

## Landmon Quoted by Pharmawire on the Possibility of a Cephalon Settlement

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### ATTORNEYS

Landmon, Chad

### PRACTICE AREAS

Intellectual Property

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Cephalon's lawsuit against generic manufacturers for infringing Nuvigil's patents is likely to end in a settlement, but very well may be delayed by antitrust litigation, *Pharmawire* reported on May 19, 2010. In late 2009, Cephalon was informed that six abbreviated new drug applications were filed for its narcolepsy and sleep apnea drug Nuvigil, and subsequently filed suit against the generic challengers for patent infringement. These generic manufacturers included Watson, Mylan, Actavis, Sandoz, Teva, and Lupin.

Chad Landmon, FDA and IP Partner at Axinn, told *Pharmawire* that Cephalon has a history of trying to settle these types of cases. It is hard to believe, however, that there will be a settlement over the next year or two for this case because certain of the parties are involved in ongoing antitrust litigation relating to other patent settlements.

The article, titled, "Cephalon settlement with generic makers in Nuvigil patent suits could be delayed by ongoing antitrust litigation – experts," was filed by Sasha Coffiner at *Pharmawire* on May 19, 2010.