

NOTE: This order is nonprecedential.

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

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**MERCK SHARP & DOHME, LLC,**  
*Plaintiff-Appellee*

v.

**MYLAN PHARMACEUTICALS INC.,**  
*Defendant-Appellant*

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2023-1013

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Appeal from the United States District Court for the Northern District of West Virginia in No. 1:19-cv-00101-IMK, Judge Irene M. Keeley.

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**ON MOTION**

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**O R D E R**

Upon consideration of the parties' joint stipulation to dismiss this appeal under Rule 42(b) of the Federal Rules of Appellate Procedure, which the court construes as a joint motion to dismiss,

IT IS ORDERED THAT:

(1) The motion is granted. The appeal is dismissed.

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MERCK SHARP & DOHME, LLC v.  
MYLAN PHARMACEUTICALS INC.

(2) Each side to bear its own costs.

FOR THE COURT

May 11, 2023  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court

ISSUED AS A MANDATE: May 11, 2023