Momenta Pharmaceuticals, Inc. et al v. Amphastar Pharmaceuticals, Inc. et al Doc. 1134

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MOMENTA PHARMACEUTICALS, INC. and SANDOZ INC., Plaintiffs, v. AMPHASTAR PHARMACEUTICALS, INC., and INTERNATIONAL MEDICATION SYSTEMS, LTD., Defendants.	Civil Action No. 1:11-cv-11681-NMG

DEFENDANTS' RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW ON UNPATENTABILITY AND INDEFINITENESS

Pursuant to Rule 50(b) of the Federal Rules of Civil Procedure, Defendants Amphastar Pharmaceuticals, Inc. and International Medication Systems, Ltd. (collectively, "Amphastar") hereby move for judgment as a matter of law on invalidity of U.S. Patent No. 7,575,886 ("the '886 patent"). Specifically, Amphastar seeks judgment of matter of law because the '886 patent is: (1) directed to unpatentable subject matter under 35 U.S.C. § 101 and (2) indefinite under 35 U.S.C. § 112. In support of this Motion, Amphastar relies on its Memorandum of Law in Support of Defendants' Renewed Motion for Judgment as a Matter of Law on Unpatentability and Indefiniteness, filed herewith.

Motion denied. /s/ NMG Gorton, USDJ 2/7/18

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