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ASTRAZENECA LOSES UK APPEAL ON OMEPRAZOLE FORMULATION PATENTS

AstraZeneca today announced that the Court of Appeal in London has denied its request for a re-trial following an earlier decision of the United Kingdom's Patents Court in a dispute with the generic pharmaceutical companies, Arrow Generics Limited (acting through Cairnstores Limited) and Generics UK Limited, about formulation patents for omeprazole – the active substance used in Losec, a treatment for acid-related disorders, such as peptic ulcers.

The Court of Appeal refused to allow a re-trial due to the bias shown by the Patents Court judge in the original hearing, and the decision in March (2002) of the Patents Court of the High Court Chancery Division, which declared the formulation patents (EP 247 983 and EP 496 437) invalid due to obviousness, was affirmed.

The UK represented 4.3 percent of Losec's worldwide sales in 2001.

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