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18 19	MERCK & CO., INC. and Defendants and Counterclaimants MERCK SHARP & DOHME CORP. and ISIS PHARMACEUTICALS, INC.				
20	IN THE UNITED STATES DISTRICT COURT				
21	FOR THE NORTHERN DISTRICT OF CALIFORNIA				
22	SAN JOSE DIVISION				
23	GILEAD SCIENCES, INC.,	Ca	ase No. 5:13-cv-0	4057-BLF	
24	Plaintiff and Counterdefendant,	DI	EFENDANTS' N	NOTICE OF APPEAL	
25	V.				
26	MERCK & CO., INC. (Defendant only), MERCH	K			
27	SHARP & DOHME CORP., and ISIS PHARMACEUTICALS, INC.				
28	Defendants and Counterclaiman	nts.			
	DEFENDANTS' NOTICE OF APPEAL CASE NO. 5:13-CV-04057-BLF				

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	DEFENDANTS' NOTICE OF APPEAL CASE NO. 5:13-CV-04057-BLF	

NOTICE OF APPEAL

Notice is hereby given that Defendants Merck & Co., Inc., Merck Sharp & Dohme Corp., and Ionis Pharmaceuticals, Inc., formerly known as Isis Pharmaceuticals, Inc., hereby appeal to the United States Court of Appeals for the Federal Circuit from the Judgment entered in this action on June 6, 2016 (D.I. 423); and any and all adverse rulings (whether oral or written) incorporated in, antecedent to, or ancillary to the Judgment; and any and all adverse interlocutory orders, judgments, decrees, decisions, rulings, and opinions (whether oral or written) that merged into and became part of the Judgment, that shaped the Judgment, that are related to the Judgment, and upon which the Judgment is based; including, but not limited to, the Court's Order Regarding Non-Jury Legal Issues (D.I. 422), entered on June 6, 2016, and the Court's Order Regarding Motions in Limine (D.I. 259), entered on February 26, 2016.

A payment of \$505 representing the \$5 filing fee required by 28 U.S.C. § 1917 and the \$500 docketing fee required by Federal Circuit Rule 52(a)(3)(A) has been transmitted via this Court's online payment system, pursuant to Federal Rule of Appellate Procedure 3(e) and Federal Circuit Rule 52(a)(2).

BRUCE R. GENDERSON (PRO HAC VICE) Dated: July 5, 2016 JESSAMYN S. BERNIKER (PRO HAC VICE) STANLEY E. FISHER (PRO HAC VICE) JESSICA BODGER RYDSTROM SANJIV P. LAUD (PRO HAC VICE) JESSICA PALMER RYEN (PRO HÁC VICE) WILLIAMS & CONNOLLY LLP STEPHEN S. RABINOWITZ PATRICE P. JEAN (PRO HAC VICE) MITCHELL EPNER (PRO HAC VICE) HUGHES HUBBARD & REED LLP JOSHUA H. LERNER LAURA E. MILLER DURIE TANGRI LLP By: _____ /s/ Bruce R. Genderson BRUCE R. GENDERSON Attorneys for Defendant MERCK & CO., INC. and Defendants and Counterclaimants MERCK SHARP & DOHME CORP. and ISIS PHARMACEUTICALS, INC.

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1	CERTIFICATE OF SERVICE			
2	I certify that all counsel of record are being served on July 5, 2016 with a copy of this document			
3	via the Court's CM/ECF system.			
4	/s/ Bruce R. Genderson			
5	BRUCE R. GENDERSON			
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