



Enforcing Pharmaceutical Patents in India: A Case Study of the Sitagliptin Litigation

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April 2014 marks the first anniversary of the judgment of the Indian Supreme Court in the Novartis case, wherein the decision of the Indian Patent Office refusing grant of a patent to Novartis for its famous anti-cancer drug Gleevec (sometimes known as Glivec) was upheld. This judgment had caused a furore in the media with the big pharmaceutical companies criticizing the judgment as "a stunning defeat for intellectual property rights" (as in an April 2013 Time magazine story) and public-health activists hailing the decision as "a win for patients seeking cheaper treatment" in the same story. However, is the future of pharmaceutical patent law in India as bleak as it was painted to be? It appears not. Indian courts, specifically the Delhi High Court, have recently given forward-looking decisions in patent related matters. Authored by Pravin Anand and Tusha Malhotra. This article was published in Asia IP March 2014. [Read more](#)



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