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VEPACHEDU EDUCATIONAL FOUNDATION

The Andhra Journal of Industrial News

IP and Industry News

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New USPTO Regime

The much anticipated First-Inventor-to-File (FITF) provision of the Leahy-Smith America Invents Act (AIA) became effective March 16, 2013. Applications filed on March 16, 2013 or after will no longer be able to claim invention-date priority, but may be able to use it in a derivation proceeding, which replaces the interference proceeding. Thus, a secret prior invention or reduction to practice by a third party will no longer be relevant to patentability. However, these applications will continue to have the one-year pre-filing grace period, and will be subject to prior user rights and post-grant review, and can be invalidated by public uses and sales of similar inventions in foreign countries. For more visit: <http://www.cardinal-ip.com/ip-news-strategy/first-inventor-to-file-regime> and http://www.uspto.gov/blog/director/entry/examiner_training_continues_on_first

As a result of the change in the regime, there was spike in filings on March 15, 2013 with 34182 non-provisional applications (3-fold increase compared to previous month 10239 filings) and 24259 provisional applications (6-fold increase compared to previous month 4099 filings, See Patently-O).

Another important change was Third Party Pre-Grant Filings, which began on September 16, 2012. Learn more at: <http://www.cardinal-ip.com/ip-news-strategy/preissuance-submissions/>. In the past 6 months, there were above 440 pre-grant filings. http://www.uspto.gov/aia_implementation/statistics.jsp

Another provision that came into effect in March was the micro entity under 35 U.S.C. 123. Effective from March 19 2013, the Micro Entity Status is available for all eligible applicants: <http://www.uspto.gov/web/offices/ac/qs/ope/fee031913.htm>

For all patents issued from the applications filed on or after March 16, 2013, a nine-month post-grant review period provides a lower-cost method of challenging new patents and also features a lower standard to invalidate than available in federal court litigation.

2013 National Inventors Hall of Fame

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The U.S. Department of Commerce's United States Patent and Trademark Office (USPTO) and the National Inventors Hall of Fame announced the inductees for 2013. This year's class includes inventors behind patented innovations such as the electronic synthesizer, flat panel plasma displays, iris recognition technology, and the code providing the foundation for 3G cellular systems. This year's induction ceremony will take place on May 1, 2013 at the USPTO's headquarters in Alexandria, Virginia. The USPTO founded the National Inventors Hall of Fame in 1973 and has been a long-standing partner since the organization's incorporation as a separate, non-profit educational foundation.

<http://www.uspto.gov/news/pr/2013/13-13.jsp>

European Lead Factory

The European Lead Factory is a pan-European platform for drug discovery supported by the Innovative Medicines Initiative (IMI) that is set to give a major boost to drug discovery in Europe. Comprising a collection of half a million compounds (derived from new public and existing private company collections) and a screening centre, the European Lead Factory will offer researchers in academia, small and medium-sized enterprises (SMEs) and patient organisations an unprecedented opportunity to advance medical research and develop new medicines. <http://www.imi.europa.eu/content/european-lead-factory>

The total budget for the European Lead Factory (not to be confused with IMI's \$2.6 billion budget) is approximately \$256 million. Of this, \$105 million comes from the [European Commission's Seventh Framework Programme for Research](#) and \$119 million as in-kind contributions from the participating companies that are members of the EFPIA. The remaining \$33 million comes from other contributions from non-EFPIA participants. [Bayer HealthCare](#) will be the coordinator from EFPIA. The Leiden, Netherlands-based non-profit organization TI Pharma will facilitate the overall scientific governance and is heading the European consortium's screening efforts. Taros Chemicals of Dortmund, Germany, is heading the European consortium's chemistry effort. If the project proves successful during its initial five-year funding period, the European Screening Centres and the teams of SMEs and academic institutions

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aim for a sustainable role in drug discovery and the future growth of drug discovery in Europe.

<http://www.drugdiscoverynews.com/index.php?newsarticle=7145>

Pharma's Troubles

When it was once good enough to simply show that your drug was efficacious and relatively safe, regulatory agencies around the world are raising the approval bar and demanding that new therapies show dramatically significant improvements over current standards of care, or risk either non-approval or relegation to late-stage (e.g., third- and fourth-line) or niche treatment. Even when you get your drug through regulatory agencies, payors can still refuse your applications, as new drugs often cost significantly more than current standards of care, which in many cases have entered the generic phase of their lifecycle. <http://www.drugdiscoverynews.com/index.php?newsarticle=7116>

With billions of dollars on the line as lucrative patents expire in 2016, and with the federal healthcare law, pharmaceutical and biotech giants are in trouble.

<http://www.drugdiscoverynews.com/index.php?newsarticle=7143>

What makes a drug a success? Is it a great ad campaign, or promotions from doctors? Does the drug address a much-needed area of medicine, or treat a disease in an exceptional way with few side effects? Regardless of what makes a drug take off, the way to measure its overall success is hard to repute: sales.

<http://www.genengnews.com/insight-and-intelligence/top-20-best-selling-drugs-of-2012/77899775>

When it comes to research and development, you've got to give to get. Whether or not you actually get what you pay for is a matter of debate, but generally the biopharma companies that spend the most on R&D will be the ones to watch the most closely in the future for new developments. You've seen the [top 10 pharma firms](#) and the [top 25 biotech companies](#): are any of the companies on those lists among the biggest R&D spenders? <http://www.genengnews.com/insight-and-intelligence/top-20-biopharma-r-d-spenders/77899779>

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Om! Asatoma Sadgamaya, Tamasoma Jyotirgamaya, Mrityorma Amritamgamaya, Om Shantih, Shantih, Shantih!

(Aum! Lead the world from wrong path to the right path, from ignorance to knowledge, from mortality to immortality, and peace!)

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