UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d)
of the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported): **April 27, 2020**

Eagle Pharmaceuticals, Inc.

(Exact name of registrant as specified in its charter)

Delaware	**001-36306**	**20-8179278**
(State or other jurisdiction of incorporation)	(Commission File Number)	(IRS Employer Identification No.)

50 Tice Boulevard , Suite 315 **Woodcliff Lake , NJ**	**07677**
(Address of principal executive offices)	(Zip Code)

Registrant's telephone number, including area code: **(201) 326-5300**

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligations of the registrant under any of the following provisions:

☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

☐ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Securities registered pursuant to Section 12(b) of the Act:

Title of each class	**Trading Symbol**	**Name of each exchange on which registered**
Common Stock (par value $0.001 per share)	EGRX	The Nasdaq Global Market

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (17 CFR §230.405) or Rule 12b-2 of the Securities Exchange Act of 1934 (17 CFR §240.12b-2).

Emerging growth company ☐

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act. ☐

Item 8.01 Other Events.

On April 28, 2020, Eagle Pharmaceuticals, Inc., or the Company, issued a press release announcing that on April 27, 2020, the U.S. District Court for the District of Delaware issued a patent decision in favor of the Company and Teva Pharmaceutical Industries Ltd. for BENDEKA ® (bendamustine hydrochloride injection, or bendamustine HCl), a liquid, low-volume (50 mL) and short-time 10-minute infusion formulation of bendamustine hydrochloride.

A copy of the full text of the press release referenced above is filed as Exhibit 99.1 to this Current Report on Form 8-K and is incorporated herein by reference.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits

Exhibit No.	Description
99.1	Press Release dated April 28, 2020
104	Cover Page Interactive Data File (formatted as inline XBRL)

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Eagle Pharmaceuticals, Inc.

Dated: April 28, 2020

By: /s/ Scott Tarriff
Scott Tarriff
Chief Executive Officer

For Immediate Release

Court Issues Favorable Patent Litigation Decision for Eagle Pharmaceuticals, Inc. and Teva Pharmaceutical Industries Ltd. for BENDEKA (bendamustine hydrochloride injection)

-- Further Protects Longevity of BENDEKA franchise --

WOODCLIFF LAKE, N.J. – **April 28, 2020** – Eagle Pharmaceuticals, Inc. (Nasdaq: EGRX) ("Eagle" or the "Company") and Teva Pharmaceutical Industries Ltd. (Nasdaq: TEVA) ("Teva") announced today that on April 27, 2020, the U.S. District Court for the District of Delaware (the "Court") has issued a patent decision in favor of Eagle and Teva for BENDEKA ® (bendamustine hydrochloride injection, or bendamustine HCl), a liquid, low-volume (50 mL) and short-time 10-minute infusion formulation of bendamustine hydrochloride.

The Court upheld the asserted patent claims as valid and found that the defendants' proposed ANDA products would infringe those claims. Under this decision, the patent defendants – Slayback Pharma LLC, Apotex Inc. and Apotex Corp., Fresenius Kabi USA, LLC, and Mylan Laboratories Limited – will not be able to launch their ANDA products before 2031.

"We are delighted with the Court's decision upholding our patents for BENDEKA, and further protecting the longevity of this important product," said Scott Tarriff, Chief Executive Officer of Eagle Pharmaceuticals. "With this decision, BENDEKA's value is likely to be intact for many years, thus ensuring our continued ability to invest in our growing research program and product pipeline," concluded Tariff.

About Eagle Pharmaceuticals, Inc.

Eagle is a fully integrated pharmaceutical company with research and development, clinical, manufacturing, and commercial expertise. Eagle is committed to developing innovative medicines that result in meaningful improvements in patients' lives. Eagle's commercialized products include RYANODEX ®, BENDEKA ®, BELRAPZO ®, and its oncology and CNS/metabolic critical care pipeline includes product candidates with the potential to address underserved therapeutic areas across multiple disease states. Additional information is available on the Eagle's website at www.eagleus.com.

Eagle's Forward-Looking Statements:

This press release contains "forward-looking statements" within the meaning of the Private Securities Litigation Reform Act of 1995 including, but not limited to, statements concerning the outcome of any additional litigation involving BENDEKA, including but not limited to any appeals with respect to the Court's patent decision in favor of the Company and Teva for BENDEKA, the timeline on which products competitive to BENDEKA may launch and enter the market, the Company's collaboration with Teva with respect to BENDEKA and whether the collaboration will be successful in ensuring BENDEKA's long-term value, the market performance of BENDEKA and the continued growth of the Company's research programs and product pipelines and any statements or assumptions underlying any of the foregoing. Forward-looking statements in this press release should be evaluated together with the many risks and uncertainties that affect the Company's business, particularly those identified in the "Risk Factors" section of the Company's Annual Report on Form 10-K for the year ended December 31, 2019 filed with the Securities and Exchange Commission on March 2, 2020 and its other subsequent filings with the Securities and Exchange Commission. All forward-looking statements contained in this press release speak only as of the date on which they were made. Except to the extent required by law, the Company undertakes no obligation to update such statements to reflect events that occur or circumstances that exist after the date on which they were made **.**

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