANDA No. 206032 seeks FDA approval for the commercial manufacture, use, and sale of generic extended release capsule products containing 7, 14, 21, and 28 milligrams of memantine hydrochloride as the active ingredient ("the Mylan Generic Products"). ANDA No. 206032 specifically seeks FDA approval

to market the Mylan Generic Products prior to the expiration of the '703 patent, the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent.

46. Pursuant to § 505(j)(2)(A)(vii)(IV) of the Federal Food, Drug and Cosmetic Act, ANDA No. 206032 alleges that the claims of the '703 patent, the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent are invalid, unenforceable, and/or will not be infringed by the manufacture, use, or sale of the Mylan Generic Products. Plaintiffs received written notification of ANDA No. 206032 and its § 505(j)(2)(A)(vii)(IV) allegations on or about March 19, 2014.

47. Mylan's submission of ANDA No. 206032 to the FDA, including its § 505(j)(2)(A)(vii)(IV) allegations, constitutes infringement of the '703 patent, the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent under 35 U.S.C. § 271(e)(2)(A). Moreover, if Mylan commercially manufactures, uses, offers for sale, or sells within the United States, or imports into the United States, the Mylan Generic Products, or induces or contributes to any such conduct, it would further infringe the '703 patent, the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent under 35 U.S.C. § 271(a), (b), and/or (c). For purposes of clarity, Forest and Adamas state that they are not asserting Claims 6-15 of the '379 patent against the Mylan Generic Products or any other generic extended release memantine hydrochloride product that contains memantine hydrochloride as the sole active ingredient.

48. Mylan was aware of the '703 patent, the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, and the '085 patent prior to filing ANDA No. 206032,

including its § 505(j)(2)(A)(vii)(IV) allegations with respect to those patents, and was aware of the '233 patent prior to making its § 505(j)(2)(A)(vii)(IV) allegation with respect to that patent.

49. Mylan's actions render this an exceptional case under 35 U.S.C. § 285.

50. Plaintiffs will be irreparably harmed by Mylan's infringing activities unless those activities are enjoined by this Court. Plaintiffs do not have an adequate remedy at law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment as follows:

A. That Defendant Amneal has infringed the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent;

B. That Defendant Amerigen has infringed the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent;

C. That Defendant Mylan has infringed the '703 patent, the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent;

D. That, pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Defendant Amneal's ANDA identified in this Complaint shall not be earlier than the expiration date of the last to expire of the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent, including any extensions or exclusivities;

E. That, pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Defendant Amerigen's ANDA identified in this Complaint shall not be earlier than the expiration date of the last to expire of the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent, including any extensions or exclusivities;

F. That, pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Defendant Mylan's ANDA identified in this Complaint shall not be earlier than the expiration

date of the last to expire of the '703 patent, the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and the '233 patent, including any extensions or exclusivities;

G. That Defendant Amneal, its officers, agents, servants, and employees, and those persons in active concert or participation with any of them, are preliminarily and permanently enjoined from commercially manufacturing, using, offering for sale, or selling in the United States, or importing into the United States, the Amneal Generic Products, and any other product that infringes or induces or contributes to the infringement of the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and/or the '233 patent, prior to the expiration date of the last to expire of those patents, including any extensions or exclusivities;

H. That Forest and Adamas be awarded monetary relief if Defendant Amneal commercially makes, uses, offers for sale, or sells in the United States, or imports into the United States, the Amneal Generic Products, or any other product that infringes or induces or contributes to the infringement of the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and/or the '233 patent, prior to the expiration of the last to expire of those patents, including any extensions or exclusivities, and that such monetary relief be awarded to Forest and Adamas with prejudgment interest;

I. That Defendant Amerigen, its officers, agents, servants, and employees, and those persons in active concert or participation with any of them, are preliminarily and permanently enjoined from commercially manufacturing, using, offering for sale, or selling in the United States, or importing into the United States, the Amerigen Generic Products, and any other product that infringes or induces or contributes to the infringement of the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and/or the '233 patent,

prior to the expiration date of the last to expire of those patents, including any extensions or exclusivities;

J. That Forest and Adamas be awarded monetary relief if Defendant Amerigen commercially makes, uses, offers for sale, or sells in the United States, or imports into the United States, the Amerigen Generic Products, or any other product that infringes or induces or contributes to the infringement of the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and/or the '233 patent, prior to the expiration of the last to expire of those patents, including any extensions or exclusivities, and that such monetary relief be awarded to Forest and Adamas with prejudgment interest;

K. That Defendant Mylan, its officers, agents, servants, and employees, and those persons in active concert or participation with any of them, are preliminarily and permanently enjoined from commercially manufacturing, using, offering for sale, or selling in the United States, or importing into the United States, the Mylan Generic Products, and any other product that infringes or induces or contributes to the infringement of the '703 patent, the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and/or the '233 patent prior to the expiration date of the last to expire of those patents, including any extensions or exclusivities;

L. That Plaintiffs be awarded monetary relief if Defendant Mylan commercially makes, uses, offers for sale, or sells in the United States, or imports into the United States, the Mylan Generic Products, or any other product that infringes or induces or contributes to the infringement of the '703 patent, the '009 patent, the '209 patent, the '708 patent, the '379 patent, the '752 patent, the '085 patent, and/or the '233 patent prior to the expiration of the last to expire

of those patents, including any extensions or exclusivities, and that such monetary relief be awarded to Plaintiffs with prejudgment interest;

M. That Plaintiffs be awarded the attorney fees, costs, and expenses that they incur prosecuting this action under 35 U.S.C. § 285; and

N. That Plaintiffs be awarded such other and further relief as this Court deems just and proper.

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