

NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2010-1001

NOVO NORDISK A/S and NOVO NORDISK, INC.,

Plaintiffs-Appellants,

v.

CARACO PHARMACEUTICAL LABORATORIES, LTD.  
and SUN PHARMACEUTICAL INDUSTRIES, LTD.,

Defendants-Appellees.

Appeal from the United States District Court for the Eastern District of Michigan  
in case no. 2:05-CV-40188, Judge Avern Cohn.

ON MOTION

Before RADER, CLEVINGER, and DYK, Circuit Judges.

RADER, Circuit Judge.

### ORDER

Novo Nordisk A/S and Novo Nordisk, Inc. (Novo Nordisk) submit a motion for a stay, pending appeal, of the injunction entered by the United States District Court for the Eastern District of Michigan on September 25, 2009 and for this court to stay trial court proceedings. Caraco Pharmaceutical Laboratories, Ltd. and Sun Pharmaceutical Industries, Ltd. oppose. Novo Nordisk replies.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The injunction is temporarily stayed pending this court's review of the motion to stay the injunction.

(2) The motion to stay trial court proceedings is denied.

FOR THE COURT

OCT - 9 2009

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Josh A. Krevitt, Esq.  
Charles B. Klein, Esq.

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**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

OCT - 9 2009

**JAN HORBALY**  
**CLERK**