

PRINCIPLES IN CLAIMING AND ENFORCING SOLID FORM PATENTS

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Patents on solid forms have become increasingly popular as pharmaceutical scientists continue to develop state of the art techniques for finding and characterizing new solid forms. This talk will explore the theory behind obtaining solid form patents from the U.S. Patent Office and what issues often come up during prosecution of those patents. It will also show how recent court opinions have affected the way solid form patents are interpreted, enforced, and challenged in litigation. Finally, issues on the "frontiers" of solid form patents, such as those related to amorphous forms and cocrystals, will be discussed.