

NOTE: This order is nonprecedential.

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

**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

2024-1936

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.

ON PETITION FOR REHEARING EN BANC

2 TEVA BRANDED PHARMACEUTICAL PRODUCTS R&D, INC. v.
AMNEAL PHARMACEUTICALS OF NEW YORK, LLC

Before MOORE, *Chief Judge*, LOURIE, DYK, PROST, REYNA,
TARANTO, CHEN, HUGHES, STOLL and CUNNINGHAM, *Cir-
cuit Judges*.¹

PER CURIAM.

O R D E R

Norton (Waterford) Ltd., Teva Branded Pharmaceutical Products R&D, Inc. and Teva Pharmaceuticals USA, Inc. filed a petition for rehearing en banc. A response to the petition was invited by the court and filed by Amneal Ireland Ltd., Amneal Pharmaceuticals LLC, Amneal Pharmaceuticals of New York, LLC and Amneal Pharmaceuticals, Inc.

Sanofi-Aventis U.S. LLC requested leave to file a brief as amicus curiae, which the court granted.

AstraZeneca Pharmaceuticals LP requested leave to file a brief as amicus curiae, which the court granted.

Biotechnology Innovation Organization and Pharmaceutical Research and Manufacturers of America requested leave to file a brief as amici curiae, which the court granted.

Jerry Avorn, Reed F. Beall, Robyn T. Cohen, William B. Feldman, Ravi Gupta, Aaron S. Kesselheim, Thomas R. Radomski, Reshma Ramachandran, Rita F. Redberg, Benjamin N. Rome, Joseph Ross, S. Christy Sadreameli, S. Sean Tu and Olivier J. Wouters requested leave to file a brief as amici curiae, which the court granted.

The petition was first referred as a petition to the panel that heard the appeal, and thereafter the petition was referred to the circuit judges who are in regular active service.

¹ Circuit Judge Newman and Circuit Judge Stark did not participate.

TEVA BRANDED PHARMACEUTICAL PRODUCTS R&D, INC. v. 3
AMNEAL PHARMACEUTICALS OF NEW YORK, LLC

Upon consideration thereof,

It Is Ordered That:

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

March 3, 2025
Date