
Kluwer Patent Blog

Ratiopharm v. Sepracor, District Court The Hague (Rechtbank Den Haag), 13 May 2009

Mark van Gardingen (Brinkhof) · Wednesday, May 13th, 2009 · Landmark European Patent Cases

The Hague District Court nullified Sepracor's patent for compositions for treating allergic disorders using (-) cetirizine (levoceterizine) on the basis of lack of inventive step. The Court considered that the person skilled in the art knows that the pharmaceutical efficacy of a racemic mixture generally can be attributed to one of the enantiomers. At the priority date the skilled person would have researched the antihistamic activity of levoceterizine with his common general knowledge as his 'tools' and would have come to the claimed invention. Researching the individual enantiomers is therefore obvious and cannot lead to the grant of a patent.

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

To make sure you do not miss out on regular updates from the Kluwer Patent Blog, please [subscribe here](#).

Kluwer IP Law

The **2022 Future Ready Lawyer survey** showed that 79% of lawyers think that the importance of legal technology will increase for next year. With Kluwer IP Law you can navigate the increasingly global practice of IP law with specialized, local and cross-border information and tools from every preferred location. Are you, as an IP professional, ready for the future?

Learn how [Kluwer IP Law](#) can support you.

79% of the lawyers think that the importance of legal technology will increase for next year.

Drive change with Kluwer IP Law.

The master resource for Intellectual Property rights and registration.



2022 SURVEY REPORT
The Wolters Kluwer Future Ready Lawyer
Leading change



This entry was posted on Wednesday, May 13th, 2009 at 6:53 am and is filed under [Case Law](#), [Chemical Engineering](#), [Inventive step](#), [Netherlands](#), [Revocation](#), [Validity](#)

You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. Both comments and pings are currently closed.