MEDICIS PHARMACEUTICAL CORP
Form 8-K
April 05, 2011

**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**
**March 30, 2011**
**Date of Report (Date of earliest event reported)**
**Medicis Pharmaceutical Corporation**
(Exact name of registrant as specified in its charter)

| **Delaware** | **001-14471** | **52-1574808** |
|---|---|---|
| (State of Incorporation) | (Commission File Number) | (IRS Employer Identification Number) |

**7720 North Dobson Road**
**Scottsdale, Arizona 85256**
(Address of principal executive offices) (Zip Code)
**(602) 808-8800**
(Registrant s telephone number, including area code)
**N/A**
(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:

o Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
o Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
o Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
o Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

**Item 8.01 Other Events.**

*The Company Receives a Paragraph IV Patent Certification from Actavis Mid Atlantic LLC*

On March 30, 2011, Medicis Pharmaceutical Corporation (the Company ) received a Paragraph IV Patent Certification from Actavis Mid Atlantic LLC ( Actavis ), advising that Actavis has filed an Abbreviated New Drug Application ( ANDA ) with the U.S. Food and Drug Administration ( FDA ) for a generic version of the Company s product Ziana® (clindamycin phosphate 1.2% and tretinoin 0.025%) Gel. Actavis has not advised the Company as to the timing or status of the FDA s review of its filing, or whether Actavis has complied with FDA requirements for proving bioequivalence. Actavis Paragraph IV Patent Certification alleges that the Company s U.S. Patent Nos. RE41,134 (the 134 Patent ) and 6,387,383 (the 383 Patent ) will not be infringed by Actavis manufacture, use and/or sale of the product for which the ANDA was submitted. The expiration date for the 134 Patent is in 2015, and the expiration date for the 383 Patent is in 2020. The Company is evaluating the details of Actavis certification letter and considering its options.

**SIGNATURES**

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

Medicis Pharmaceutical Corporation

Date: April 5, 2011

By: /s/ Seth L. Rodner
Seth L. Rodner
Senior Vice President, General Counsel
and Corporate Secretary