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Biologics and biosimilars: The current litigation landscape in Canada

What's new in Canada? New biologic approvals by Health Canada for subsequent entry biologics (SEBs) and a review of Canadian litigation involving biologics, including Canada's first biologics decision in a patent infringement action AbbVie Corporation v. Janssen Inc., 2014 FC 55, involving the drug Stelara (ustekinumab), along with the Federal Court of Appeal decision (2014 FCA 242) to set aside the decision of the trial judge and remit the case back to the court for a new trial. The next steps and what is on the horizon for Canadian litigation.

Biography

Angela Furlanetto is a Partner at Dimock Stratton LLP where she practices exclusively in the area of intellectual property litigation, particularly patent litigation with an emphasis on chemical, biochemical and pharmaceutical subject-matter. She has significant experience in all aspects of intellectual property litigation, ranging from pre-litigation opinions to conduct matters through trial and appeal. She is an active member of the profession, recently completing her term as Chair of the Canadian Bar Association National IP Section; she is also member of the Court Practices Committee, Federal Court Bench and Bar Committee, Fellow of the Intellectual Property Institute of Canada (IPIC) and Chair of the Harold G Fox Intellectual Property Moot. She is described as "a top-drawer litigator" by IAM Patent 1000 and has been ranked for litigation since 2012. She has also been named in the International Who's Who of Life Sciences Lawyers, the International Who's Who of Patent Lawyers, Best Lawyers for intellectual property law and was ranked by Benchmark Canada as a Future Star – Ontario.

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