India Revokes Roche’s Patent for Hep C Drug Pegasys

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In a landmark victory for patients’ rights groups, the Intellectual Property Appellate Board (IPAB) in India has revoked Roche’s patent on the hepatitis C virus (HCV) drug Pegasys (pegylated interferon alfa-2a) in that country, according to an article in Lawyer’s Collective. With a price tag of almost $9,000, Pegasys treatment is so prohibitively expensive in India that it is not even used in government hospitals. After Roche received the 2006 patent, which was the first drug patent awarded in India since 1970, an aid group for injection drug users, Sankalp, partnered with the Lawyers Collective HIV/AIDS Unit to challenge the patent.

Roche argued that Sankalp had no grounds to sue because it was not a business competitor, but IPAB ruled that, as a patients’ advocacy group, Sankalp is indeed directly affected by Roche’s monopoly on Pegasys’ sale. IPAB further ruled that there was insufficient evidence that Pegasys is superior to other hep C treatments. While Roche may still appeal, the ruling will likely open the door to generic competition. This could lower the cost of treatment enough to affect the estimated 12 million Indians, or 1 percent of the population, living with the virus.

For an article on this topic in Lawyers Collective, click here.

For an article in Business Today, click here.

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