

NOTE: This disposition is nonprecedential.

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

EAGLE PHARMACEUTICALS, INC.,
Plaintiff-Appellant

v.

**SLAYBACK PHARMA LLC, APOTEX INC., APOTEX
CORP.,**
Defendants-Appellees

2023-1110

Appeal from the United States District Court for the
District of Delaware in No. 1:21-cv-01256-CFC-JLH, Chief
Judge Colm F. Connolly.

JUDGMENT

GREGORY G. GARRE, Latham & Watkins LLP, Wash-
ington, DC, argued for plaintiff-appellant. Also represented
by GABRIEL K. BELL, MICHAEL CLEMENTE; DANIEL BROWN,
New York, NY; DAVID KOWALSKI, San Diego, CA.

CONSTANCE HUTTNER, Windels Marx Lane & Mitten-
dorf, LLP, Madison, NJ, argued for defendant-appellee
Slayback Pharma LLC. Also represented by JASON AARON
LIEF.

ERIC THOMAS WERLINGER, Katten Muchin Rosenman LLP, Washington, DC, argued for defendants-appellees Apotex Inc., Apotex Corp. Also represented by CHRISTOPHER FERENC, TIMOTHY H. GRAY; JOSEPH JANUSZ, JITENDRA MALIK, Charlotte, NC; DEEPRO MUKERJEE, LANCE SODERSTROM, New York, NY.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

January 16, 2024
Date



Jarrett B. Perlow
Clerk of Court