

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

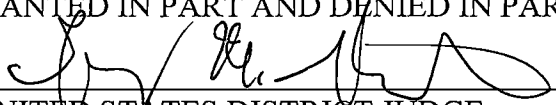
VANDA PHARMACEUTICALS INC.,)
and AVENTISUB LLC,)
)
Plaintiffs,)
)
v.)
)
ROXANE LABORATORIES, INC.,)
)
Defendant.)
)

Civil Action No. 13-1973-GMS
Civil Action No. 14-757-GMS
(Consolidated)

ORDER

At Wilmington this ¹⁴25 day of August, 2016, IT IS HEREBY ORDERED THAT:

1. Roxane’s ANDA Product infringes claim 3 of the ’198 Patent.
2. Roxane’s ANDA Product infringes claims 1–9, 11–13, and 16 of the ’610 Patent, except with respect to the Plaintiffs’ claim of contributory infringement.
3. Claim 3 of the ’198 Patent is not invalid as obvious.
4. Claims 1–9, 11–13, and 16 of the ’610 Patent are not invalid as obvious.
5. Claims 1–9, 11–13, and 16 of the ’610 Patent are not invalid for lack of written description.
6. Claim 1–9, 11–13, and 16 of the ’610 Patent are not invalid for failure to claim patentable subject matter.
7. Pursuant to the court’s equitable power, Roxane is hereby enjoined from engaging in the commercial manufacture, use, offer to sell, or sale with the United States, or importation into the United States of Roxane’s ANDA Product prior to the expiration of the ’610 Patent (November 2, 2027) or any applicable exclusivities and extensions.
8. The effective date of any Food and Drug Administration approval of Roxane’s ANDA No. 20-5480 shall be a date not earlier than the latest of the expiration of the ’610 Patent or any applicable exclusivities and extensions.
9. The Clerk of Court is directed to enter final judgment in favor of the plaintiffs.
10. The parties’ Rule 52(c) motions are GRANTED IN PART AND DENIED IN PART.


UNITED STATES DISTRICT JUDGE