

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JANSSEN BIOTECH, INC., and)	
NEW YORK UNIVERSITY,)	
)	
Plaintiffs,)	
)	
v.)	
)	Civil Action No. 15-10698-MLW
CELLTRION HEALTHCARE CO., LTD.,)	Civil Action No. 16-11117-MLW
CELLTRION, INC., and)	
HOSPIRA, INC.,)	
)	
Defendants.)	

PLAINTIFFS' NOTICE OF APPEAL

Please take notice that Plaintiffs Janssen Biotech, Inc. and New York University hereby appeal to the United States Court of Appeals for the Federal Circuit from the Order dated September 26, 2016 directing the entry of partial final judgment in this case that U.S. Patent No. 6,284,471 (the '471 patent) is invalid (D.I. 249 in C.A. No. 15-10698 and D.I. 8 in C.A. No. 16-11117), and from all orders, opinions, decisions and rulings relating thereto, including but not limited to: (1) the Memorandum and Order dated August 19, 2016 granting summary judgment that the '471 patent is invalid (D.I. 226 in C.A. No. 15-10698 and D.I. 7 in C.A. No. 16-11117); (2) the Memorandum and Order dated September 29, 2016 ruling that Defendants' motion for summary judgment of invalidity of the '471 patent is allowed (D.I. 255 in C.A. No. 15-10698 and D.I. 9 in C.A. No. 16-11117); (3) the Court's rulings on the record in open court in the hearing on August 17, 2016 concerning the validity of the '471 patent (D.I. 223 in C.A. No. 15-10698); and (4) the Court's rulings on the record in open court in the hearing on August 19, 2016 concerning the validity of the '471 patent (D.I. 224 in C.A. No. 15-10698).

Dated: October 24, 2016

Of Counsel:

Dianne B. Elderkin (admitted *pro hac vice*)
delderkin@akingump.com
Barbara L. Mullin (admitted *pro hac vice*)
bmullin@akingump.com
Angela Verrecchio (admitted *pro hac vice*)
averrecchio@akingump.com
Jason Weil (admitted *pro hac vice*)
jweil@akingump.com
AKIN GUMP STRAUSS HAUER & FELD LLP
Two Commerce Square
2001 Market Street, Suite 4100
Philadelphia, PA 19103-7013
215-965-1200
Fax: 215-965-1210

Gregory L. Diskant (admitted *pro hac vice*)
gldiskant@pbwt.com
Irena Royzman (admitted *pro hac vice*)
iroyzman@pbwt.com
Aron Fischer (admitted *pro hac vice*)
afischer@pbwt.com
PATTERSON BELKNAP WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036-6710
212-336-2000
Fax: 212-336-2222

/s/ Alison C. Casey
Heather B. Repicky (BBO# 663347)
hrepicky@nutter.com
Alison C. Casey (BBO# 688253)
acasey@nutter.com
NUTTER MCCLENNEN & FISH LLP
Seaport West
155 Seaport Boulevard
Boston, MA 02210
617-439-2000
Fax: 617-310-9192

*Attorneys for Janssen Biotech, Inc.
and New York University*

CERTIFICATE OF SERVICE

I certify that on October 24, 2016, Plaintiffs' Notice of Appeal, filed through the ECF system, will be sent electronically to the parties or their counsel who are registered participants as identified on the Notice of Electronic Filing.

/s/ Alison C. Casey