Roche v. Cipla

Thought Leadership • January 6, 2016

The seminal Roche v. Cipla decision will resonate in Indian patent litigation for decades to come. Pravin Anand examines its eloquent and articulate interpretation of patent law principles. Patent litigation is the 'king' of IP litigation, it is generally perceived, but the situation has not been so true with India. While worldwide patent enforcement is an age-old phenomenon, India's patent landscape owes much to the last decade. The country has made tremendous strides in its patent laws in the last 10 years post-compliance with TRIPS. The pharmaceutical industry is very promising and has much room for growth, especially with the increased protection afforded by the new law and precedents. Reaffirming a promising paradigm shift in the innovation bracket in India and a big boost to the Indian pharmaceutical industry is the recent ruling in the Roche v. Cipla litigation. The decision of the Division Bench of the Delhi High Court in Roche v. Cipla is a remarkable achievement and a new wave of reform. The case, which deals with Erlotinib Hydrochloride, an anti-cancer drug, is the first of its kind as it is India's first post-trial pharma patent ruling in a post-TRIPS world, and it is also India's first patent infringement case. *This article was published in Asia IP January 2016.* To continue reading, please contact us at email@anandandanand.com

RELATED INDUSTRIES

CONTRACTUAL AND COMMERCIAL IP

RELATED PRACTICES

COPYRIGHT
PATENTS
TRADEMARK