Insights: Publications

The Emerging Role of the ITC in Pharmaceutical Disputes

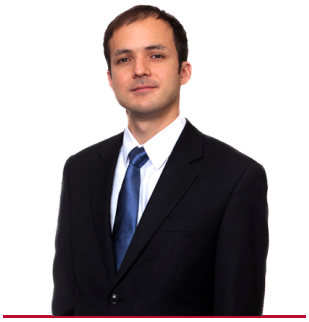
Stevens & Bolton

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The U.S. International Trade Commission (ITC) acts as an independent, quasi-judicial government agency with the power to adjudicate claims of unfair importation, including those involving imports that allegedly infringe intellectual property rights. As an expedited alternative to U.S. federal litigation, the ITC has become an increasingly popular forum for blocking imports that infringe patents, trademarks, and trade secrets, or that otherwise constitute unfair trade. Complaints to the ITC and resulting investigations have surged—from 36 in 2015, to 60 in 2017. Medical imports—particularly pharmaceuticals—have long been at the periphery of the ITC, but seem ripe for a similar surge

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Matthew J. Meyer
t 650.614.6414
mmeyer@ktslaw.com