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Patents

Minter Ellison's patents team has a wealth of experience across all aspects of domestic and international patent advisory and dispute matters – ranging from strategy to licensing, freedom to operate, opposition, infringement and revocation proceedings. We are particularly experienced in working as part of global litigation teams coordinating strategy across jurisdictions. Our clients span the biotechnology, pharmaceutical, medical, consumer, industrial and agricultural industries.

Our multidisciplinary team includes dual-qualified lawyers with scientific qualifications and experience in chemistry and biotechnology. Many have worked in the United Kingdom with global firms, bringing with them substantial experience in UK patent litigation and pan-European intellectual property issues, including in the fields of transdermal drug delivery systems, monoclonal antibodies and mechanical patents.

PUBLICATIONS

Inquiry into the compulsory licensing provisions in the Patents Act 1990 (Cth)
14 August 2012

The Australian Government has launched another inquiry into the compulsory licensing provisions in the *Patents Act 1990* (Cth).

This alert outlines the scope of the inquiry by the Productivity Commission, and how you can make a submission.

Full Federal Court of Australia updates 'fair basis' requirements
9 November 2011

The Full Federal Court of Australia recently found that the majority of Wyeth's patent claims covering a method of administering an antidepressant compound were invalid, based on a finding that the patent was not entitled to its earliest priority date. The decision highlights the care required when amending patent claims to ensure they are not broadened to the extent that they cease to be fairly based on the specification and any priority documents.

Secondary patent protects Sanofi-Aventis' blockbuster drug

Lead Contacts

Lynne Peach
Partner
T +61 2 9921 4800
M +61 448 480 871
lynne.peach@minterellison.com

Josh Simons
Partner
T +61 8 8233 5428
josh.simons@minterellison.com

John Fairbairn
Partner
T +61 2 9921 4590
M +61 410 475 965
john.fairbairn@minterellison.com

Paul McGinness
Managing Partner Canberra
T +61 2 6225 3257
M +61 417 415 351
paul.mcginness@minterellison.com

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leflunomide
1 September 2011

Once their compound patents have expired many blockbuster drugs remain protected by secondary 'method of treatment' patents. The validity and enforceability of these secondary patents can be less certain in many jurisdictions. In *Sanofi-Aventis Australia Pty Ltd v Apotex Pty Ltd* (No.3) [2011] FCA 346, the Federal Court found that the secondary patent protecting Sanofi-Aventis' blockbuster leflunomide drug was valid and infringed – a surprising outcome, at least initially, based on the facts of the case.

AWARDS & RECOGNITION

Best Lawyers 2013
The depth and strength of Minter Ellison's team in Australia has been recognised by this year's list of Best Lawyers, announced today by Best Lawyers® and published by the Australian Financial Review.

Legal 500 Asia Pacific - Intellectual Property
Minter Ellison provides a 'very personalised' service, and is 'extremely trustworthy, always acting in the best interests of clients.'

Chambers Asia Pacific / Chambers Global - Intellectual Property
This substantial group of more than 70 practitioners offers a full IP service but is especially well regarded for its contentious copyright expertise, all-round trade marks practice, and the focus of its patents practice on the life sciences sector.