

# Teva plans to contest Delhi court ruling on MS drug

Israeli drug-maker is seeking injunction to prevent Natco from exporting Copaxone

PT POTHI DATA

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Israeli drug-maker Teva Pharmaceuticals Industries Ltd plans to challenge a recent ruling by the Delhi High Court that dismissed a suit it filed against India's Natco Pharma Ltd exporting a blockbuster multiple sclerosis medicine, Copaxone.

"We are disappointed with the verdict and plan to appeal," a Teva spokesperson said, replying to queries from Business Line, without divulging details on the case.

While returning Teva's plea that sought an injunction to prevent Natco from exporting the drug, the court said it was not within its jurisdiction.

Copaxone (Glatiramer Acetate) is a \$4-billion drug whose patent expires in the US this May.

## Manufacture process

Meanwhile, Natco said it was happy with the court's decision to dismiss the case related to applications filed by Teva, Yeda Research and Development Co Ltd and Teva API India Ltd.

Teva had alleged that Natco's use in India of the well-known process to manufacture copolymer-1 infringed Yeda's Indian Patent No 190759 (IN759).

"We continue to believe that the sole Indian process patent is invalid, as reinforced by the outcomes of numerous other



Teva Pharmaceuticals' headquarters in Jerusalem, Israel, according to

legal proceedings. We also are pursuing other challenges against this patent," Natco said in its communication to the stock exchanges.

Natco is also pursuing other challenges against the IN759 patent, including a petition to the Delhi court to invalidate the patent. The hearing on this

petition has been set for March 5. Earlier, the Indian Patent Office had refused to grant two additional patent applications,

which would have covered the copolymer-1 product, Natco said.

The US counterpart to the IN759 patent (US Patent, No 5,800,808) along with four other US patents was held invalid by the US Court of Appeals for the Federal Circuit last July, Natco added.

## Pact with Mylan

Natco has a global marketing alliance with American generic drugs and specialty company Mylan to market this multiple sclerosis drug overseas, pending approval from the US Food and Drug Administration.

An inflammatory disease, multiple sclerosis affects the brain and spinal cord and its early symptoms include weakness, tingling, numbness, and blurred vision.

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