

SPS-XRPD Workshop



Contribution ID: 4

Type: **not specified**

Current treatment of crystalline forms under US and EP patent law

Tuesday, 8 May 2018 08:30 (25 minutes)

Patent law pertaining to prosecution and litigation of patents claiming crystalline forms continues to develop in view of scientific advances in the ability to detect, analyze, characterize, and distinguish crystalline forms. General principles of patent law particularly relevant to claims to crystalline forms in each of the United States and Europe will be discussed, followed by a focused discussion of the current treatment of such claims by courts and patent offices in each of the United States and Europe. Scientific concepts and technical information deemed useful under current patent laws for showing patentability and validity of claims to crystalline forms will be reviewed. Case studies and examples based on publically available patents, prosecution histories of patent applications, and documents from litigations will be used throughout to highlight issues, considerations, and potential strategies and pitfalls under current patent laws for protecting crystalline forms.

Primary author: Dr MACALPINE, Jill (Finnegan, Henderson, Farabow, Garrett & Dunner, LLP)

Presenter: Dr MACALPINE, Jill (Finnegan, Henderson, Farabow, Garrett & Dunner LLP)

Session Classification: IP & Industry

Track Classification: Tuesday, May 8th afternoon (Day 2 Workshop)