

CANADA / JUDGMENT

Janssen Inc. v. Pharmascience Inc.

2021 FC 5

COURT

Federal Court

DECIDED

6 January 2021

Source: decisions.fct-cf.gc.ca · Research copy typeset by Esheria. Not court-issued or certified.

Source record

Janssen Inc. v. Pharmascience Inc.

Court (s) Database

Federal Court Decisions

Date

2021-01-06

Neutral citation

2021 FC 5

File numbers

T-182-19

Decision Content

Date: 20210106

Docket: T-182-19

Citation: 2021 FC 5

Ottawa, Ontario, January 6, 2021

PRESENT: The Honourable Mr. Justice Phelan

BETWEEN:

JANSSEN INC, JANSSEN ONCOLOGY, INC

AND BTG INTERNATIONAL LTD

Plaintiffs

and

PHARMASCIENCE INC

Defendant

JUDGMENT

THIS COURT ADJUDGES, ORDERS AND DECLARES that: Canadian Patent No. 2,661,422 is, and has always been, invalid, void and of no effect by reasons of obviousness/obvious to try as asserted by the Defendant and is to be removed from the Patent Register. Except for this declaration of invalidity, the making, constructing, using or selling of PMS-ABIRATERONE orally administered tablets containing 250 mg abiraterone acetate by Pharmascience Inc in accordance with its Abbreviated New Drug Submission No. 220472 would infringe the Asserted Claims. This

action is dismissed with costs to the Defendant, the whole of which is to be the subject of a further determination by the Court. blank “Michael L. Phelan” blank Judge

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://decisions.fct-cf.gc.ca/fc-cf/decisions/en/item/490904/index.do>

CASE PAGE <https://chat.esheria.ai/case-law/canada/janssen-inc-v-pharmascience-inc-2021>

Prepared on 29 October 2026 · Esheria