

Was Allergan's Patent-Housing Agreement In Exchange For Sovereign Immunity a "Sham to Subvert the Existing Intellectual Property System?"

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Allergan plc (?Allergan?) holds several patents for its prescription dry-eye medication Restasis. In 2015, Allergan sued Mylan Pharmaceuticals Inc., Teva Pharmaceuticals USA Inc., and Akorn Inc., (the ?Generic Manufacturers?), for patent infringement following their filings of abbreviated new drug applications (?ANDAs?) for generic versions of the branded drug. The Generic Manufacturers then petitioned for inter partes review (?IPR?) of those patents to the United States Patent and Trademark Office (?USPTO?). The Generic Manufacturers were seeking to invalidate the Restasis patents through the USPTO's Patent Trial and Appeal Board (?PTAB?), which would open the door for generic versions of the drug. When a branded pharmaceutical drug is protected by a patent, the patent owner has exclusive rights to that drug, thereby preventing competitors from producing generics to compete with it. Therefore, the price of the branded drug remains high, and the pharmaceutical company effectively has a market monopoly on that drug. However, pharmaceutical companies are finding it difficult to maintain sales and profits amidst efforts to drive down drug prices through the fast-track, less expensive legal IPR process of attacks on drug patents.

This note will first discuss the old and new bail systems in New Jersey and explain why there was reform. The second section provides an overview of the deportation process for undocumented immigrants subjected to immigration detainers under both President Obama's and President Trump's enforcement policies. The last section is an analysis of how bail reform and President Trump's immigration policies affects the criminal justice system within the context of undocumented immigrants.

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