IN THE UNITED STATES DISTRICT COURT
FOR DELAWARE

ASTRAZENECA PHARMACEUTICALS LP, ASTRAZENECA UK LIMITED, IPR PHARMACEUTICALS, INC., and SHIONOGI SEIYAKU KABUSHIKI KAISHA, Plaintiffs, v. SUN PHARMACEUTICAL INDUSTRIES LTD., Defendant.	)	Civil Action No. 07-806-JJF-LPS

DEFENDANT SUN PHARMACEUTICAL INDUSTRIES, LTD.'S RULE 12(b)(1) MOTION TO DISMISS PLAINTIFFS' CLAIM OF INFRINGEMENT UNDER 35 U.S.C. § 271(a) IN COUNT II OF THE COMPLAINT

Defendant Sun Pharmaceutical Industries Ltd. ("Sun") moves this Court pursuant to Federal Rule of Civil Procedure 12(b)(1) to dismiss plaintiffs' claim of infringement under 35 U.S.C. § 271(a) in Count II of the Complaint. Sun relies on the accompanying Memorandum in support of this motion.

Respectfully submitted,

/s/ John M. Seaman

Kevin G. Abrams (# 2375)
John M. Seaman (# 3868)
ABRAMS & LASTER LLP
20 Montchanin Road, Suite 200
Wilmington, DE 19807
Tel: 302.778.1000
Fax: 302.778.1001
Abrams@abramslaster.com
Seaman@abramslaster.com

Attorneys for Defendant
Sun Pharmaceutical Industries Ltd.

OF COUNSEL:

WINSTON & STRAWN LLP
Dane A. Drobny
35 W. Wacker Drive
Chicago, IL 60601-9703
Tel: 312.558.5600
Fax: 312.558.5700
ddrobny@winston.com

Charles B. Klein
1700 K Street, N.W.
Washington, D.C. 20006-3817
Tel: 202.282.5000
Fax: 202.282.5100
cklein@winston.com

Dated: January 31, 2008

CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2008, I electronically filed the foregoing document with the Clerk of Court using CM/ECF, which will send notification of such filing to all registered participants.

I also certify that on January 31, 2008, I caused to be served true and correct copies of the foregoing on the following as indicated below:

By Email
Mary W. Bourke
CONNOLLY BOVE LODGE & HUTZ LLP
1007 N. Orange Street
Wilmington, DE 19899

Ford F. Farabow
Charlie E. Lipsey
York M. Faulkner
FINNEGAN, HENDERSON, FARABOW
GARRETT & DUNNER, L.L.P.
901 New York Avenue, N.W.
Washington, D.C. 20001

Henry J. Renk
FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, NY 10112

/s/ John M. Seaman
John M. Seaman (#3868)

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ASTRAZENECA PHARMACEUTICALS LP, ASTRAZENECA UK LIMITED, IPR PHARMACEUTICALS, INC., and SHIONOGI SEIYAKU KABUSHIKI KAISHA, Plaintiffs,	)	Civil Action No. 07-806-JJF-LPS
v.	)	
SUN PHARMACEUTICAL INDUSTRIES LTD., Defendant.	)	

ORDER

The Court having considered Defendant Sun Pharmaceutical Industries Ltd.'s Rule 12(b)(1) Motion to Dismiss Plaintiffs' Claim of Infringement Under 35 U.S.C. § 271(a) in Count II of the Complaint and the parties' arguments in support and opposition thereof,

IT IS HEREBY ORDERED this ____ day of _____, 2008 that the motion is GRANTED.

_____
Judge