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Federal Circuit Decides Teva-Lilly Spat for Antibody Compositions and Methods

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On August 16, 2021, the Federal Circuit handed down two rulings related to patents issued to Teva, which involve therapeutic antibodies targeting a calcitonin gene-related peptide (“CGRP”). In both cases, the Federal Circuit affirmed the Patent Trial and Appeal Board (“the Board”)'s decisions on inter partes review (“IPR”) filed by petitioner Eli Lilly. However, the outcomes in these two rulings were directly opposite for the patent owner Teva: the claims directed to the antibodies were found obvious and invalid, but the claims directed to the methods of treatment using these antibodies were deemed valid.

Related People



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