

NOTE: This disposition is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**KING PHARMACEUTICALS, INC. AND
KING PHARMACEUTICALS RESEARCH AND
DEVELOPMENT, INC.,**

Plaintiffs/Counterclaim Defendants-Appellees,

and

JONES PHARMA INC.,
Plaintiff/Counterclaim Defendant,

v.

EON LABS, INC.,
Defendant/Counterclaim Plaintiff-Appellant,

v.

ELAN PHARMACEUTICALS, INC.,
Counterclaim Defendant-Appellee.

2011-1070

Appeal from the United States District Court for the
Eastern District of New York in No. 04-CV-5540, Senior
Judge David G. Trager.

JUDGMENT

F. DOMINIC CERRITO, Jones Day, of New York, New York, argued for plaintiffs/counterclaim defendants-appellees. With him on the brief were DANIEL L. MALONE, ERIC C. STOPS and EVANGELINE SHIH. Of counsel was DANIEL C. WIESNER.

MARTIN B. PAVANE, Cozen O'Connor, of New York, New York, argued for defendant/counterclaim plaintiff-appellant.

JAMES B. MONROE, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, of Washington, DC, argued for counterclaim defendant-appellee. With him on the brief were PAUL W. BROWNING and KAKOLI CAPRIHAN. Of counsel were JUSTIN J. HASFORD and LAWRENCE L. ILAG.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (RADER, *Chief Judge*, NEWMAN and REYNA, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

August 12, 2011
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk