Kluwer Patent Blog

Portugal: AIM generic medicament, Supreme Court of Justice of Portugal, 747/13.1YRLSB.S1, 20 May 2015

Alexandre L. Dias Pereira (University of Coimbra) · Thursday, February 11th, 2016

Obtaining an authorization to introduce generic medicaments into the market before the expiration of a patent as well as transferring the authorization to third parties does not infringe patent rights in substances used in those medicaments. Nevertheless, the exploitation of such medicaments can only take place upon the expiration of the patent or the respective supplementary protection certificate.

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

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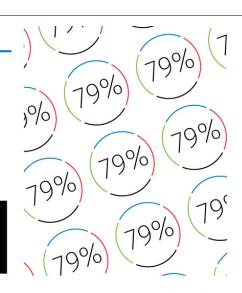
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This entry was posted on Thursday, February 11th, 2016 at 8:53 am and is filed under Case Law, Portugal

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