

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

ELI LILLY AND COMPANY,
ELI LILLY EXPORT S.A., AND
ACRUX DDS PTY LTD.,

Plaintiffs,

V.

PERRIGO COMPANY,
PERRIGO ISRAEL PHARMACEUTICALS
ACTAVIS LABORATORIES UT, INC.
(f/k/a WATSON LABORATORIES, INC.),
AMNEAL PHARMACEUTICALS LLC,
LUPIN PHARMACEUTICALS, INC., AND
LUPIN LTD.,

Defendants.

[illegible]

NOTICE OF APPEAL

Notice is hereby given pursuant to 28 U.S.C. § 1295(a)(1) and Fed. R. App. P. 4(a)(1), that Defendant Amneal Pharmaceuticals LLC (“Amneal”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment entered on August 22, 2016 (Docket Entry No. 463), and from all underlying decisions, orders, opinions, and rulings decided adversely to Amneal in the above-captioned case, including, but not limited to, the District Court’s Findings of Fact and Conclusions of Law and Final Judgment Based Thereon (Docket Entry No. 462) entered on August 22, 2016, holding U.S. Patent No. 8,807,861 (“the ‘861 patent”) valid and enforceable and that Amneal’s applicator product and/or its use will infringe asserted claims 9 and 10 of the ‘861 patent; and all other motions by Plaintiffs or Defendants for which the Court has reserved judgment.

Included herewith is payment of the filing fee (\$5.00) and the docketing fee (\$500.00) as required by 28 U.S.C. § 1913, 28 U.S.C. § 1917, Federal Circuit Rule 52(a)(3)(A), and Rule 3(e) of the Federal Rules of Appellate Procedure.

Dated: September 6, 2016

By /s/ Christopher S. Kroon

Anthony J. Fitzpatrick
Vincent L. Capuano
Christopher S. Kroon
Carolyn A. Alenci
DUANE MORRIS, LLP
100 High Street, Suite 2400
Boston, MA 02110-1724
(857) 488-4200

Robert J. Schuckit
SCHUCKIT & ASSOCIATES, P.C.
4545 Northwestern Drive
Zionsville, IN 46077
(317) 363-2400

*Counsel for Defendant Amneal
Pharmaceuticals LLC*

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of September, 2016, NOTICE OF APPEAL was filed electronically. Notice of this filing will be sent to the following by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Attorneys for Perrigo Company and Perrigo Israel Pharmaceuticals Ltd. Sally Franklin Zweig Katz & Korin, PC 334 North Senate Avenue Indianapolis, IN 46204-1708 Tel: (317) 464-1100 szweig@katzkorin.com Gregory A. Duff William A. Rakoczy Alice L. Riechers Christine J. Siwik Anuj K. Wadhwa Erin M. Forbes Lauren M. Lesko Rakoczy Molino Mazzochi Siwik LLP 6 Hubbard Street, Suite 500 Chicago, IL 60654 Tel: (312) 527-2157 gduff@rmmslegal.com wrakoczy@rmmslegal.com ariechers@rmmslegal.com csiwik@rmmslegal.com awadhwa@rmmslegal.com eforbes@rmmslegal.com llesko@rmmslegal.com	Attorneys for Lupin Pharmaceuticals, Inc. and Lupin Ltd. Jonathan D. Mattingly Sean P. Burke Mattingly Burke Cohen & Biederman LLP 3646 Washington Blvd. Indianapolis, IN 46205 Tel: (317) 614-7320 jon.mattingly@mbcblaw.com sean.burke@mbcblaw.com Keith D. Parr P.C. Michael J. Gaertner Scott B. Feder David B. Abramowitz Carolyn A. Blessing Locke Lord LLP 111 South Wacker Drive Chicago, IL 60606 Tel: (312) 443-0700 kparr@lockelord.com mgaertner@lockelord.com sfeder@lockelord.com dabramowitz@lockelord.com cblessing@lockelord.com
Attorneys for Actavis Laboratories UT, Inc. f/k/a Watson Laboratories, Inc. James A. Hinshaw Briana L. Clark Bingham Greenebaum Doll LLP 2700 Market Tower 10 West Market Street Indianapolis, IN 46204 Tel: (317) 635-8900 jhinshaw@bgdlegal.com bclark@bgdlegal.com	Attorneys for Plaintiffs Eli Lilly and Company and Eli Lilly Export S.A. and Acrux DDS Pty Ltd. Jan M. Carroll BARNES & THORNBURG 11 South Meridian Street Indianapolis, Indiana 46204-3535 (317) 246-1313 jan.carroll@btlaw.com Charles E. Lipsey L. Scott Burwell Jessica L.A. Marks

Michael K. Nutter
 Kurt A. Mathas
 Samantha L. Maxfield
 Dan H. Hoang
 Winston & Strawn LLP
 35 West Wacker Drive
 Chicago, IL 60601-9703
 Tel: (312) 558-5600
 mnutter@winston.com
 kmathas@winston.com
 smaxfield@winston.com
 dhoang@winston.com

FINNEGAN, HENDERSON, FARABOW,
 GARRETT & DUNNER, LLP
 Two Freedom Square
 11955 Freedom Drive
 Reston, Virginia 20190-5675
 (571) 203-2700
 charles.lipsey@finnegan.com
 scott.burwell@finnegan.com
 jessica.marks@finnegan.com

Laura P. Masurovsky
 Mareesa A. Frederick
 Danielle A. Duszczyszyn
 Jennifer M. Vein
 FINNEGAN, HENDERSON, FARABOW,
 GARRETT & DUNNER, LLP
 901 New York Avenue, N.W.
 Washington, DC 20001-4413
 (202) 408-4000
 laura.masurovsky@finnegan.com
 mareesa.frederick@finnegan.com
 danielle.duszczyszyn@finnegan.com
 jennifer.vein@finnegan.com

Alissa K. Lipton
 FINNEGAN, HENDERSON, FARABOW,
 GARRETT & DUNNER, LLP
 Two Seaport Lane
 Boston, Massachusetts 0221 0-2001
 (617) 646-1600
 alissa.lipton@finnegan.com

Manisha A. Desai, Ph.D.
 Assistant General Patent Counsel
 Eli Lilly and Company
 Lilly Corporate Center
 Indianapolis, Indiana 46285
 (317) 433-5333
 madesai@lilly.com

/s/Christopher S. Kroon

Christopher S. Kroon
 DUANE MORRIS, LLP
 100 High Street, Suite 2400
 Boston, MA 02110-1724
 (857) 488-4200
 Counsel for Defendant Amneal
 Pharmaceuticals LLC