

ACORDA THERAPEUTICS INC
Form 8-K
July 25, 2018

UNITED STATES

SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of Earliest Event Reported): July 25, 2018

Acorda Therapeutics, Inc.

(Exact name of registrant as specified in its charter)

| | | |
|---|---|---|
| Delaware (State or other jurisdiction of incorporation) | 000-50513 (Commission File Number) | 13-3831168 (I.R.S. Employer Identification No.) |
| | 420 Saw Mill River Road, Ardsley, NY (Address of principal executive offices) | 10502 (Zip Code) |

Registrant's telephone number, including area code: (914) 347-4300

Not Applicable

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Former name or former address, if changed since last report

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Indicate by check mark whether the registrant is an emerging growth company as defined in as defined in Rule 405 of the Securities Act of 1933 (§ 230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§ 240.12b-2 of this chapter).

Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

Item 8.01 Other Events

Acorda Therapeutics, Inc. (the “Company”) is reporting that on July 25, 2018, the U.S. Court of Appeals for the Federal Circuit denied per curiam the Company’s motion for an injunction pending a decision in the Company’s appeal of a U.S. District Court decision in patent litigation with certain generic drug manufacturers. The 2017 District Court decision upheld the Company’s Ampyra Orange Book-listed patent set to expire on July 30, 2018, but invalidated four other Orange Book-listed patents pertaining to Ampyra that were set to expire between 2025 and 2027. Under the District Court decision, the Company expects to maintain patent exclusivity with respect to Ampyra at least through July 30, 2018, depending on the outcome of appeal. The Court of Appeals held oral argument on June 7, 2018, and the Company awaits a decision on the merits. If the Court of Appeals does not overturn the District Court’s decision by July 30, 2018, multiple generic drug manufacturers may decide to launch at-risk generic versions of Ampyra.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Acorda Therapeutics, Inc.

July 25, 2018 By: /s/ David Lawrence

Name: David Lawrence

Title: Chief, Business Operations and Principal Accounting Officer