

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MEDICIS PHARMACEUTICAL	:	
CORPORATION, ET AL.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 11-409-LPS-CJB
	:	
ACTAVIS MID ATLANTIC LLC,	:	
	:	
Defendant.	:	

**ORDER**

WHEREAS, Magistrate Judge Burke issued a Report and Recommendation (D.I. 115) dated June 12, 2012;

WHEREAS, the Report and Recommendation recommends that the Court adopt certain claim constructions;

WHEREAS, any Objections to the Report and Recommendation were to be filed by June 29, 2012;

WHEREAS, neither party has filed an Objection to the Report and Recommendation;

WHEREAS, the Court concludes that the Report and Recommendation should be adopted for the reasons stated by Magistrate Judge Burke;

NOW THEREFORE, IT IS HEREBY ORDERED that the Report and Recommendation (D.I. 115) is **ADOPTED**, and the Court adopts the following constructions:

1. "for a period of time sufficient to improve the skin disorder" means "over a course of treatment of sufficient duration to improve the skin disorder"
2. "base to adjust pH" means "a basic compound that can be used to adjust pH"
3. "lightly cross-linked polyacrylic acid polymer" means "a cross-linked polymer of

acrylic acid with a viscosity of less than about 15,000 cP, where the polymer is in a 0.5% solution at pH 7.5, as measured by a Brookfield viscometer at 20 rpm"

4. The "container" recited in claim 16 means "a container that has a sufficiently small orifice tip to dispense quantities of the low-viscosity gel composition in accordance with treatment instructions"

5. The "container" recited in claim 52 means "a container that has a sufficiently small orifice tip to dispense generally spherical quantities of the low-viscosity gel composition in accordance with treatment instructions."

Dated: July 16, 2012

  
UNITED STATES DISTRICT JUDGE