

Merck and Bristol settle lawsuit with Aurobindo

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DRUG making multinationals Merck Sharp & Dohme along with Bristol Myers Squibb have settled a lawsuit with Indian generics player Aurobindo Pharma which wanted to sell the copy cat version of their drug before the patent expires.

"We respect a product patent and so will not push for launching it before the product expires. The patent would expire in 2015. All our products are important for us and in Efavirenz (the active ingredient of the drug) there would have been lesser players," said a spokesperson of Aurobindo Pharma.

Sustiva is typically used along with other antiretroviral medicines to treat Human Immunodeficiency Virus type one. MSD and Bristol Myers Squibb together sell the drug.

According to reports, the drug franchise was estimated to generate around \$1.3 billion in 2010 global sales. In 2012 the franchise went up to \$1.5 billion. The Sustiva franchise, the company



LEGAL ISSUE: Lawsuit was on at the New Jersey federal court. However, the terms of the settlement have not been made public yet

website says, includes sales of Sustiva and revenues of bulk efavirenz included in the combination therapy, Atripla.

Infact in June this year, both the companies had dragged Cipla to court too over infringement of patent for the same drug. In mid 2005 Aurobindo had fetched a tentative approval from the USFDA for this drug. The tentative approval indicated that their drug met all standards set by the FDA, although marketing was not

possible because of patent and exclusivity rights.

The FDA had then said that the Hyderabad based company's lamivudine/zidovudine fixed dose combination tablets are a version of the already FDA approved Combivir tablets manufactured by Glaxo-SmithKline, and the efavirenz tablets are a version of Sustiva tablets manufactured by Bristol Myers Squibb.

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