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United Kingdom: Actavis UK Limited and Others v. Eli Lilly and Company, High Court of England and Wales, Chancery Division, Patents Court, A3 2014 2047, 25 June 2015

Aida Tohala (Bristows) · Thursday, February 11th, 2016

The Court of Appeal denied Actavis' claim for declarations of non-infringement in respect of several national designations of Eli Lilly's European Patent. Whilst agreeing with the High Court that the national designations in suit were not directly infringed, it, nevertheless, overturned the prior decision on the basis of there being indirect (contributory) infringement. The Court of Appeal held that Actavis would supply a means relating to an essential element of the claimed pemetrexed disodium, as a solution including pemetrexed and sodium ions would be formed when reconstituting Actavis' product.

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

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