IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GLAXOSMITHKLINE LLC (f/k/a SMITHKLINE BEECHAM CORPORATION),	)	
Plaintiff,	)	
v.	)	C.A. No. 11-046 (RGA)(MPT) CONSOLIDATED
BANNER PHARMACAPS, INC., *et al.*,	)	
Defendants.	)	

~~[PROPOSED]~~ FINAL JUDGMENT

IT IS ORDERED AND ADJUDGED for the reasons set forth in the Court's Opinion dated August 9, 2013 (D.I. No. 308), and the Stipulations and Orders dated February 27, 2012 (D.I. No. 126), April 4, 2012 (D.I. No. 176), May 9, 2012 (D.I. No. 189), and September 19, 2012 (D.I. 232 and 233), that Final Judgment is entered in favor of plaintiff GlaxoSmithKline LLC ("GSK") and against defendants Banner Pharmacaps Inc. ("Banner"); Impax Laboratories, Inc. ("Impax"); Roxane Laboratories, Inc. ("Roxane"); Watson Laboratories, Inc. – Florida ("Watson"); Mylan Inc. and Mylan Pharmaceuticals Inc. ("Mylan") (collectively "Defendants"); on GSK's claims that Defendants have infringed claims 1, 2 and 3 of U.S. Patent Number 5,565,467 ("the '467 Patent"), and on GSK's claims that Watson and Impax have infringed additional claims 4 and 5 of the '467 Patent;

AND IT IS FURTHER ORDERED AND ADJUDGED that claims 1, 2, 3, 4 and 5 of the '467 Patent are not invalid;

1. Banner's Abbreviated New Drug Application No. 20-0899

IT IS FURTHER ORDERED that pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Banner's Abbreviated New Drug Application ("ANDA") No. 20-0899 by the United States Food and Drug Administration ("FDA") shall be a date which is not earlier than the expiration date of the '467 Patent, including any exclusivities or extension of the term of that patent (i.e., November 20, 2015);

2. Roxane's Abbreviated New Drug Application No. 20-2204

IT IS FURTHER ORDERED that pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Roxane's ANDA No. 20-2204 by the FDA shall be a date which is not earlier than the expiration date of the '467 Patent, including any exclusivities or extension of the term of that patent (i.e., November 20, 2015);

3. Watson's Abbreviated New Drug Application No. 20-2808 and Abbreviated New Drug Application No. 20-2975

IT IS FURTHER ORDERED that pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Watson's ANDA No. 20-2808 and ANDA No. 20-2975 by the FDA shall be a date which is not earlier than the expiration date of the '467 Patent, including any exclusivities or extension of the term of that patent (i.e., November 20, 2015);

4. Mylan's Abbreviated New Drug Application No. 20-3241

IT IS FURTHER ORDERED that pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Mylan's ANDA No. 20-3241 by the FDA shall be a date which is not earlier than the expiration date of the '467 Patent, including any exclusivities or extension of the term of that patent (i.e., November 20, 2015);

5. Impax's Abbreviated New Drug Application No. 20-3105

AND IT IS FURTHER ORDERED that pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Impax's ANDA No. 20-3105 by the FDA shall be a date which is not earlier than the expiration date of the '467 Patent, including any exclusivities or extension of the term of that patent (i.e., November 20, 2015).

Dated this 26th day of August, 2013.

Richard G. Andrews

The Honorable Richard G. Andrews