

## Actavis v. Sanofi, High Court Chancery Division, 20 September 2012

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The High Court (Arnold J.) decided to refer further questions on the interpretation of Article 3 of the SPC Regulation to the CJEU, particularly in relation to the Article 3(a) requirement that "the product is protected by a basic patent in force", suggesting an interpretation which focuses on the "inventive concept" of the patent rather than the particular wording of the claims despite the ruling in Medeva. In addition, the Court sought clarification on whether it is possible to obtain more than one SPC per patent, given the differing interpretations of the Biogen decision in light of Medeva.  
Click [here](#) for the full text of this case.

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