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Eli Lilly v. Ratiopharm, District Court Milan (Tribunale di Milano), 11 June 2009

Daniela Ampollini (Trevisan & Cuonzo) · Monday, January 31st, 2011

The mere filing of an application for marketing authorization of a generic drug does not constitute an infringing activity.,

although of a preparatory nature as, aAlthough it is true that the filing of such an application may constitute the basis for the marketing of the drug, there still is the possibility that the eventual act of marketing of the drug will not occur in practice. Therefore the mere filing of an application does not constitute an infringing act.

A **full summary** of this case has been published on **Kluwer IP Law**.

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