

Chad Landmon Discusses Cubist's Lawsuit Against Teva with Pharmawire

June 26, 2009

ATTORNEYS

Landmon, Chad

PRACTICE AREAS

Intellectual Property

Pharmawire

Cubist Pharmaceuticals, a Lexington, MA, based antibiotic company, could face problems with the planned sale of the company in the near term because of ongoing litigation and patent woes. Cubist is currently involved in a lawsuit with Teva over a generic version of the drug Cubicin, a drug used to treat *Staphylococcus aureus*, or MRSA. Teva filed suit on February 9, 2009 claiming that patents filed by Cubist are not infringed and/or invalid. Cubist has since filed a patent infringement lawsuit against Teva. This lawsuit has apparently raised questions with possible buyers about the validity of other Cubist patents. Chad Landmon, a partner in the FDA and Biomedical Practice Groups at Axinn, discussed with Jacqueline Kwong of Pharmawire the likelihood of Cubist winning its case against Teva, saying that the fact that Cubist's patent did not reissue until six years later, between the period of 2000-2006, suggests that there may be problems with the reissued patent.

The article, titled, "Cubist's lawsuit against Teva keeps potential buyers wary, sources say," was published by Pharmawire on June 26, 2009. [Click here](#) for a copy of the article: