

Ranbaxy's Lipitor challenge struck down by UK court

Corporate Bureau

New Delhi, Oct 12

The UK High Court of Justice on Wednesday ruled that Ranbaxy Laboratories' proposed atorvastatin-based product infringed upon Pfizer's European patent 247633 for the world's largest selling drug Lipitor with annual global sales of over \$11 billion. The judgment is a blow to Ranbaxy's hopes of launching a generic version of Lipitor in the UK market. It will not be able to do so until 2011, when the patent expires. Ranbaxy plans to appeal against the judgement in a higher court.

The High Court, however, ruled that Pfizer's European patent 409281— a related "species" patent covering the calcium salt of atorvastatin — was invalid in the UK. While patent 633 is for the basic compound atorvastatin, patent 281 is for atorvastatin calcium. However, since Ranbaxy has lost patent 633, it will not be able to launch atorvastatin calcium based products in the UK either whose patent expires in 2010.

Pfizer also said it will appeal against the adverse rulings. Ranbaxy's president (pharmaceuticals) Malvinder Singh said, "We are confident of winning our appeal on the basic patent. We were prepared for this. We expect a favourable verdict from the higher court."



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Malvinder Singh

President (pharmaceuticals),
Ranbaxy

The world's largest pharmaceutical company described the judgement as "an important victory not only for Pfizer but for all innovators."

The Lipitor battle between Ranbaxy and Pfizer now shifts to the US, Lipitor's biggest market, where a judgment on atorvastatin is expected by the end of the year. UK, in comparison, is a relatively minor market for Pfizer, accounting for only 7% of Lipitor sales.

The judgment boosted the Pfizer scrip which has been trading at 8-year lows. The share shot up 4.8% in early trades. ♦