

Pfizer to Seek to Appeal Lipitor Enantiomer Patent Ruling in the Netherlands, Company Notes That Ruling Has No Commercial Impact

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Pfizer Inc said today that it will seek to appeal a ruling of the Court of Appeal of The Hague in the Netherlands that Pfizer's atorvastatin enantiomer patent is invalid. The patent (EP 409,281) had been challenged by generics manufacturer Ranbaxy and expires in July 2010.

The decision has no commercial impact because Pfizer's basic patent covering Lipitor (EP 247,633) remains in force and expires in November 2011. Last week, the same court ruled that the basic patent would be infringed by Ranbaxy's proposed generic atorvastatin product. That decision, which is also subject to possible appeal, prevents Ranbaxy from launching a competitor drug before November 2011.

The company pointed out that today's ruling does not affect patent litigation involving Lipitor in other jurisdictions, including the United States. Pfizer said it will continue to vigorously defend its patents against infringement.

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