

## **Cravath Wins Validity Challenge to Novartis Patent**

On November 18, a jury in the United States District Court for the District of New Jersey returned a verdict in favor of Novartis in its infringement suit against Teva Pharmaceuticals. In 2005, Teva filed an Abbreviated New Drug Application with the FDA, requesting approval to manufacture, market and sell a generic version of Novartis's drug Famvir® (famciclovir). Shortly thereafter, Novartis sued Teva for infringement of U.S. Patent No. 5,246,937, which covers famciclovir. Teva conceded infringement but claimed that the patent was invalid as obvious and unenforceable due to inequitable conduct before the U.S. Patent and Trademark Office. The jury found that the claimed invention was not obvious and, acting in an advisory capacity, that the patent was enforceable.

The Cravath lawyers involved in the matter include partners **Evan R. Chesler** and **David R. Marriott** and associates Radu A. Lelutiu, Karl C. Huth, Steven S. Kim, Wing Chiu, Omid H. Nasab, Meredith M. Shaw, Aaron J. Feigenbaum, Joseph E. Lasher and Robert. B. Wilcox. Marie D. Howick also assisted on litigation matters.