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# Kluwer Patent Blog

## Merck vs. Ratiopharm, Court of Appeal Helsinki (Helsingin Hovioikeus), 31 December 2010

Johanna Lilja (Roschier) · Monday, February 25th, 2013

The Helsinki Court of Appeal found that ratiopharm had infringed Merck's supplementary protection certificate covering losartan. The Court applied the reversed burden of proof of the Patents Act, which has its basis on Article 34 of the TRIPS Agreement. It further considered that, in the absence of proof to the contrary, the active ingredient losartan in ratiopharm's Losatrix- and Losatrix Comp -products was deemed to have been produced using a manufacturing process within the scope of Merck's patent.

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

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