



December 19, 2011

Decision: PMPRB-08-D4-ratio-Salbutamol HFA
– Public Record of the Proceedings

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

AND IN THE MATTER OF ratiopharm Inc. (“ratiopharm”) and the medicine
“ratio-Salbutamol HFA”

ORDER

Pursuant to the provisions of section 83 of the *Patent Act*, the Patented Medicine Prices Review Board (the “Board”) issued a Notice of Hearing on July 18, 2008 to determine whether ratiopharm is selling or has sold the patented medicine ratio-Salbutamol HFA in any market in Canada at a price that is or was excessive and, if so, what order, if any, should be made.

Upon conducting the hearing into this matter, issues of confidentiality arose and the Respondent brought a motion in which it sought a confidentiality order with respect to information disclosed or discussed during the hearing. The Hearing Panel reviewed the affidavit of Jocelyn Duquette, dated November 28, 2011, and is satisfied that the public record as proposed by the Respondent is in accordance with subsection 86(1) of the *Patent Act* and, as such, is satisfied that the information which would cause specific, direct and substantial harm to the Respondent’s business interest has been properly severed from the public record. Accordingly, the public record consists of information gathered in 31 volumes as per the attached index.

Board Members: Dr. Brien Benoit
Anne Warner La Forest

Board Counsel: Gordon Cameron
Andrée Wylie

Original signed by

Sylvie Dupont
Secretary of the Board

Att.

