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August 6, 2018

Via ECF

Peter R. Marksteiner
Circuit Executive & Clerk of Court
U.S. Court of Appeals for the Federal Circuit
717 Madison Place NW
Washington, D.C. 20005

Re: ***Eli Lilly & Co v. Dr. Reddy's Labs.*, No. 18-2128,**
Notice re Resolution of Post-Judgment Motions in District Court

Dear Mr. Marksteiner:

On July 20, 2018, the Court entered an order deactivating this appeal pending the district court's ruling on a Rule 59(e) motion (ECF Doc. #2). The district court has now acted on that motion and entered an amended final judgment (attached). Appellants have filed a notice of appeal from the amended final judgment (attached), which this Court docketed on August 3, 2018 (ECF #20).

Appellants have conferred with counsel for Appellee Eli Lilly & Co. regarding how the appeal should proceed. The parties agree that this appeal should now proceed with briefing.

Sincerely,

/s/ John C. O'Quinn

John C. O'Quinn
Counsel for Appellants

Attachments:

Amended Final Judgment (entered July 30, 2018)

Notice of Appeal from Amended Final Judgment (filed August 1, 2018)

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ELI LILLY AND COMPANY,

Plaintiff,

v.

DR. REDDY'S LABORATORIES, LTD. and DR. REDDY'S LABORATORIES, INC.,

Defendants.

No. 1:16-cv-308-TWP-MPB

AMENDED FINAL JUDGMENT

Plaintiff Eli Lilly and Company ("Lilly"), by counsel, having filed its Motion to Amend Final Judgment, and the Court having considered the Motion now finds that it should be granted. Pursuant to the Court's findings of fact and conclusions of law following the bench trial, final judgment is hereby entered as follows:

1. The filing of NDA No. 208297 infringed at least claims 9, 10, 12, 13, 14, 15, 18, 19, 21, and 22 of U.S. Patent No. 7,772,209.

2. Pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of any product that is the subject of NDA No. 208297 shall be not earlier than the latest date of expiration of U.S. Patent No. 7,772,209, including any period of pediatric exclusivity.

3. JUDGMENT IS ENTERED in favor of Lilly and against Defendants Dr. Reddy's Laboratories, Ltd. and Dr. Reddy's Laboratories, Inc.

Date: 7/27/2018

Laura A. Briggs, Clerk

BY: _____
Deputy Clerk, U. S. District Court

_____
Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

Distribution to all counsel of record via ECF

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ELI LILLY AND COMPANY,

Plaintiff/Counterclaim Defendant,

v.

DR. REDDY'S LABORATORIES, LTD. and DR. REDDY'S LABORATORIES, INC.,

Defendants/Counterclaimants.

C.A. No.: 1:16-cv-308-TWP-MPB

DEFENDANTS' AMENDED NOTICE OF APPEAL
TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

Defendants Dr. Reddy's Laboratories, Ltd. and Dr. Reddy's Laboratories, Inc. (collectively, "DRL") in the above-captioned case hereby file this amended notice of appeal to the United States Court of Appeals for the Federal Circuit from the Amended Final Judgment entered July 30, 2018, and the Findings of Fact and Conclusions of Law entered June 22, 2018. DRL also appeals from all subsidiary rulings and decisions in this matter, including the Entry on Plaintiff's Objections and Defendants' Motion to Strike New Arguments in Plaintiff's Reply, entered September 6, 2017, the Entry on DRL's Motion for Summary Judgment of Noninfringement, entered December 14, 2017, and the Entry on Plaintiff's Motion to Amend Final Judgment, entered July 30, 2018.

Dated: August 1, 2018

Respectfully submitted,

/s/ Stephen E. Arthur
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Charles E. Oswald IV, Atty. No. 27279-49
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Counsel for Defendants Dr. Reddy's Laboratories, Ltd. and Dr. Reddy's Laboratories, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2018, a copy of the foregoing *Defendants' Amended Notice of Appeal to the United States Court of Appeals for the Federal Circuit* was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system:

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Counsel for Defendants Dr. Reddy's Laboratories, Ltd. and Dr. Reddy's Laboratories, Inc.

FORM 30. Certificate of Service

Form 30
Rev. 03/16

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

CERTIFICATE OF SERVICE

I certify that I served a copy on counsel of record on August 6, 2018 by:

- ☐ U.S. Mail
- ☐ Fax
- ☐ Hand
- ☒ Electronic Means (by E-mail or CM/ECF)

John C. O'Quinn	/s/ John C. O'Quinn
Name of Counsel	Signature of Counsel

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