

NOTE: This disposition is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

MERCK SHARP & DOHME CORP.,
Formerly known as Schering Corporation,
Plaintiff-Appellant,

v.

APOTEX INC. AND APOTEX CORP.,
Defendants-Cross Appellants.

2012-1516,-1543

Appeal from the United States District Court for the
District of New Jersey in No. 09-CV-6373, Judge Peter G.
Sheridan.

JUDGMENT

RICHARD L. STANLEY, Law Office of Richard Stanley,
of Houston, Texas, argued for plaintiff-appellant. On the
brief were PAUL D. MATUKAITIS, EDWARD W. MURRAY and
MARY J. MORRY, Merick & Co. Inc., of Rahway, New
Jersey; and NICOLAS G. BARZOUKAS, JOSHUA P. DAVIS,
AUDREY L. MANESS and JUSTIN CONSTANT, Weil, Gotshal
& Manges LLP, of Houston, Texas; and JOHN F. LYNCH, of
Port Ludlow, Washington. Of counsel were JILLIAN A.

CENTANNI, DAVID E. DELORENZI and SHEILA F. MCSHANE, of Gibbons, P.C., of Newark, NJ; and KEVIN S. KUDLAC, and RENER TREVIN, Weil, Gotshal & Manges LLP, of Houston, Texas.

DEANNE M. MAZZOCHI, Rakoczy Molino Mazzochi Siwik LLP, of Chicago, Illinois, argued for defendants-cross appellants. With him on the brief were WILLIAM A. RAKOCZY, PAUL J. MOLINOM, ANDREW M. ALUL, ROY CHAMCHARAS, MATTHEW V. ANDERSON and YIXIN H. TANG. Of counsel was ARNOLD B. CALMANN, Saiber LLC, of Newark, New Jersey

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (DYK, CLEVINGER, and MOORE, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

June 10, 2013
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

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