



第241回触媒化学研究センター談話会

演 題 : Essences in Chemical Litigation upon cases in the U.S.Court of Appeals for the Federal Circuit.

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日 時 : 2008年8月28日(木)
16:00 - 17:00

会 場 : 北海道大学創成科学研究棟
5階 大会議室

要 旨 : Most of Scientists remain in the paper mindset while they deal with patent filing, however, paper and patent are completely different presentations of research work to introduce the innovation or improvement towards general publics. Sometimes, the more you describe in the patent, the less scope you may be granted. At the same time,, there are limitations and regulation to prohibit the intent to deceive or hide information. Most of the regulations are specified in MPEP (Manual of Patent Examination Procedure) in USA and adopted into individual countries' legal system.

Patent system was introduced to protect the innovation and research, however, as time goes by, it becomes a powerful strategy to protect business and is transformed into complicated skills to attack competitors. Scientists have no choice to be involved in battles while the sciences has to be interpreted with legal languages. This trend of fashion also widen up the career of scientist.

In this presentation, the value of science and patent will be illustrated. New financial model of assets securitization-“patent securitization” will be introduced by well known cases, such as Yale university licensed “Zerit ” patent to BMS, and a true case for 13 patents (Genetech s and Biogen Idec s Rituxan®, Celegen s Thalomid®, Eli Lilly s /Johnson & Johnson s and

Centocor's PrePro®, Centocor's Retavase®, Chiron's TOBI®, Novartis' Simulect®, Roche's Zenapax®, Ligand's Targretin® Capsules, Memorial Sloan Kettering's Neupogen/Neulasta®, Organon's Variza®, Glaxo Smith Klein's and Adolor's Entereg®, Pfizer's lasofoxifene®, Wyeth's Bazedoxifene®),
) from Royalty Phamra Finance Trust for

. Patent mapping and patent portfolio will be demonstrated by real cases. In addition, there will be few cases presentation to describe how to file a patent based on the research work and what shall be paid extra attentions during the patent filing. Examples (Merck v Biocraft, Apotx v. Merck, Aventis v Amphastan & Teva, Takeda v Alpharm, Takeda v OWL, AstraZeneca v Andrx) will be explained in details for you as a scientist and inventor, what to talk and how to present the research data both in patent and in the court.

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