

MSD sues Glenmark for diabetes drug patent

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New Delhi: The legal battles between pharma MNCs and local drug companies doesn't seem to cease in India. Following the Novartis Glivec case, a fresh legal battle has broken out between Merck Sharp & Dohme (MSD) and India's Glenmark Pharmaceuticals. MSD has filed a patent suit in India's Delhi High Court against the Mumbai-based generic player, alleging violation of its patent for blockbuster anti-diabetes drugs Januvia and Janumet.

MSD's move comes a week after Glenmark launched generic versions of a range of anti-diabetes products, which are sold by MSD under the brand names Januvia and Janumet. Glenmark has named its medicines Zita and Zita Met and aims to grab a share of \$600 million (Rs 3000 crore) Indian anti-diabetic market.

Last month, Intendis, Intrasev and Bayer HealthCare also filed suits against Glenmark seeking to prevent it from commercializing its abbreviated new drug application (ANDA) prior to the expiration of US Patents.

MSD's Januvia and Janumet enjoy patent protection of 20 years in India, starting on 2008. The drugs currently cost around 80 cents (Rs 40) per tablet and have turnover of \$60 million (Rs 300 crore) in 2011. However, under the Drugs and Cosmetics Act of India, a company can apply for approval of a generic version of the patented drug four years after its launch.

MSD spokesperson, while speaking about the issue, said that, "We are disappointed with Glenmark's decision to introduce products that directly infringe upon our intellectual property rights (IPR). We believe our patents for Januvia and Janumet are valid and enforceable and will vigorously defend those."