

Where can I find a copy of the petition for certiorari that Amarin filed on February 11, 2021 with the U.S. Supreme Court in connection with the VASCEPA® MARINE ANDA patent litigation?

Please click [here](#).

The Amarin petition asks the Supreme Court to review the Federal Circuit's judgment holding that Amarin's patents on its revolutionary drug, VASCEPA®, are invalid as obvious. As detailed in the petition, the Federal Circuit has adopted an approach to obviousness law that gives short shrift to the strongest evidence of a patent's inventiveness, namely the objective evidence that the patent solved a long-felt but unmet need, was commercially successful, and was initially met with skepticism by experts – all of which were true of VASCEPA's novel treatment for severe hypertriglyceridemia (very high (≥ 500 mg/dL) triglyceride levels). The Federal Circuit's legal error has long been recognized by dissenting judges of that court, but it has persisted uncorrected. Failure to correct the Federal Circuit's error is likely to discourage innovation of new drugs and other inventions by limiting inventors' ability to rely on duly issued patents.

The Supreme Court is expected to decide whether to grant Amarin's petition in the coming months. Hikma and DRL have an opportunity to respond to the Amarin petition, which responses are typically due within 30 days. Amarin has an opportunity to reply to any such response before the Supreme Court begins its process of considering whether it will take the matter up in one of its upcoming sessions. If the Supreme Court grants certiorari between March and June 2021, the merits of the case would be expected to be briefed over the summer and likely argued in the fall of 2021, with a decision by June 2022. A denial of the petition could arrive within months. This schedule is intended to provide a general overview. Extensions, delays and other circumstances could change the schedule significantly.

The petition is expected to be publicly available on the Supreme Court docket within a week (after a docket entry is created by the court clerk), [here](#) (search for Amarin). This link can also be used to find docketed updates and determinations related to this proceeding, such as anticipated amicus briefs.

Amarin's petition was filed by Seth P. Waxman, Mark C. Fleming, Claire H. Chung, and Amy R. Pearlman of WilmerHale and Jonathan E. Singer of Fish & Richardson.

Separately, Amarin filed a cardiovascular risk reduction patent infringement lawsuit in the United States against Hikma and a healthcare insurance company, Health Net, LLC. For more information on that lawsuit see the January 2021 Amarin press release available [here](#).

Dated: February 11, 2021