

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MERCK & CO., INC. :
 :
Plaintiff, :
 :
v. : Civil Action No. 01-048-JJF
 :
TEVA PHARMACEUTICALS, INC. :
 :
Defendant. :

ORDER AMENDING OPINION

The August 28, 2003, Opinion (D.I. 162) in the above case is hereby amended as follows:

1. On the cover page, "Gerald" should be replaced with "Gerard."
2. On page 2, line 3, "Delaware" should be replaced with "New Jersey."
3. On page 2, line 11, "Santora I" should be replaced with "Santora II".
4. On page 21, line 7, "102(e)" should be replaced with "102(a)".
5. On page 30, starting at line 3, delete "In pertinent part, 35 U.S.C. § 102(e)(2) provides" along with the block quote that follows and the block quote's citation ("35 U.S.C. § 102(e)(2)").
6. On page 30, at the end of line following the block quote, "102(e)" should be replaced with "102".
7. On page 36, line 3, "102(e)(2)" should be replaced with "102(a)".
8. On page 37, footnote 2, at lines 2, 4, and 6, "April 1997" should be replaced with "April 1996".
9. On page 42, lines 10, "April 1997" should be replaced with "April 1996".
10. On page 43, line 2-3, "April 1997" should be replaced with "April 1996".

11. On page 65, line 6, "April 1997" should be replaced with "April 1996".

January 7, 2004
DATE

JOSEPH J. FARNAN, JR.
UNITED STATES DISTRICT JUDGE