



## **Cantor Colburn Generic Pharmaceutical Client Dr. Reddy's Prevails At Trial On Sleep Drug**

Hartford, Connecticut- On March 27, 2015, a federal judge in the U.S. District Court for the District of New Jersey invalidated three patents that Dr. Reddy's Laboratories, Ltd. and Dr. Reddy's Laboratories, Inc. (collectively "Dr. Reddy's") and other generic companies were accused of infringing. The ruling comes after a two week trial in December 2014, followed by post-trial briefing and closing arguments in February 2015. Dr. Reddy's was represented by members of Cantor Colburn's pharmaceutical litigation team.

The patents-at-issue were owned by Transcept Pharmaceuticals, Inc. and licensed to Purdue Pharmaceutical Products L.P. and Purdue Pharma L.P. The patents purported to cover the sleep medicine Intermezzo®. Intermezzo® is intended for the treatment of a particular type of insomnia characterized by waking up in the middle of the night, and then having difficulty falling back asleep, also referred to as "middle-of-the-night insomnia." The active pharmaceutical ingredient in Intermezzo® is zolpidem tartrate, the same API as in the popular sleep drug Ambien®.

At trial counsel for Dr. Reddy's, along with counsel for other co-defendants, raised several defenses, including that the patents-in-suit were obvious over the known prior art, and that the alleged inventions were well within the reach of the person of ordinary skill in the art. United States District Court Judge Jose Linares agreed with Dr. Reddy's and the other generic defendants, finding that all of the asserted claims of each of the patents-in-suit were obvious over the prior art. As a result, the Court issued an Order invalidating the patents-in-suit, removing a major barrier to Dr. Reddy's entry to market with its generic version of Intermezzo®.

Cantor Colburn's trial counsel for Dr. Reddy's were Jeffery B. Arnold and Steven M. Coyle.

The case is *Purdue Pharmaceutical Products L. P. et al v Actavis Elizabeth LLC, et al*, United States District Court for the District of New Jersey, Civil Action No. 12-53111(JLL) (JAD).

### **About Cantor Colburn LLP**

Cantor Colburn is one of the largest, full-service intellectual property law firms in the country, with growing offices in Hartford, Washington, D.C., Atlanta, Houston, and Detroit. In recent rankings, Cantor Colburn was ranked 10th in the country for issued patents issued and 41st for trademark registrations issued. Cantor Colburn's Pharmaceutical IP Services Practice Group has substantial experience representing clients in Hatch-Waxman and related pharmaceutical litigation matters. Our attorneys defend the rights of both drug discovery companies seeking to protect and enforce their patent rights, as well as defending generic pharmaceutical companies against allegations of patent infringement, including actions arising out of ANDA filings. The firm litigates patent infringement cases in a variety of technical areas, as well as trademark, copyright, trade secret, and other complex disputed matters. As well, the firm has extensive practice in other intellectual property areas, such as validity and infringement opinions, reexaminations, interferences, licensing, due diligence regarding acquisitions and divestitures, and technology transfer agreements. The firm's clients are among the leading companies in the United States and around the world, including Fortune 100 companies, privately-held companies, select high tech start-ups, and universities. For more information, go to [www.cantorcolburn.com](http://www.cantorcolburn.com).