

# MLL LEGAL REPRESENTS BAYER HEALTHCARE BEFORE THE FEDERAL PATENT COURT

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The Swiss Federal Patent Court held Bayer's patent to be preliminarily valid and – in particular – confirmed the existence of inventive step. The court granted a preliminary injunction prohibiting generic company Helvepharm from distributing its generic "Sorafenib Zentiva" in Switzerland.

Patent owner Bayer HealthCare filed a request for preliminary injunction based on the Swiss/Lichtenstein part of its European Patent against generic company Helvepharm, which belongs to the Zentiva group of companies, and its generic product "Sorafenib Zentiva" with the Swiss Federal Patent Court in October 2021.

While courts in Germany, France, the United Kingdom, Spain and the Netherlands had already found Bayer's patent invalid for lack of inventive step, the Swiss Federal Patent Court, in line with the Vienna Commercial Court, confirmed the validity of the patent. Ordinary proceedings on the merits of the case are pending before the Swiss Federal Patent Court.

Bayer HealthCare was represented by [MLL Legal](#). The team was lead by **Simon Holzner** (partner, head of the patent and life sciences team, pictured), **Ulrike Ciesla** (partner, European patent attorney) and **Louisa Galbraith** (senior associate).