



Decision: PMPRB-04-D1-EVRA

**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 "Evra"**

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 December 23, 2004, pertaining to allegations of the Board Staff that the medicine Evra had been, and was being, sold by Janssen-Ortho Inc. in Canada at prices that exceeded the prices calculated in accordance with the Board's Price Guidelines (the "Guidelines"). A pre-hearing conference was scheduled for February 24, 2005, and the hearing to commence on May 11, 2005.

On February 8, 2005, Janssen-Ortho and Board Staff filed a Joint Submission proposing that the Board approve the Voluntary Compliance Undertaking (VCU) to resolve all issues raised in the Notice of Hearing.

The Board has approved the terms of the VCU which form part of the Board Order. This Board Order, and terms of the VCU (attached Schedule A) shall be entered as an order of the Federal Court of Canada.

The proceeding that was commenced by the issuance of the Notice of Hearing is hereby concluded.

Board Members: Robert G. Elgie
Réal Sureau
Thomas (Tim) Armstrong

Board Counsel: Peter Annis

Sylvie Dupont
Secretary of the Board

February 21, 2005

