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Esomeprazole – process patent, Bailiff's Court Frederiksberg (Højesteret), 28 February 2011

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AstraZeneca enforced its patent for an asymmetrical synthetic route to obtain esomeprazole in Denmark. The API manufacturer of the allegedly infringing pharmaceutical had developed its own- independent synthetic route with a significantly lower yield and had applied for a European patent for that process. AstraZeneca alleged that the detection of trace amounts (ppb) of certain compounds in the allegedly infringing product indicated that the patented process had been employed for the manufacture of the pharmaceutical. The Court upheld the injunction which was granted in summary proceedings.

A [full summary](#) of this case has been published on [Kluwer IP Law](#).

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