

Recent developments in antitrust enforcement and impact on IP protection and lifecycle management strategies

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Overview of today's session

- Overview of the current antitrust enforcement environment
- Patent settlement and patenting practices
- Lifecycle management
- An in-house perspective on recent developments in antitrust enforcement
- Case study and roundtable

Current antitrust enforcement environment - EU

- Traditional focus on parallel imports
- New areas of focus with the EU pharma sector inquiry: IP strategies, litigation, settlements
- Neelie Kroes: “The inquiry has told us what is wrong with the sector, and now it is time to act. The first investigations are already under way, and regulatory adjustments are expected to follow dealing with a range of problems in the sector.”
- Increasing antitrust enforcement at the national level

Where do we stand after the pharma sector inquiry?

- European Commission maintains antitrust scrutiny
- 8 July 2009: Launch of proceedings against Laboratoires Servier
- October 2009: Further dawn raids in the sector
- January 2010: Broad request for information from pharma companies concerning patent settlements
- No infringement decision yet
- Continued vigilance required to antitrust considerations underpinning licensing of patents, litigation, arrangements to resolve disputes and practices related to lifecycle management

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