

Compulsory License: India Pharma's solution to "Patent and Affordability"

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Date: March 2012

Pages: 8

Price: US\$ 140.00 (Single User License)

ID: CA14F89EDDFEN

Abstracts

Recently, Natco was granted the first Compulsory License in India for the anti-cancer drug 'Nexavar'. In an early test of India's requirement that patent monopolies will be limited when products are not "reasonably affordable", here comes the most awaited decision of its kind from the Controller General of Patents (India). The Controller rejected several Bayers' defenses and granted the compulsory license to Natco for a life-saving drug. The decision was limited in important ways. Only NATCO can manufacture under the compulsory license. NATCO cannot import the drug to satisfy the Indian market.

This in turn can now give rise to opportunities for other large cap global pharma companies too, as they can also seek a CL for other best-selling products which offer them high margins.

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COMPANIES MENTIONED

NATCO, SUNP

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