

## **Esomeprazole, Borgarting Court of Appeal (Borgarting lagmannsrett), 16 June 2011**

Kluwer Patent Blog  
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The Court of Appeal dismissed Krka's appeal against a decision of the Oslo Court of Enforcement and Execution, which granted AstraZeneca a preliminary injunction preventing Krka from marketing its generic esomeprazole product in Norway. The Court of Appeal held that the esomeprazole salt in Krka's generic product with an optical purity of 98,8-99,4% was "an optically pure compound", and thus fell within the scope of AstraZeneca's patent.

A summary of this case will be posted on <http://www.KluwerIPCases.com>.