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Norway: Genentech v. Hospira, Court of Appeal of Borgarting, 24 April 2015

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In its decision 24 April 2015, the Borgarting Court of Appeal upheld a decision from the Oslo District Court revoking Genentech's Norwegian patent NO 323 557 (the '557-patent) which concerns formulations of pharmaceutical proteins, including trastuzumab. Trastuzumab is the active ingredient in Genentech's product Herceptin.

Hospira successfully argued that the disputed claims of the '557-patent were invalid due to a lack of inventive step. The Court of Appeal held that the patent was nothing other than the result of a routine approach to the problem based on screening of commonly known additives, and the application of commonly known technology.

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

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