



# Is Patent Law Technology Specific?



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# Patent Law

- General Application
  - flexibility
  - adaptation
- Recent Trends
  - technology specific
  - software patents
  - biotechnology patents

# Software Patents

- Disclosure Requirement
  - nonexistent
  - unnecessary
  - “mere clerical work”
- Obviousness
  - high threshold
  - inverse of disclosure

# Biotechnology Patents

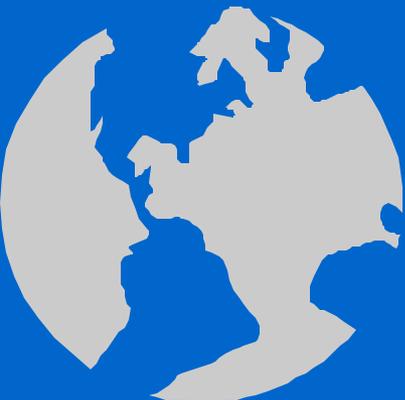
- Inverse of Software
  - stringent disclosure
  - low obviousness threshold
- Exactly Backwards
  - software: incremental, short development
  - biotech: long and expensive development

# Causes

- Legal Standard
  - PHOSITA construct
  - stare decisis
- Informational
  - fact finding
  - adjudicative delay
  - rapidly changing industry



# Thank You



Questions Welcome

