

NOTE: This order is nonprecedential.

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

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**TEVA BRANDED PHARMACEUTICAL PRODUCTS  
R&D, INC., NORTON (WATERFORD) LTD., TEVA  
PHARMACEUTICALS USA, INC.,**  
*Plaintiffs-Appellants*

v.

**AMNEAL PHARMACEUTICALS OF NEW YORK,  
LLC, AMNEAL IRELAND LTD., AMNEAL  
PHARMACEUTICALS LLC, AMNEAL  
PHARMACEUTICALS, INC.,**  
*Defendants-Appellees*

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2024-1936

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Appeal from the United States District Court for the  
District of New Jersey in No. 2:23-cv-20964-SRC-MAH,  
Judge Stanley R. Chesler.

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**ON MOTION**

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PER CURIAM.

**O R D E R**

Appellants submit a motion to stay, pending appeal,  
the district court's June 10, 2024 order directing them to

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AMNEAL PHARMACEUTICALS OF NEW YORK, LLC

correct or delete relevant Orange Book patent information. Appellees oppose.

Rule 8(a)(2) of the Federal Rules of Appellate Procedure authorizes this court to grant a stay pending appeal. We consider four factors: “(1) whether the [movant] is likely to succeed on the merits, (2) whether it will suffer irreparable injury without a stay, (3) whether the stay will substantially injure the other parties interested in the proceedings, and (4) where the public interest lies.” *Ohio v. Env’t Prot. Agency*, 2024 WL 3187768, at \*6 (U.S. June 27, 2024) (citing *Nken v. Holder*, 556 U.S. 418, 434 (2009)); see also *Standard Havens Prods. Inc. v. Gencor Indus., Inc.*, 897 F.2d 511, 512–13 (Fed. Cir. 1990).

Based on the papers submitted, and our expedition of the completion of briefing and argument on the merits, we conclude that a stay is warranted under the circumstances of this case at this time. The grant of a stay is without prejudice to the merits panel’s ultimate disposition of this case or its authority to dissolve the stay.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion is granted to the extent that the district court’s June 10, 2024 order is stayed until further notice of this court.
- (2) The Clerk of Court shall transmit a copy of this order to the merits panel assigned to this appeal.

FOR THE COURT



Jarrett B. Perlow  
Clerk of Court

July 10, 2024  
Date