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*Life Sciences Antitrust and Competition Update*

The FTC over the past few months has been active in several different areas of the life sciences sector. As reported in this Update, the Commission required divestitures before clearing transactions involving pharmaceuticals (Valeant acquisitions from Sanofi and J&J) and medical data analytics (IMS Health/SDI Health). The FTC also filed litigation to block the planned takeover by Omnicare of its rival long-term care pharmacy provider, PharMerica, which folded soon after the FTC challenge was announced. And after a very long investigation, the FTC decided not to challenge the combination of Express Scripts and Medco, two of the three largest pharmacy benefit managers, after exploring possible effects in a variety of antitrust markets.

In our litigation section, we report on another setback for the FTC in challenging a patent litigation settlement, as well as two cases that address whether filing a citizen petition can give rise to antitrust liability. We also discuss the grant of summary judgment in favor of the largest condom manufacturer in the U.S. whose rebate program had been challenged by a rival on the grounds that it foreclosed competition.

Our European coverage includes reports on the EC's clearance of J&J's bid for Synthes, subject to divestment of its trauma business, and on renewed interest by the EC in parallel trade issues in the pharmaceutical sector. We also discuss new attention by the OFT in private health care markets, focusing on issues that are relatively new in the UK, but which have been the subject of U.S. antitrust enforcers for several decades.

We hope you enjoy this Update, and of course, are interested in any comments or questions you may have concerning this issue.

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