

On 04/03/2021, the Commission decided to initiate antitrust proceedings in case AT.40588 – Teva Copaxone within the meaning of Article 11(6) of Council Regulation No 1/2003 and Article 2(1) of Commission Regulation No 773/2004.

The proceedings were opened with a view to adopting a decision in application of Chapter III of Council Regulation No 1/2003 and concern possible abuses of a dominant position in relation to multiple sclerosis medicines in the European Economic Area. The possible abuses consist of practices seeking to delay the market entry and/or hinder the market expansion of other actual and/or potential suppliers of glatiramer acetate based medicines that compete and/or could compete with Teva's branded glatiramer acetate product, Copaxone. Such practices include, but may not be limited to, the misuse of patent procedures and/or patent litigation concerning divisional patent families, as well as exclusionary disparagement of competitors' glatiramer acetate based products.

Infringements within the meaning of Article 102 of the Treaty on the Functioning of the European Union and Article 54 of the EEA Agreement were allegedly committed by Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals Europe B.V. and all legal entities directly or indirectly controlled by them.

The initiation of proceedings does not signify that the Commission has made a definitive finding of an infringement but merely signifies that the Commission will deal with the case as a matter of priority.