

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

| | | |
|-------------------------------------|---|---------------------|
| PFIZER, INC., |) | |
| |) | |
| Plaintiff and |) | |
| Counterclaim Defendant, |) | |
| |) | |
| v. |) | 02: 02cv1628 |
| MYLAN LABORATORIES, INC. and |) | |
| MYLAN PHARMACEUTICALS, INC., |) | |
| |) | |
| |) | |
| Defendants and |) | |
| Counterclaim Plaintiffs. |) | |

AMENDED JUDGMENT

AND NOW, this 16th day of March, 2007, it is **ORDERED, ADJUDGED AND DECREED** that, for the reasons set forth in the Court’s findings of fact and conclusions of law, Judgment shall be entered in favor of Plaintiff Pfizer Inc. and against Defendants Mylan Laboratories, Inc. and Mylan Pharmaceuticals, Inc. (herein collectively “Mylan”) on Pfizer’s claims that Mylan has infringed claims 1-3 of United States Patent No. 4,879,303 (the “303 patent”); and it is further,

ORDERED, ADJUDGED AND DECREED that Judgment shall be entered in favor of Pfizer and against Mylan dismissing Mylan’s counterclaims which alleged and sought declarations of noninfringement, invalidity, or unenforceability of the ‘303 patent; and it is further,

ORDERED, ADJUDGED AND DECREED that, pursuant to the provisions of 35 U.S.C. §271(e)(4)(A), the effective date of any approval of Mylan’s Abbreviated New Drug Application No. 76-418, seeking FDA approval of amlodipine besylate tablets, 2.5, 5 and 10 mg

dosage strengths, shall be a date which is not earlier than the date of expiration of the '303 patent (March 25, 2007); and it is further,

ORDERED, ADJUDGED AND DECREED that, pursuant to the provisions of 35 U.S.C. §271(e)(4)(B), Mylan, its officers, agents, servants, employees and attorneys, and those persons in active concert or participation with Mylan are enjoined until the date of expiration of the '303 patent (March 25, 2007), from engaging in the commercial manufacture, use, offer to sell, or sale within the United States, or importation into the United States, of any product comprising the chemical compound amlodipine besylate covered by, or the sale or use of which is covered by claims 1-3 of the '303 patent.

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

cc: All Counsel of Record