

IP Lab

March 21, 2012

PHARMA PATENT CASE STUDY

FIRST COMPULSORY LICENSE LIKELY TO IMPACT THE PHARMACEUTICAL INDUSTRY IN INDIA

Dear All,

On 9th March, 2012, the Controller General of Patents Design and Trademarks of India, Mr. P.H. Kurian, marked his last day in office with a landmark judgment granting the first ever compulsory license to an Indian generic pharmaceutical company Natco Pharma to manufacture and sell a generic version of Bayer Corporation's patent protected anti-cancer drug 'Sorafenib Tosylate' (NEXAVAR).

This watershed development is likely to alter the complexion of the pharmaceutical industry in India. This judgment brings to the fore many contentious issues such as whether "local manufacturing" of a patented invention is mandatory in India, what drug price is "reasonable" under the current patent regime .

Please [click here for the document](#) analyzing this path breaking judgment with our views and insights

- Aditi Jha, Gowree Gokhale & Dr. Milind Antani

You can direct your queries or comments to [IP-Pharma Team](#)

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2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012

Chambers and Partners Asia Pacific: Band 1 for Employment, Lifesciences, Tax and TMT
2020, 2019, 2018, 2017, 2016, 2015

IFLR1000: Tier 1 for Private Equity and Project Development: Telecommunications Networks.
2020, 2019, 2018, 2017, 2014

AsiaLaw Asia-Pacific Guide 2020: Tier 1 (Outstanding) for TMT, Labour & Employment, Private Equity, Regulatory and Tax

FT Innovative Lawyers Asia Pacific 2019 Awards: NDA ranked 2nd in the Most Innovative Law Firm category (Asia-Pacific Headquartered)

RSG-Financial Times: India's Most Innovative Law Firm
2019, 2017, 2016, 2015, 2014

Benchmark Litigation Asia-Pacific: Tier 1 for Government & Regulatory and Tax
2019, 2018

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