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### Abbott sues Sun, Ranbaxy on cholesterol drug patents

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**New Delhi:** The US-based pharma company, Abbott, has sued two top Indian drugmakers, Ranbaxy Labs Ltd and Sun Pharmaceuticals in the US market alleging patent infringement in the cases of two different cholesterol drugs.

Irish firms Elan Pharma and Fournier Labs, which originally discovered lipid managers Fenofibrates, along with Abbott, have filed a patent infringement case against Ranbaxy for allegedly violating patents on its drug Tricor (Fenofibrate). This drug is a blockbuster that fetches Abbott revenues of over \$1 billion annually in the US market alone.

It is marketed by the company under brands Tricor and Triplix. Fenofibrate is a lipid and cholesterol lowering drug used in the treatment of adults with increased triglyceride levels. Fournier, the original owner of the patent of the drug was acquired by the Belgian firm Solvay Pharma, which, in turn, was acquired by Abbott last year.

Another Mumbai-based drugmaker Lupin and other pharma firm players Impax and Biovail are among those chasing this generic opportunity in the US market. Initially, the largest generic pharma company, Teva, was also among the initial contenders to launch a generic version of this drug.

However, late last year Abbott reached a settlement in the US over a patent litigation with Teva over the blockbuster triglycerides drug Tricor. This settlement involved the 145 milligram dose of Tricor, which makes up the large majority of Tricor's sales. The licensing agreement between the two companies allowed Teva to launch a generic version no sooner than March 28, 2011.

Under certain unspecified circumstances, Teva might not receive such rights until July 1, 2012, Abbott said in a US securities filing. "This allows Abbott to obtain certainty for our product and avoid risk and costly litigation around our patents,"

Abbott spokesperson had said then. However, a few months later, Abbott and Fournier agreed to pay \$22.5 million to settle a multistate lawsuit that pointed fingers at them for conspiring to block generic versions of Tricor.

In addition to its case against Ranbaxy in the District Court of New Jersey, Abbott has also filed a patent infringement case against Sun Pharma for allegedly violating its patent on another cholesterol drug Niaspan in the District court of Delaware. This drug fetches the company annual revenues worth around \$850 million in the US market.

According to estimates, in the US and EU market, Tricor accounts for 28% of marketshare, while Niaspan accounts for 26% of market share within the non-statin category of cholesterol drugs. Statins are a class of drugs that helps prevent and treat high cholesterol levels and reduce the incidence atherosclerosis a precursor to cardiovascular disease (CVD). Non-Statins are another other options for lowering cholesterol.