

How will the US biotechnology industry benefit from new patent laws?

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Passage of the America Invents Act into law led to the most dramatic changes in the U.S. patent system in 60 years. These reforms will have a significant impact on technology innovators such as biotechnology-based businesses, as detailed in two articles in *Industrial Biotechnology*, a peer-reviewed journal from Mary Ann Liebert, Inc. The articles are available free online on the *Industrial Biotechnology* website.

"Industrial biotechnology companies rely heavily on their patents to attract investment to fund the research and development necessary to bring innovative products to consumers. Strong intellectual property protection is critical for these companies," says Brent Erickson, Consulting Editor of *Industrial Biotechnology* and Executive Vice President, Industrial & Environmental Section, [Biotechnology](#) Industry Organization (BIO), Washington, DC. "The Leahy-Smith America Invents Act will strengthen America's [patent system](#) and drive job growth throughout our economy. The improvements made by the bill will benefit all sectors of the national economy by enhancing patent quality and the efficiency, objectivity, predictability and transparency of the U.S. patent system. Companies will benefit from the improvements to our nation's patent system made by this legislation."

One of the most critical and far-reaching features of the America Invents Act (AIA) that will affect all U.S. patent applications filed on or after March 16, 2013 is the change from a "first-to-invent" to a "first-inventor-to-file" system. Technology specialists Tiffany Reiter, PhD and Erin Baker, PhD, and principal patent attorney J. Peter Fasse, Fish &

Richardson (Boston, MA), provide a comprehensive review of the new system, describing its implications and exceptions. The authors clearly illustrate how pending and future patent applications will be affected by the new law in the article "The America Invents Act and Its Importance to Patent Prosecution in the Biotech Sector."

Sandra Thompson, JD, PhD, a specialist in intellectual property law at Buchalter Nemer (Irvine, CA), clarifies some common misunderstandings related to the new first-to-file system as well as other aspects of the AIA. In the article "The America Invents Act and Your Biotech-Based Business," Dr. Thompson explains which aspects of the AIA went into effect immediately and which will be put into practice gradually over an 18-month period, and why this knowledge is crucial for companies developing novel products and technologies.

More information: [doi: 10.1089/ind.2012.1517](https://doi.org/10.1089/ind.2012.1517)

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