

Scott Cunning and Mini Kapoor for Houston Law Review: Circumstances Mandating A Commercial Marketing Notice By A Biosimilar Applicant Ripe for Guidance from the High Court

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PRACTICES Chemical, Healthcare and Life Sciences, Intellectual Property, Litigation

Several cases are pending around the country, but no consensus exists on the circumstances that would require a biosimilar applicant to provide a commercial marketing notice under the Biologics Price Competition and Innovation Act (BPCIA). In light of the implications on the biosimilar's entry to the market, the courts' interpretation on whether and when notice is required is of considerable significance to the biologics and biosimilar field.

Excerpted from the *Houston Law Review*. To read the full article, click [here](#).