

Biocon barred from claiming similarity to Roche's drug

NEW DELHI: The Delhi High Court has restrained Biocon Ltd and Mylan Laboratories Ltd from using the name, referring to or claiming any similarity to Roche Products India Pvt Ltd's breast cancer drug 'Herceptin' and its variants. Swiss-drugmaker F Hoffman La Roche Ltd's Indian arm had moved the high court claiming that Biocon Ltd and US-drugmaker Mylan Inc's Indian arm were promoting their drugs as "biosimilar version of HERCEPTIN". "Such misrepresentations are in the nature of passing off since they seek to pass off the defendants' drugs as being of the same quality and class as HERCEPTIN," Roche's counsel had said in the high court. The court restrained Biocon and Mylan from "relying upon or otherwise referring to" Roche's anti-breast cancer drug 'Trastuzumab' that is marketed as 'Herceptin', 'Herclontm' and 'Biceltis'.

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