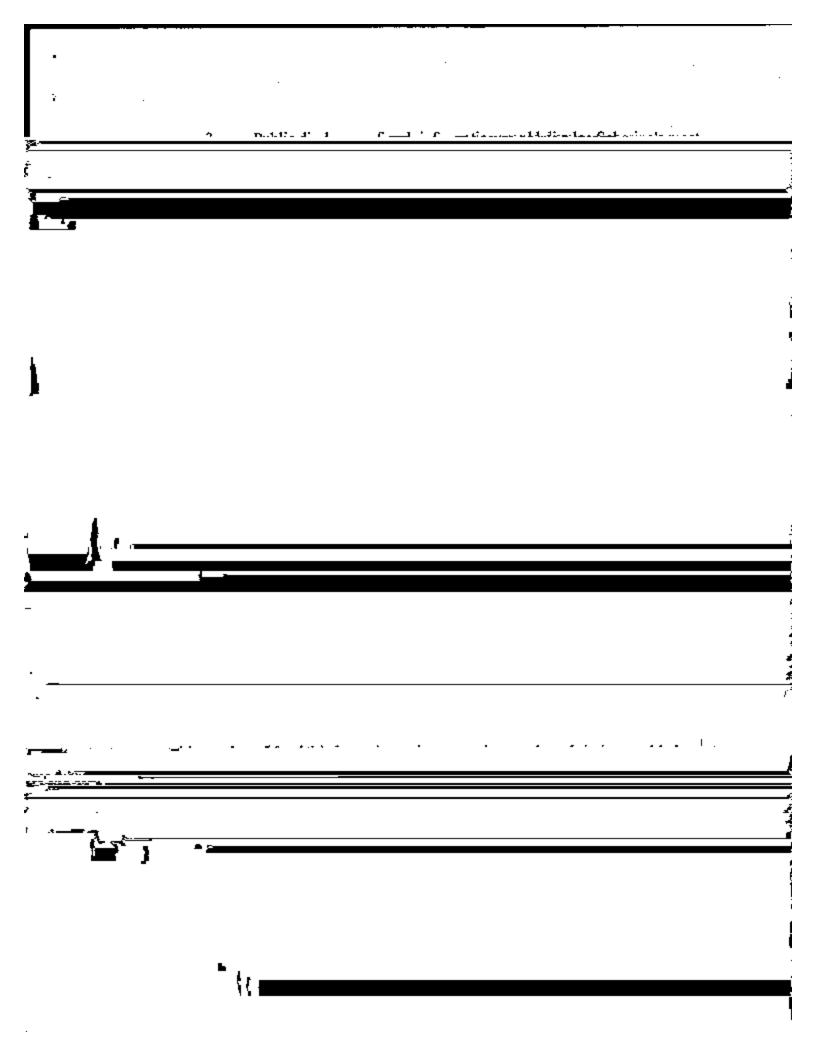
PUBLIC VERSION

UNITED STATES OF AMERICA BEFORE FEDERAL TRADE COMMISSION



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| In the Matter of | SECRETARI |
| Schering-Plough Corporation, a corporation, | |
| Upsher-Smith Laboratories, a corporation, |) Docket No. 9297 |
| and . | |
| American Home Products Corporation, | 5 |

RESPONDENT SCHERING-PLOUGH CORPORATION'S



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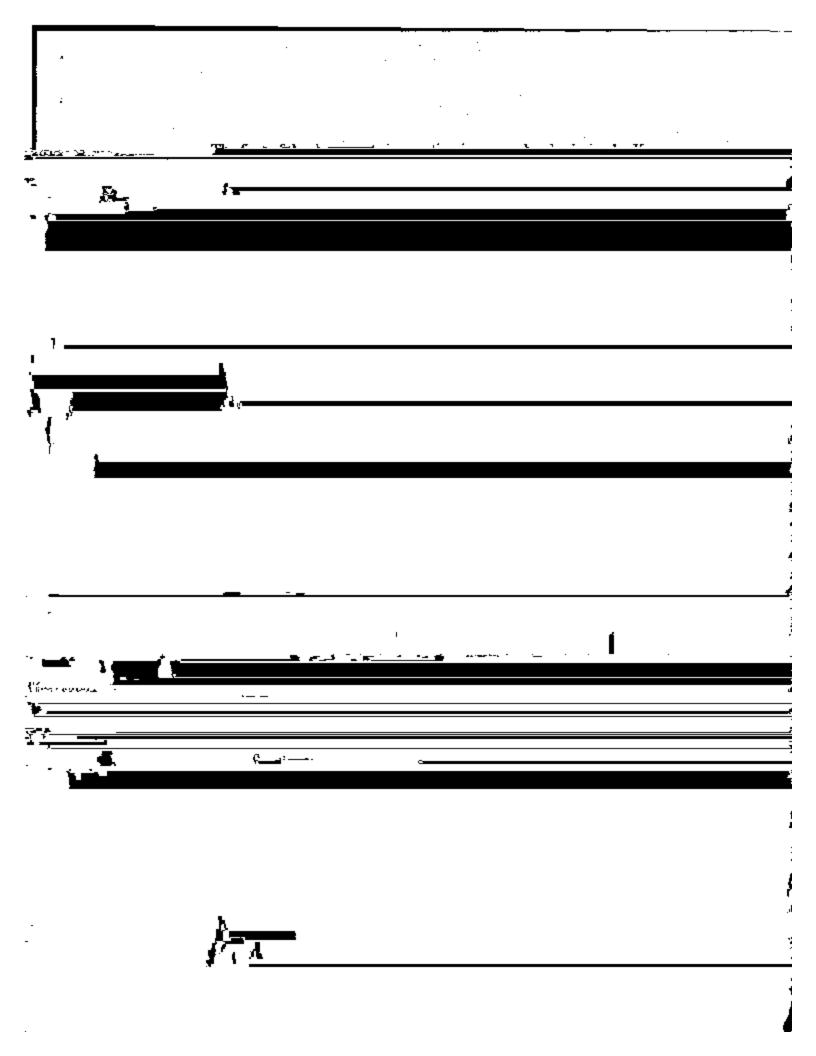
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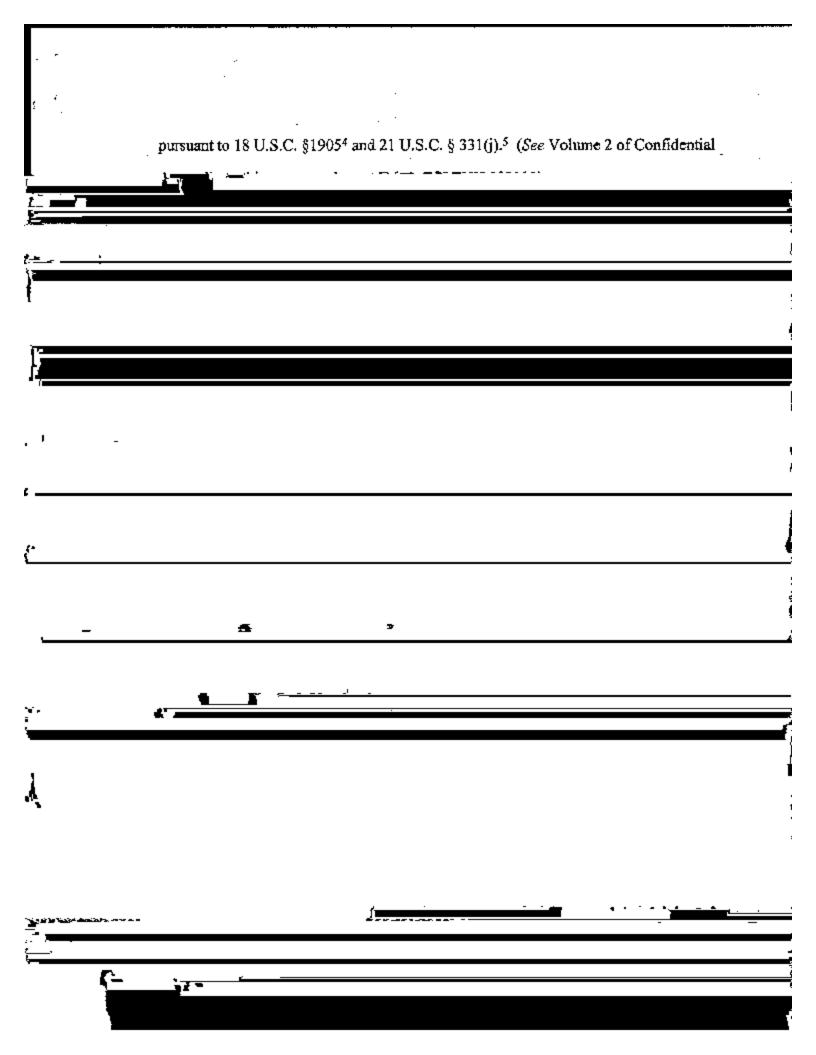
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| | Schering-Plough Corporation, a corporation, | | |
| | Upsher-Smith Laboratories, a corporation, |) Docket No. 9297 | |
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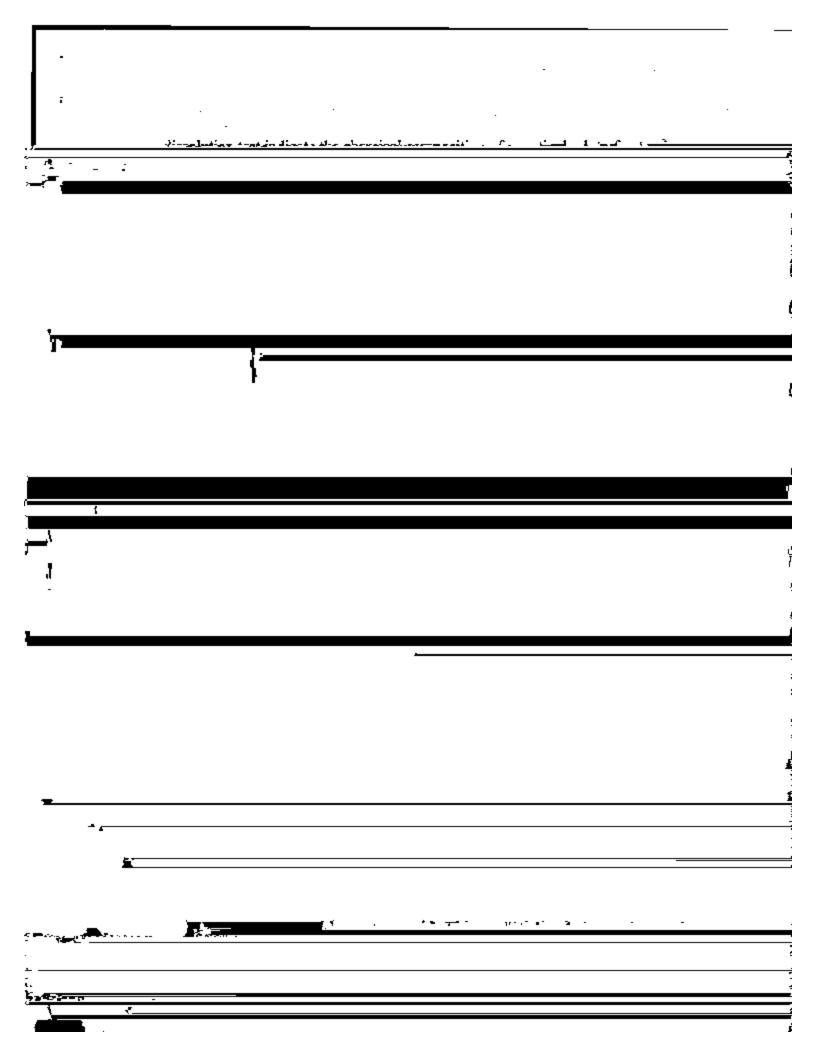
MEMORANDUM OF LAW IN SUPPORT OF RESPONDENT SCHERING-PLOUGH CORPORATION'S MOTION FOR IN CAMERA TREATMENT OF CERTAIN DOCUMENTS

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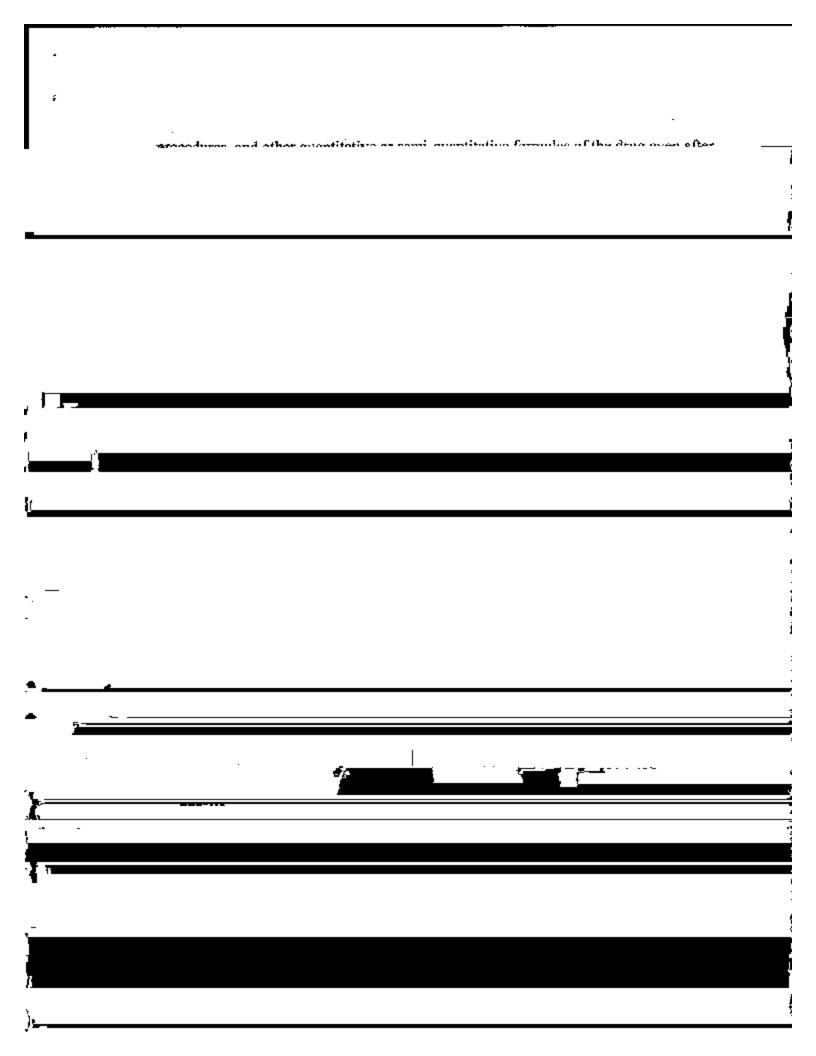
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| ì | Pharmaceuticals, Inc. v. ESI-Lederle, Inc., Civil Action No. 96-CV-1219 (E.D. Pa)("ESI |
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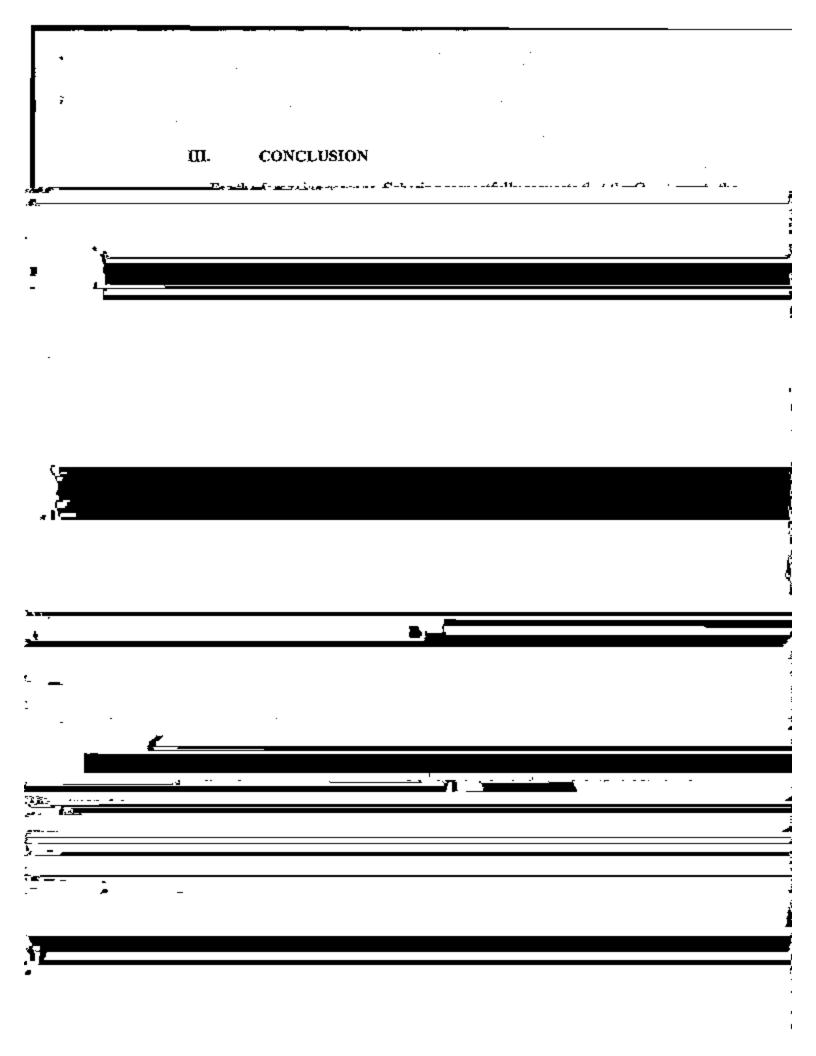


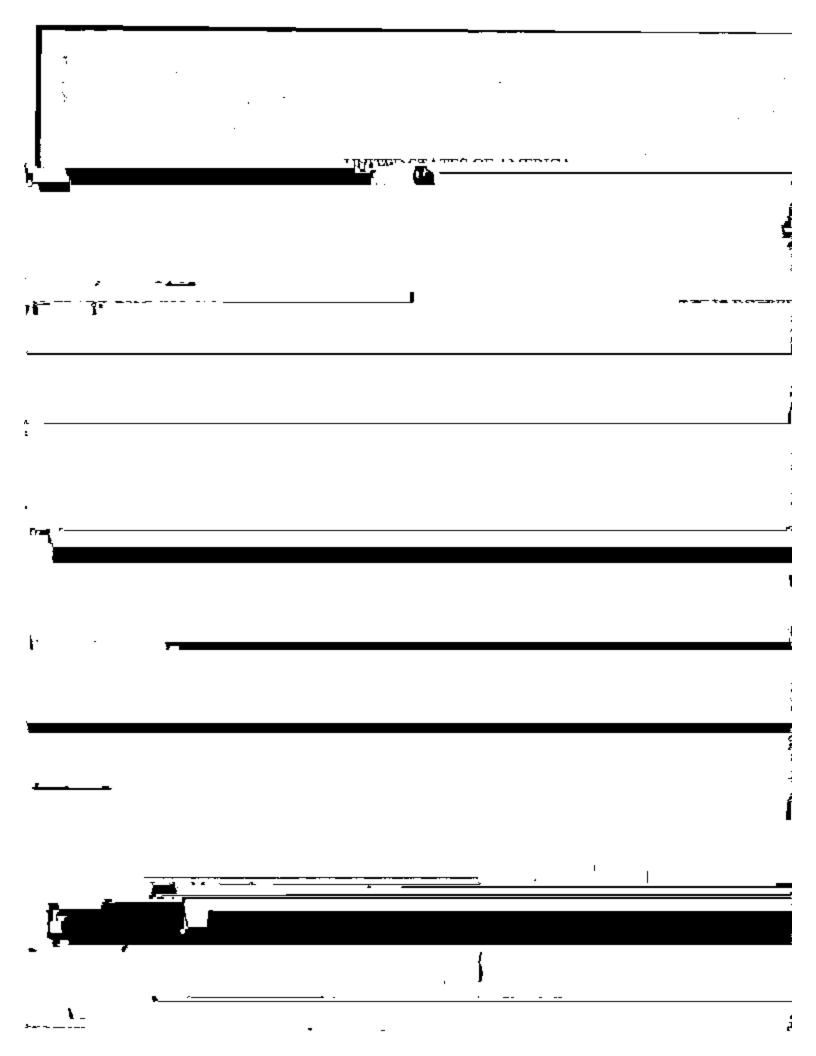
the information; (6) the ease or difficulty with which the information could be properly acquired or duplicated by others. See Bristol-Myers, 90 F.T.C. at 456; Hoechst, 2000 F.T.C. LEXIS at *6. Further, "[t]he likely loss of business advantages is a good example



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efforts. (Id. at \P 8). The disclosure of such information could allow competitors to reconstruct Schering's product development process at great detriment to Schering. (Id.). Tarket in the control of the control





The NDA submission for K-Dur® at issue here, like any NDA, contains 5.

