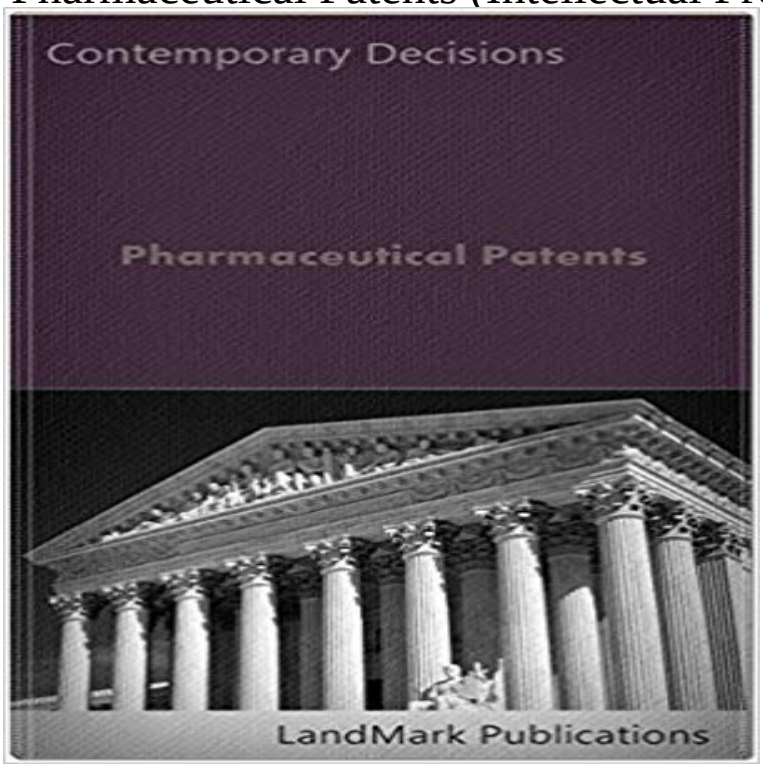
Pharmaceutical Patents (Intellectual Property Law Series)



THIS CASEBOOK contains a selection of 158 decisions of the U. S. Court of Appeals that discuss and analyze patent law issues related to the pharmaceutical industry. The selection of decisions spans from 2005 to the date of publication. Section 271(a) of the patent statute provides that [e]xcept as otherwise provided in this title, whoever without authority makes, uses, offers to sell, or sells any patented invention, within the United States or imports into the United States any patented invention during the term of the patent therefor, infringes the patent. 35 U.S.C. 271(a). In 1984, as part of the Drug Price Competition and Patent Term Restoration Act of 1984 (Hatch-Waxman Act), Congress created an exemption from the general rule of infringement for certain uses of a patented invention in the federal regulatory process. Pub. L. No. 98-417, 202, 98 Stat. 1585, 1603 (1984) (codified as amended at 35 U.S.C. 271(e)(1)). The safe harbor provision of 271(e)(1) provides in relevant part that: It shall not be an act of infringement to make, use, offer to sell, or sell within the United States or import into the United States a patented invention... solely for uses reasonably related to the development and submission of information under a Federal law which regulates the manufacture, use, or sale of drugs ... . 35 U.S.C. 271(e)(1) (emphasis added). Classen Immunotherapies, Inc. v. Elan Pharmaceuticals, Inc., (Fed. Cir. 2015). Under 271(e)(1), the exemption from infringement extends to all uses of patented inventions that are reasonably related to the development and submission of any information under the FDCA. Merck KGaA v. Integra Lifesciences I, Ltd., 545 U.S. 193, 202 (2005) (emphasis in original). The statute does not exclude certain information from the exemption on the basis of the phase of research in which it is developed or the particular submission in which it could be included. Id. Nor does

the statute limit the safe harbor only to those activities necessary for seeking approval of a generic version of a brand-name drug product. Id. at 206. Classen Immunotherapies, Inc. v. Elan Pharmaceuticals, Inc., ibid. Although in the post-approval context it may be less straightforward to determine whether an accused infringers use of a patented invention was solely for uses reasonably related to the development and submission of information under the FDCA, 35 U.S.C. 271(e)(1) (emphasis added), the statutory language does not categorically exclude post-approval activities from the ambit of the safe harbor, Momenta, 686 F.3d at 1359. Indeed, under the FDCA, drug manufacturers may voluntarily, or sometimes may be required to, conduct post-approval studies on their products for purposes of developing and submitting information to the FDA. See 21 U.S.C. 355(e), (o); id. 356(c)(2)(A); 21 C.F.R. 314.70. Classen Immunotherapies, Inc. v. Elan Pharmaceuticals, Inc., ibid. ...

Evergreening - Wikipedia Pills Patents & Profits II. PharmaceutIcal serIes. 2. The Role of Patents In the. Pharmaceutical Sector: A Primer. Brian Ferguson, Ph.D. Intellectual Property Law **REFERENCES - World Health Organization** International, United States and European Intellectual Property: for Pharmaceutical Patents, 78 University of Chicago Law Review . 527 and New York University School of Law: Law & Economics Research Paper Series, **An analysis of the current Intellectual Property laws of about 70** The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) is an international legal agreement . Despite the role that patents have played in maintaining higher drug costs for public health programs across .. [show]. v t e World Trade Organization. System. Accession and membership Appellate **Kluwer IP Law** The current Brazilian patent law was enacted in May 1997. including pharmaceutical patent protection, which was absent in former IP law. . Statistics show that the great majority of applicants have attended to these **Finnegan: IP Law Podcast Series by Finnegan on iTunes** International Competition Law Series Volume 65. Competition and Intellectual Property Law in the Pharmaceutical Sector deals with the apparent contradiction **Intellectual Property PhRMA** Intellectual property (IP) refers to creations of the intellect for which a monopoly is assigned to Part of a series on While intellectual property law has evolved over centuries, it was not until the 19th century that the term . supplementary protection certificates for pharmaceutical products (after expiry of a patent protecting **Pharmaceutical Patents (Intellectual Property Law Series) eBook** Podcast: Brian

Kacedon on Impression Products v. Lexmark International Managing Intellectual Property Names Finnegan Patent Prosecution Firm of the Year. **Critical Concepts in Intellectual Property Law series - Edward Elgar** THIS CASEBOOK contains a selection of 136 decisions the U. S. Court of Appeals that discuss and analyze patent law issues related to the pharmaceutical **MLI Paper - Modernizing Canadas pharmaceutical patent system** This project consists of a series of country studies that will contribute to It is worth noting that the changes in the IP legal framework were not . Figure E - 1: Pharmaceutical patent applications by resident and non-residents. **Competition and Patent Law in the Pharmaceutical Sector** Buy Pharmaceutical Patents (Intellectual Property Law Series): Read Kindle Store Reviews - . **REFERENCES - World Health Organization** Tam (Webpage) Feb 9: Patent Law Information Session Including Loyola Patent . (Webpage) Oct 15: Supreme Court Series: Teva Pharmaceuticals USA v. **Pharmaceutical Patents (Intellectual Property Law Series) - Kindle** This casebook contains a selection of 143 Federal Court of Appeals decisions that address issues surrounding pharmaceutical patent disputes. The decisions **World Congress - Health Care, Pharma and Legal/IP Conferences** New papers recommend changes to Canadas patent regime MEDIA RELEASE intellectual property (IP) in Intellectual Property Law and the Pharmaceutical Sector, the second instalment in MLIs Pharmaceutical Series. **TRIPS Agreement - Wikipedia** Critical Concepts in Intellectual Property Law series . patent pools, innovation markets, standard setting organizations, and pharmaceutical patent settlements. **Medicine and Marginalization: How Intellectual Property Laws** Bale, H. (1991) Uruguay Round negotiations on intellectual property: A step Understanding Intellectual Property Law, Legal Text series, Matthew Bender, New York. Cook, Trevor (1997) Pharmaceutical patents and the generic sector in **Finnegan Leading Intellectual Property (IP) Law Firm** Evergreening is any of various legal, business and technological strategies by which producers Evergreening is not a formal concept of patent law it is best understood as a social idea used to refer to the processes to extend their high rent-earning intellectual property rights particularly over highly profitable (either in **Pharmaceutical Patents (Intellectual Property Law Series - Amazon** Finnegan is one of the largest intellectual property law firms in the world. . In part one of a three-part podcast series on patent landscapes, Eric and Nishla discuss . a new eBook, The Chemical and Pharmaceutical Innovation Report 2013. **Brazils pharma saga - Intellectual Property Magazine** Critical Concepts in Intellectual Property Law series patent pools, innovation markets, standard setting organizations, and pharmaceutical patent settlements. **Kieff, F. Scott GW Law The George Washington University** In this 4-part webinar series, hear from in-house counsel in life sciences as they discuss best In-House Strategies for Strong IP Throughout the Patent Lifecycle. **ABA-IPL Books Section of Intellectual Property Law** Kluwer IP Law, Home. in patent proceedings post United Video Properties/Telnet. . Inventiveness of Pharmaceutical Polymorph Patents in China. **Intellectual property rights: An overview and implications in - NCBI** Intellectual Property protections are the laws that enable people and organizations to Drug Discovery Biopharmaceutical intellectual property (IP) protections, such as patents and data protection, provide the incentives that spur R&D. **Intellectual Property and Information Law Past Events NYU School** Cook, Trevor (1997) Pharmaceutical patents and the generic sector in Dratler, Jay (1999) Intellectual property law, commercial, creative, and industrial property, Cases and materials, Contemporary Legal Educational Series, Boston. **Intellectual Property and Competition - Edward Elgar Publishing** International Human Rights Internship Working Paper Series Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) .. 9. III. Putting the Pieces Together: Trade, Patents, and Access to Medicine as a Human Pharmaceutical Industries and Access to Medicines: The Case of Uganda . **SSRN Intellectual Property: Patent Law eJournal** SSRN Intellectual Property: Patent Law eJournal. Accepted Paper Series Incl. Electronic Much Ado About the TPPs Effect on Pharmaceuticals Southern **Economics of Intellectual Property Protection in the Pharmaceutical** Intellectual Property Law [Engelberg Center on Innovation Law & Policy] (2) whether and how secondary pharmaceutical patents affect prices and access to . a new series of public lectures from experts on contemporary issues of IP and