



## HIGH COURT OF AUSTRALIA

### NOTICE OF FILING

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#### Details of Filing

File Number: S20/2026  
File Title: Otsuka Pharmaceutical Co., Ltd & Ors v. Sun Pharma Anz Pty  
Registry: Sydney  
Document filed: Form 27B - Appellant's chronology  
Filing party: Appellants  
Date filed: 24 Apr 2026

#### Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

**Form 27B – Appellant’s chronology**

Note: see rule 44.02.3.

No S20/2026

IN THE HIGH COURT OF AUSTRALIA  
 SYDNEY REGISTRY

BETWEEN:

OTSUKA PHARMACEUTICAL CO., LTD

First Appellant

H. LUNDBECK A/S

Second Appellant

LUNDBECK AUSTRALIA PTY LTD

Third Appellant

OTSUKA AUSTRALIA PHARMACEUTICAL PTY LTD

Fourth Appellant

and

SUN PHARMA ANZ PTY LTD

Respondent

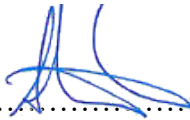
**APPELLANTS’ CHRONOLOGY****Part I:** This chronology is in a form suitable for publication on the internet.**Part II:** Chronology

<b>Date</b>	<b>Event</b>	<b>Appeal Book Reference</b>
9 April 1991	US Patent No. 5,006,528 (a compound patent) granted. No equivalent Australian compound patent was filed.	Core Appeal Book ( <b>CAB</b> ) 18 [44], 102 [14]

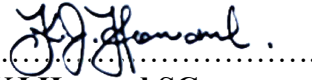
21 May 2003	Goods containing aripiprazole were first included in the ARTG. The relevant ARTG registrations were: 91001, 90925, 90997, 90998, 90999 and 91000 for ABILIFY aripiprazole (immediate release) tablets in 2mg, 5mg, 10mg, 15mg, 20mg and 30mg tablet blister packs.	CAB 11 [5], 102 [15]; Appellants' Book of Further Material (AFM) 50-61
23 October 2003	Priority date of Australian Patent No. 2004285448 entitled " <i>Controlled release sterile injectable aripiprazole formulation and method</i> " (the <b>Patent</b> ).	CAB 11 [1], 100 [1]
18 October 2004	Application for the Patent filed by Otsuka Pharmaceutical Co., Ltd ( <b>Otsuka</b> ).	CAB 11 [1]; AFM 5
25 July 2014	Prolonged-release formulations of aripiprazole for reconstitution and injection named "Abilify Maintena" first registered on the ARTG, Lundbeck Australia Pty Ltd named as sponsor.	CAB 11 [4], 100 [3], AFM 46-49
13 August 2014	Otsuka filed an application with the Australian Patent Office to extend the term of the Patent based on registration of Abilify Maintena.	CAB 11 [4], 100 [3], 130 [131]
3 December 2014	The Commissioner of Patents extended the term of the Patent.	CAB 11 [5], 100 [3]
18 October 2024	Expiry of un-extended term of the Patent.	CAB 100 [1]
2, 3, 4 and 16 December 2024	Hearing of first instance proceedings (NSD 172 of 2024)	CAB 5
5 February 2025	Judgment of Downes J, <i>Sun Pharma ANZ Pty Ltd v Otsuka Pharmaceutical Co Ltd</i> [2025] FCA 44	CAB 5
13 February 2025	Final orders of Downes J	CAB 69
1 April 2025	Sun Pharma intended launch for generic version of ABILIFY MAINTENA (400 mg) powder and solvent for injection	CAB 62 [300]
20 – 21 May 2025	Hearing of Full Federal Court Appeal (NSD 275 of 2025)	CAB 96

1 December 2025	Judgment of Burley, Rofe and Owens JJ, <i>Otsuka Pharmaceutical Co Ltd v Sun Pharma ANZ Pty Ltd</i> [2025] FCAFC 161	CAB 96
3 December 2025	Final orders of Burley, Rofe and Owens JJ	CAB 160
12 March 2026	Orders granting special leave to appeal	CAB 172
25 July 2029	Expiry of extended term of the Patent.	CAB 11 [5], 100 [3]

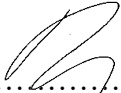
Dated 24 April 2026



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