

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PFIZER INC.,)	
)	
Plaintiff and Counterclaim)	No. 03C 5289
Defendant,)	
)	The Honorable James M. Rosenbaum
v.)	
)	
APOTEX INC., f/k/a TORPHARM, INC.,)	
)	
Defendant and Counterclaim)	
Plaintiff.)	

FINAL JUDGMENT

This action having come to trial before the Court, Honorable James M. Rosenbaum, Chief Judge, United States District Court for the District of Minnesota, presiding; the issues having been heard and a decision having been rendered on January 18, 2006;

IT IS ORDERED AND ADJUDGED this ___ day of January, 2006, for the reasons set forth in the Court's decision read into the record on January 18, 2006, that Judgment shall be entered in favor of plaintiff Pfizer Inc. ("Pfizer") and against defendant Apotex Inc., f/k/a Torpharm, Inc. ("Apotex") on Pfizer's claims that Apotex has infringed claims 1-3 of United States Patent No. 4,879,303 (the "'303 patent"); and it is further,

ORDERED AND ADJUDGED that Judgment shall be entered in favor of Pfizer and against Apotex on all counterclaims alleging, and seeking declarations of noninfringement, invalidity, or unenforceability of the '303 patent, and it is further,

ORDERED that pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Apotex's Abbreviated New Drug Application No. 76-719 shall be a date which is not earlier than the date of expiration of the '303 patent (March 25, 2007, with attached six months of pediatric exclusivity ending on September 25, 2007, to which Pfizer is entitled); and it is further,

ORDERED that pursuant to 35 U.S.C. § 271(e)(4)(B), Apotex, its officers, agents, servants, employees and attorneys, and those persons in active concert or participation with it are enjoined until the date of expiration of the '303 patent (March 25, 2007, with attached six months of pediatric exclusivity ending on September 25, 2007, to which Pfizer is entitled) from engaging in the manufacture, use, offer to sell, or sale within the United States, or importation into the United States, of any product comprising amlodipine besylate covered by, or the use of which is covered by claims 1-3 of the '303 patent.

January 21, 2006



United States District Judge