MARKET ASSESSMENT

MURRAY INTERNATIONAL PARTNERS

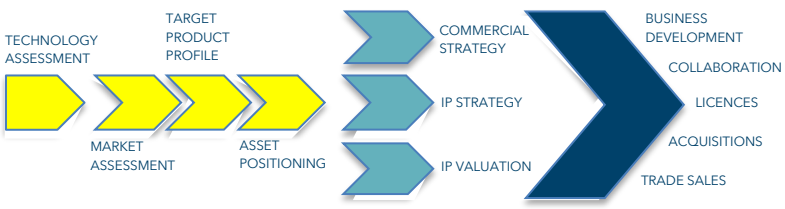
POTENTIAL TREATMENT FOR STROKE

A Chinese mid-tier pharmaceutical company asked for our assistance to commercialise their new, clinical-stage drug candidate for the treatment of stroke. A major factor in terms of outcome and prognosis for stroke patients is whether or not they receive the appropriate treatment within 1 – 3 hours of suffering the stroke itself. Often, it is not immediately clear that a person has suffered a stroke and in many instances, even when properly recognised, there can be time delays in getting the patient to a treatment centre. The new drug promised to extend this treatment window from about 120 minutes to up to nearly 2 days. An added benefit was that the new drug was not a biological agent (TNF-alpha is the gold standard treatment) and would, therefore, be a cheaper treatment option too.

We interviewed leading European clinicians in the stroke field to determine if the new drug had an acceptable clinical profile (it did) and to gauge how long it would take to get the Chinese drug approved for launch into the EU (and US markets). It became clear that our client's patent position would expire at just the time when a projected launch would take place. Not only that, but due to a poorly negotiated previous licence with a national Chinese pharma company, our client could not access crucial pre-clinical and clinical data that could have helped to expedite the regulatory approval process. Effectively, the drug would immediately be generic at launch – which made it economically unviable for our client.

Based on a deeper investigation of our client's IP position we confirmed that we could not develop any further patent coverage beyond the original term of the composition of matter claims. In the circumstances we advised our client that it would not make commercial sense to seek licensees in Europe and the US.

The MURRAY INTERNATIONAL PARTNERS workplan:



CASE STUDY NOTES

This situation hinged on a combination of patent life (not enough remaining), global market strategy (considered too late), and the terms of a prior licence (needlessly unfavourable to our client). This blocked the development of a promising drug for a critical and life-threatening medical condition.

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