

United States District Court,
D. Delaware.

SMITH KLINE & FRENCH LABORATORIES, LTD., and Smithkline Beecham Corp., d/b/a Glaxosmithkline,
Plaintiffs.

v.

TEVA PHARMACEUTICALS U.S.A., INC,
Defendant.

Civil Action No. 05-197 GMS

March 1, 2006.

Patricia Smink Rogowski, Connolly, Bove, Lodge & Hutz, Wilmington, DE, for Plaintiffs.

John W. Shaw, Josy W. Ingersoll, Karen Elizabeth Keller, Monte Terrell Squire, Young, Conaway, Stargatt & Taylor, Wilmington, DE, for Defendant.

[PROPOSED] STIPULATED ORDER ON CLAIM CONSTRUCTION

GREGORY M. SLEET, District Judge.

Pursuant to the Court's August 8, 2005 Scheduling Order, Plaintiffs Smith Kline & French Laboratories, Ltd. and SmithKline Beecham Corp., d/b/a GlaxoSmithKline (collectively "GSK") and Defendant Teva Pharmaceuticals U.S.A., Inc. ("Teva") jointly submitted a Joint Claim Construction Chart and Notice of Resolution of Outstanding Claim Construction Issues. Based on the parties' joint submission, the Court interprets the following terms of United States Patent No. 4,824,860 ("860 Patent") as follows:

Claim Term of the '860 Patent	Construction
4. "administering" (Claims 1-3)	"giving a therapeutic agent to a subject to be treated"
5. "effective non-toxic amount" (Claims 1-3)	"a non-toxic amount that is effective to treat conditions of Parkinson's disease in a human being"
6. "a subject in need thereof" (Claims 1-3)	"a human with Parkinson's disease"

The parties have represented that there is no dispute as to the construction of any other term used in the claims of the '860 patent or of any term used in the claims of the other patent-in-suit, United States Patent No. 4,452,808 ("808 Patent"). Accordingly, the Court does not construe any other claims terms in the '860 patent or '808 patent at this time.

SO ORDERED.

D.Del.,2006.

Smith Kline & French Laboratories, Ltd. v. Teva Pharmaceuticals U.S.A., Inc.

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