

NOTE: This disposition is nonprecedential.

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

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**CEPHALON, INC.,**  
*Plaintiff-Appellee,*

v.

**WATSON PHARMACEUTICALS, INC.,  
WATSON LABORATORIES, INC.,  
and WATSON PHARMA, INC.,**  
*Defendants-Appellants.*

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2011-1326, -1371

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Appeal from the United States District Court for the District of Delaware in No. 09-CV-0724, Judge Sue L. Robinson.

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**JUDGMENT**

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WILLIAM F. LEE, Wilmer Cutler Pickering Hale and Dorr, LLP, of Boston, Massachusetts, argued for plaintiff-appellee. With him on the brief were MARK C. FLEMING; and WILLIAM G. MCELWAIN, CAROLYN JACOBS CHACHKIN and JACOB S. OYLOE, of Washington, DC. Of counsel on the brief were WILLIAM J. MARSDEN, JR., Fish & Richardson P.C., of Wilmington, Delaware; and JUANITA R. BROOKS, of San Diego, California; and JONATHAN E. SINGER, of Minneapolis, Minnesota.

JAMES K. STRONSKI, Crowell & Moring, LLP, of New York, New York, argued for defendants-appellants. With him on the brief were CHIEMI D. SUZUKI, and JACOB Z. ZAMBRZYCKI.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, CLEVINGER, and REYNA, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

December 8, 2011  
Date

/s/ Jan Horbaly  
Jan Horbaly  
Clerk