

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TEVA PHARMACEUTICAL	:	CIVIL ACTION
INDUSTRIES LTD.,	:	
Plaintiff	:	
	:	
vs.	:	
	:	
ASTRAZENECA PHARMACEUTICALS	:	
LP, <i>et al.</i> ,	:	
Defendants.	:	NO. 08cv4786

**ORDER**

**AND NOW**, this \_\_\_\_ day of October, 2010, upon consideration of the motion for summary judgment of defendants AstraZeneca Pharmaceuticals LP and IPR Pharmaceuticals, Inc. (collectively “AstraZeneca”) (docket no. 54), the opposition of plaintiff Teva Pharmaceutical Industries Ltd. (“Teva”) (docket no. 78), and AstraZeneca’s reply thereto (docket no. 81), **IT IS HEREBY ORDERED** that

- (1) the motion is **GRANTED**;
- (2) independent claims 1, 26, 42, and 52 of U.S. Patent No. RE39,502 are invalid pursuant to 35 U.S.C. § 102(g)(2);
- (3) **JUDGMENT** is entered in favor of AstraZeneca Pharmaceuticals LP and IPR Pharmaceuticals, Inc. and against Teva Pharmaceutical Industries Ltd.; and
- (4) the Clerk shall close this case for statistical purposes.

s/William H. Yohn Jr.  
 William H. Yohn Jr., Judge