

## IP Lab

February 19, 2009

### GENERIC'S ENVY, PATENT OWNER'S PRIDE: ROCHE'S 'VALCYTE' TRIUMPHS AT THE CHENNAI PATENT OFFICE

Dear All,

On January 1, 2005, the product patent regime in India was born again. In these few years of product patent regime, the Indian pharmaceutical industry has witnessed some tough battles in Indian courts and the four Patent Offices, between MNC patent holders and Indian generic drug manufacturers.

Roche's drug "Valcyte" (Valganciclovir hydrochloride) too has faced legal challenges. It met its pre-grant stage challenge in which it recently tasted victory at Chennai Patent Office, and is now facing post grant challenge. Roche has instituted infringement action against Cipla and is awaiting its hearing.

Please [click here for the document](#) tracing the journey of Valcyte in India and the hurdles it has met and will meet to survive as a valid patent in India.

#### IP-Pharma Team

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