

Patent case: Actavis Group PTC EHF v ICOS Corporation, United Kingdom

Kluwer Patent Blog
December 15, 2018

Sara Moran

Please refer to this post as: Sara Moran, 'Patent case: Actavis Group PTC EHF v ICOS Corporation, United Kingdom', *Kluwer Patent Blog*, December 15, 2018, <http://patentblog.kluweriplaw.com/2018/12/15/patent-case-actavis-group-ptc-ehf-v-icos-corporation-united-kingdom/>

The Court of Appeal overturned the Patent Court's first instance decision concerning the validity of one of ICOS's patents (licensed to Eli Lilly) covering a 1 to 5mg dosage form of tadalafil (Cialis®) for oral administration up to a maximum of 5mg per day for the treatment of sexual dysfunction. The Court held that the Judge had erred in concluding that the patent was not obvious, and made interesting comments on the requirement that the person skilled in the art would have a reasonable expectation of success in trying the invention.

Case date: 01 November 2017

Case number: [2017] EWCA Civ 1671

Court: Court of Appeal of England and Wales, Civil Division

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