

## **Seminar: Are Genes Patentable?**

**January 27, 2010**

In conjunction with the American Bar Association Intellectual Property Section, Brooks Pierce presents, "Are Genes Patentable?"

The public policy discussion concerning the ethical, legal, and economic issues of gene patenting has made its way to court.

The USPTO takes the position that genes are chemical compounds and thus qualify for potential patenting as compositions of matter. And while a naturally occurring product as it exists in nature cannot be patented, patents have been allowed on a naturally occurring product that has been purified, isolated, or otherwise altered.

As a result, the number of patents in the United States that cover genes is significant. The National Institute of Health has estimated that around 20% of human genes are patented. These include genes that have been associated with forms of cancer, Alzheimer's, and other diseases.

The current case is a direct legal attack on the patenting of genes in general. Even if the case ultimately fails, it has been suggested that it can be used by opponents of gene patenting to create or emphasize a negative image of biotech companies. This form of attack may be particularly dangerous given the current movement in Congress towards healthcare access and reform, and the focus on the reduction of medical costs.

This live seminar will take place at the firm's Raleigh office on January 27 at 12:00 pm.

Lunch will be provided. To register, email [kwhitaker@brookspierce.com](mailto:kwhitaker@brookspierce.com) or call (336) 271-2588.