

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

APTALIS PHARMATECH, INC. AND )  
IVAX INTERNATIONAL GMBH, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
APOTEX INC. AND APOTEX CORP., )  
 )  
Defendants. )  
 )

Civ. No. 14-1038-SLR

**MEMORANDUM ORDER**

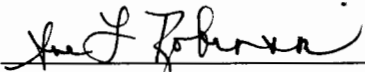
WHEREAS, Apotex waived certain defenses via the parties' stipulation submitted October 6, 2014 (D.I. 19, so ordered October 8, 2014), specifically, that "its ANDA products do not contain 'a population of extended release beads,' as well as the defense that its ANDA products do not contain 'an active containing core particle comprising cyclobenzaprine hydrochloride as the active,' or any equivalents thereof, as those terms are used in the claims of the patents-in-suit;" and

WHEREAS, the only limitation identified by the parties as needing construction was "extended release coating;" and

WHEREAS, Apotex did not identify such limitations as "bead" or "core" as requiring construction;

NOW, THEREFORE, at Wilmington this 8th day of July, 2015, IT IS ORDERED that Apotex has waived any defenses based on such issues, given the stipulation and

the claim construction exercise.

  
United States District Judge