

NOTE: This disposition is nonprecedential.

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

---

**CEPHALON, INC., EAGLE PHARMACEUTICALS,  
INC., TEVA PHARMACEUTICALS  
INTERNATIONAL GMBH,**  
*Plaintiffs-Appellees*

v.

**SLAYBACK PHARMA LLC, FRESENIUS KABI USA,  
LLC**  
*Defendants*

**APOTEX INC., APOTEX CORP., MYLAN  
LABORATORIES LIMITED,**  
*Defendants-Appellants*

---

2020-2134, 2020-2137

---

Appeals from the United States District Court for the  
District of Delaware in Nos. 1:17-cv-01154-CFC, 1:17-cv-  
01164-CFC, 1:17-cv-01201-CFC, 1:17-cv-01790-CFC,  
Judge Colm F. Connolly.

---

**JUDGMENT**

---

DAVID I. BERL, Williams & Connolly LLP, Washington,  
DC, argued for all plaintiffs-appellees. Plaintiffs-appellees

Cephalon, Inc., Teva Pharmaceuticals International GmbH also represented by ADAM HARBER, MATTHEW LACHMAN, SHAUN PATRICK MAHAFFY, BEN PICOZZI.

DANIEL BROWN, Latham & Watkins LLP, New York, NY, for plaintiff-appellee Eagle Pharmaceuticals, Inc. Also represented by GABRIEL K. BELL, Washington, DC; KENNETH G. SCHULER, MARC NATHAN ZUBICK, Chicago, IL.

STEVEN ERIC FELDMAN, Hahn Loeser & Parks, LLP, Chicago, IL, argued for defendants-appellants Apotex Inc., Apotex Corp. Also represented by DANIEL RONALD CHERRY, JOHN CRAVERO, SHERRY LEE ROLLO.

NICOLE W. STAFFORD, Wilson, Sonsini, Goodrich & Rosati, Austin, TX, argued for defendant-appellant Mylan Laboratories Limited. Also represented by ADEN M. ALLEN; DENNIS DONALD GREGORY, New York, NY; DAVID S. STEUER, Palo Alto, CA.

---

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, CLEVINGER, and TARANTO, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

August 13, 2021  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court