

# Wiley Rein Clients Mylan and Esteve Win Significant Patent Infringement Dispute

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Wiley Rein patent attorneys James H. Wallace, Jr., Floyd B. Chapman, Gregory R. Lyons, Mark A. Pacella, Kristin L. Yohannan, Kevin P. Anderson, Kirstin E. Michener, Brian H. Pandya and Heather H. Ramirez have successfully represented Mylan Laboratories Inc. and Esteve in a patent dispute against AstraZeneca LP as described in the Mylan press release that follows.

## **Mylan Wins Omeprazole Patent Litigation: Certain Competitors in the Generic Omeprazole Market Found to Infringe**

PITTSBURGH, May 31 – Mylan Laboratories Inc. (NYSE: MYL) announced today that the United States District Court for the Southern District of New York has ruled that Mylan's 10 mg and 20 mg omeprazole delayed-release capsules, which are the generic versions of AstraZeneca LP's Prilosec®, do not infringe patents asserted against it by AstraZeneca. The Court also found that omeprazole products from Apotex and Impax do infringe the same patents asserted against Mylan.

Mylan launched its omeprazole products on August 4, 2003 despite the patent infringement litigation, which at the time was unprecedented in the generic pharmaceutical industry. Robert J. Coury, Mylan's Vice Chairman and Chief Executive Officer commented: "This was another in a long line of Mylan firsts and we are pleased to have prevailed in the litigation. Our decision to launch at risk has resulted in significant savings to consumers around the country that have had access to a lower cost generic version of this important product while this lawsuit continued over the last three and a half years."

## Practice Areas

- Hatch-Waxman Act Litigation
- Intellectual Property
- Litigation
- Patent

Mylan Laboratories Inc. is a leading pharmaceutical company with three principle subsidiaries, Mylan Pharmaceuticals Inc., Mylan Technologies Inc. and UDL Laboratories Inc., and a controlling interest in Matrix Laboratories Limited, India. Mylan develops, licenses, manufactures, markets and distributes an extensive line of generic and proprietary products.

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