

NOTE: This order is nonprecedential.

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

**HOFFMANN-LA ROCHE INC. AND GENENTECH,
INC.,**

Plaintiffs-Appellants,

v.

APOTEX INC. and APOTEX CORP.,

and

**MYLAN INC., MYLAN PHARMACEUTICALS INC.,
GENPHARM INC. (now known as GENPHARM
ULC) and GENPHARM, L.P.,**

and

**WATSON LABORATORIES, INC., WATSON
HARMACEUTICALS, INC., WATSON PHARMA,
INC., COBALT PHARMACEUTICALS INC., AND
COBALT LABORATORIES, INC.,**

Defendants-Appellees.

2012-1270, -1271, -1272

Appeals from the United States District Court for the
District of New Jersey in consolidated case nos. 07-4417,
07-4661, and 07-4539, Judge Stanley R. Chesler.

ON MOTION

Before LINN, *Circuit Judge*.

ORDER

Hoffmann-La Roche Inc. and Genentech, Inc. (Roche) submit a motion for a temporary restraining order and injunction, pending appeal, to prohibit the defendants from launching a generic version of their patented Boniva® drug. Roche also moves to expedite the briefing schedule.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion for a temporary restraining order and injunction is denied.

(2) The motion to expedite the briefing schedule is granted as follows: Roche's opening brief is due within 14 days of the date of this order; the appellees' briefs are due within 14 days of service of Roche's opening brief; Roche's reply brief and the joint appendix are due within seven days of service of the last-served brief by the appellees. No extensions will be granted. An expedited method of service must be used. The date for oral argument will be announced by subsequent order of the court.

FOR THE COURT

MAR 16 2012

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

MAR 16 2012

JAN HORBALY
CLERK

3

cc: Mark E. Waddell, Esq.
James P. White, Esq.
Edgar H. Haug, Esq.
William A. Rakoczy, Esq.

s8