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ENDO AGREES TO STATE ENFORCEMENT OF INJUNCTIVE RELIEF AFTER ATTEMPTING TO BLOCK GENERIC DRUGS

States create enforcement fund to stop future anticompetitive conduct.

SALT LAKE CITY – Attorney General Sean D. Reyes announced today that Utah and 17 other states reached an agreement with Endo International plc and Endo Pharmaceuticals Inc., which will parallel the parties’ prior agreement with the Federal Trade Commission, prohibiting patent settlement agreements that illegally delay competition by generic drugs.

Endo Pharmaceuticals Inc. is a for-profit Delaware corporation that markets and sells Lidoderm and other drugs throughout the United States. Endo International plc is the parent company to Endo Pharmaceuticals Inc. with global headquarters in Ireland and U.S. headquarters in Pennsylvania.

Endo is accused of illegal conduct due to its participation in an agreement to protect a monopoly on Lidoderm. Lidoderm is the brand-name for lidocaine patches, which is a transdermal patch widely prescribed for relief of pain associated with post-herpetic neuralgia, a common complication of shingles.

The agreement focused on injunctive relief and preventing future conduct. The injunction prohibits Endo from paying or incentivizing a generic drug maker to delay entry into the drug market or from
researching, developing, manufacturing, marketing or selling any drug product. The states will use settlement funds to enforce the injunctive terms and to stop other anticompetitive conduct within the pharmaceutical industry, which has been in the news, in the courts, and before Congress due to concerns over drug prices and repeated antitrust allegations.

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