

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

VECTURA LIMITED,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 16-638 (RGA)
)	
GLAXOSMITHKLINE LLC and)	
GLAXO GROUP LIMITED,)	
)	
Defendants.)	

**DEFENDANTS GLAXOSMITHKLINE LLC'S AND GLAXO GROUP LIMITED'S
NOTICE OF APPEAL**

Notice is hereby given that Defendants GlaxoSmithKline LLC and Glaxo Group Limited (collectively, "GSK") hereby appeal to the United States Court of Appeals for the Federal Circuit from (1) the September 26, 2019 Final Judgment entering judgment in accordance with the jury's verdict in favor of Plaintiff on the issues of infringement, willful infringement, non-obviousness, and damages (D.I. 366), and (2) all findings, holdings, rulings, conclusions, determinations, opinions, and orders leading thereto or merged therein, including but not limited to (a) the October 1, 2018 claim construction Memorandum Opinion and October 10, 2018 Order (D.I. 167, 169), (b) the March 4, 2019 Oral Order denying GSK's motion for summary judgment of non-infringement (D.I. 246), (c) the March 18, 2019 Memorandum Opinion and Order denying GSK's motion for summary judgment of invalidity and granting plaintiff's motion for partial summary judgment (D.I. 254, 255); (d) the March 26, 2019 Memorandum Opinion and Order granting plaintiff's motion to exclude the testimony of Dr. Kerr (D.I. 272, 273); (e) the April 1, 2019 Memorandum Order denying GSK's motion to strike (D.I. 276); (f) the April 4, 2019 Oral Order granting in part plaintiff's motion to strike (D.I. 282); (g) the April 24, 2019 Order regarding motions in limine (D.I. 306); (h) the May 16, 2019 Judgment

initially entered on the Jury's verdict (D.I. 333); (i) the September 10, 2019 Memorandum Opinion and Order denying GSK's motion for judgment as a matter of law and new trial or remittitur (D.I. 360, 361); (j) the September 12, 2019 Memorandum Opinion and Order granting supplemental damages, pre-judgment interest, post-judgment interest, and an ongoing royalty (D.I. 362, 363).

This notice of appeal is timely under Federal Rule of Appellate Procedure 4(a)(1)(A) because it is being "filed with the district clerk within 30 days after entry of the judgment or order appealed from." As part of this notice of appeal, GSK submits the required filing fee of \$505 and respectfully requests the district clerk to prepare the record on appeal pursuant to Federal Rule of Appellate Procedure 10(a). GSK will order from the court reporter a transcript of such parts of the proceedings not already on file as the appellant considers necessary, as required by Federal Rule of Appellate Procedure 10(b)(1)(A).

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jack B. Blumenfeld

OF COUNSEL:

Martin J. Black
Kevin M. Flannery
Robert Ashbrook
Sharon K. Gagliardi
DECHERT LLP
Cira Centre
2929 Arch Street
Philadelphia, PA 19104-2808
(215) 994-4000

Jack B. Blumenfeld (#1014)
Jeremy A. Tigan (#5239)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@mnat.com
jtigan@mnat.com

Attorneys for Defendants

Blake B. Greene
DECHERT LLP
300 West 6th Street, Suite 2010
Austin, TX 78701
(512) 394-3000

Katherine A. Helm
DECHERT LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036

October 9, 2019

CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2019, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on October 9, 2019, upon the following in the manner indicated:

Kelly E. Farnan, Esquire
Christine D. Haynes, Esquire
RICHARDS, LAYTON & FINGER, P.A.
One Rodney Square
920 North King Street
Wilmington, DE 19801
Attorneys for Plaintiff

VIA ELECTRONIC MAIL

Dominick T. Conde, Esquire
Christopher P. Borello, Esquire
Damien Dombrowski, Esquire
Michael Scerbo, Esquire
Steven C. Kline, Esquire
Joshua D. Calabro, Esquire
Zachary L. Garrett, Esquire
VENABLE LLP
1290 Avenue of the Americas
New York, NY 10104-3800
Attorneys for Plaintiff

VIA ELECTRONIC MAIL

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)