

Drug Purchasers May Bring Patent-Fraud Antitrust Claims

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The U.S. Court of Appeals for the Second Circuit ruled that purchasers of a patented drug had antitrust standing to bring monopolization claims based on fraudulent patent procurement even though they would not have been able to directly challenge the patent's validity. In another case, a district court decided that a race-tire manufacturer lacked the requisite antitrust injury to bring unlawful exclusive dealing claims against a competitor.

Other recent antitrust developments of note included provisional acceptance by the European Commission of a settlement proposal to remedy allegations that Microsoft tied its Internet browser to its dominant operating system in violation of European competition law.