

Federal Circuit Confirms Caraco Trial Victory Finding Novo Diabetes Drug Patent Invalid

JUNE 18, 2013

On June 18, 2013, the Federal Circuit handed a victory to Winston & Strawn client Caraco Pharmaceutical Laboratories when it affirmed a [lower court's ruling](#) that a patent covering Novo Nordisk A/S' diabetes treatment (Prandin) is invalid as obvious.

Novo argued that there was insufficient evidence to prove obviousness and that the lower court wrongly placed the burden on them to prove the patent was valid. But the Federal Circuit disagreed, ruling that Caraco had proven by clear and convincing evidence that the combination of drugs patented by Novo was obvious.

The appellate team included Charles Klein.

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