ANNOUNCEMENTS | 08.04.2025

Choate Secures Patent Victory for TYMLOS® Portfolio

Choate secured a victory for Radius Health, Inc. ("Radius") and Ipsen Pharma S.A.S. ("Ipsen") in a Hatch-Waxman litigation against Orbicular Pharmaceutical Technologies Private Ltd. ("Orbicular") relating to Orbicular's proposed generic for TYMLOS® (abaloparatide), indicated for the treatment of osteoporosis.

In September of 2022, Radius and Ipsen filed suit in the U.S. District Court for the District of Massachusetts alleging patent infringement by Orbicular in their attempt to seek FDA approval to market a generic abaloparatide product. Radius and Ipsen asserted that Orbicular's proposed generic product would infringe five Orange Book-listed patents owned by Radius and Ipsen.

On July 30, 2025, following a ten-day bench trial before Judge Richard Stearns, the court ruled in favor of Radius and Ipsen, upholding the validity of all five TYMLOS® patents asserted, the latest to expire of which will remain in effect through April 30, 2038.

Click here for the press release.

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