



Decision: PMPRB-06-D1-CONCERTA

**IN THE MATTER OF the *Patent Act* R.S.C. 1985, c. P-4,
as amended**

**AND IN THE MATTER OF Janssen-Ortho Inc.
(the "Respondent") and the medicine "Concerta"**

ORDER

Pursuant to subsection 83(6) of the *Patent Act*, the Patented Medicine Prices Review Board (the "Board") issued a Notice of Hearing on July 24, 2006, pertaining to allegations of the Board Staff that the patented medicine Concerta had been, and was being, sold by Janssen-Ortho Inc. ("Janssen-Ortho") in Canada at prices that exceeded the prices calculated in accordance with the Board's Price Guidelines. Board Staff set out its allegations in a Statement of Allegations attached to the Notice of Hearing. The Hearing commenced on December 4, 2006, and was concluded on August 29, 2007, with closing arguments

On April 3, 2009, Janssen-Ortho filed a Voluntary Compliance Undertaking ("VCU") by which Janssen-Ortho proposed to resolve all issues.

The Board decided to accept Janssen-Ortho's VCU. Accordingly, by Order of this Board, the proceeding which was commenced by issuance of the Notice of Hearing is hereby concluded.

Board Members: Dr. Brien G. Benoit
Thomas (Tim) Armstrong

Board Counsel: Gordon Cameron

Original signed by
Sylvie Dupont
Secretary of the Board

April 28, 2009