Banner & Witcoff offers immediate impact of the Supreme Court's decision in Myriad

June 25, 2013

In a unanimous opinion issued June 13, 2013, in *Association for Molecular Pathology (AMP) v. Myriad Genetics, Inc*., the U.S. Supreme Court held "that a naturally occurring DNA segment is a product of nature and not patent eligible merely because it has been isolated, but that cDNA is patent eligible because it is not naturally occurring." Click here to read the decision.

Myriad immediately raises questions about the patent-eligibility of other molecules isolated from their natural environment, such as antibodies, hormones and other therapeutic molecules. Patentees and licensees will therefore want to evaluate their portfolios carefully to confirm there are back-up claims likely to be patent-eligible under *Myriad* or, if not, to consider reissue of patents that may be impacted by the decision. Please contact one of the attorneys in our Life Sciences and Pharmaceuticals group for additional information.

Posted: June 13, 2013