

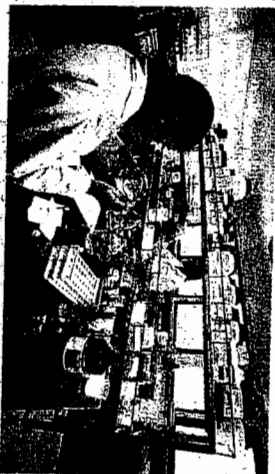
Generic drug makers get a boost from SC ruling

Ram Nath Sahu

MUMBAI: In a significant development for the pharmaceutical industry, the Supreme Court has rejected multinational Bayer's appeal to block production and sales of the low cost version of its kidney cancer drug, sorafenib (sold by Hyderabad-based Natco Pharmaceuticals).

Natco was granted the first and to date only compulsory licence (CL) by the government in 2012 to make and sell a patented drug at a fraction of the price at which it was sold by the patent holder, Bayer.

Since 2012, Natco has been selling the drug at Rs. 8,880 a pack of 120 against Bayer's selling price of Rs. 2.94 lakh.



The Research and Development Centre of Natco Pharma in Hyderabad - AP PHOTO

Natco pays Bayer a royalty fee. Bayer has challenged the order before the Intellectual Property Appellate Board (IPAB) and then the Bombay High Court unsuccessfully.

"It indicates the stand

taken by us keeping in mind the low per capita income levels in the country. The intention is to have wide reach, accessibility and affordability for medicines," a spokesperson from Natco told this correspondent.

Since 2012, Natco treated more than 20,000 cancer patients with the drug of which 2,000 were treated free of cost, the spokesperson said.

Leena Menon, Regional Head (South Asia) MSF Access Campaign, said, "MSF is encouraged by this particularly strategic win for public health and access to medicines, whereby the Supreme Court has worked to ensure continued patient access to affordable versions of this lifesaving cancer drug in

spite of a multi-year campaign by Bayer to reverse the decision.

"Today, we applaud this heartening news, which reaffirms India's critical role in forging a new and progressive path in balancing intellectual property and public health," she said.

"The development will act as a fillip for generic manufacturers and encourage drugs to increase accessibility. Being the first and only CL granted by the government to date, it is definitely a positive development for Indian generic drug manufacturers." S. V. Venkanna, President, Indian Drug Manufacturers Association (IDMA), said.

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