

United Kingdom: Actavis UK Limited and others v. Eli Lilly and Company, High Court of Justice of England and Wales, Chancery Division, Patents Court, HC12E02962, 12 February 2016

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The High Court has granted the Claimants' request for declarations of non-infringement ("DNIs") regarding several national designations of the Defendant's European Patent for a pemetrexed disodium and vitamin B12 combination in respect of reconstitution of the Claimants' lyophilised pemetrexed product when reconstituted in dextrose solution. The issues in this case were remitted by the Court of Appeal in its June 2015 decision overturning the grant of DNIs regarding the same European Patent, which was based on reconstitution of Actavis' pemetrexed product in saline (Actavis UK Limited v Eli Lilly & Company [2015] EWCA Civ 555).

A full summary of this case has been published on Kluwer IP Law.