

Corrected: November 10, 2008

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

2008-1314

TAKEDA PHARMACEUTICAL COMPANY LIMITED,

Plaintiff-Appellee,

and

TAP PHARMACEUTICAL PRODUCTS, INC.,

Plaintiff-Appellee,

v.

TEVA PHARMACEUTICALS USA, INC.  
and TEVA PHARMACEUTICAL INDUSTRIES LTD.,

Defendants-Appellants.

William F. Cavanaugh, Jr., Patterson, Belknap, Webb & Tyler LLP, of New York, New York, argued for all plaintiffs-appellees. With him on the brief were Stuart E. Pollack, Chad J. Peterman, and Melissa Mandrgoc.

Eric J. Lobenfeld, Hogan & Hartson LLP, of New York, New York, for plaintiff-appellee Takeda Pharmaceutical Company Ltd. With him on the brief were Arlene L. Chow, Tedd W. Van Buskirk, Dillon Kim; and Philippe Y. Riesen, of Tokyo, Japan.

Henry C. Dinger, Goodwin Procter LLP, of Boston, Massachusetts, argued for defendants-appellants. On the brief were John L. North, Jeffrey J. Toney, Jeffrey D. Blake, Darcy L. Jones, and David A. Reed, Sutherland Asbill & Brennan LLP, of Atlanta, Georgia.

Appealed from: United States District Court for the District of Delaware

Judge Sue L. Robinson

NOTE: This disposition is nonprecedential.

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## Judgment

ON APPEAL from the United States District Court for the District of Delaware  
in CASE NO(S). 06-CV-33

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (MICHEL, Chief Judge, LINN, Circuit Judge, WARE\*, District Judge).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED November 7, 2008

/s/ Jan Horbaly  
Jan Horbaly, Clerk

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\* Honorable James Ware, District Judge, United States District Court for the Northern District of California, sitting by designation.