

FREEDOM TO OPERATE FOR LIFE SCIENCES AND PHARMA

Although the course focuses on FTO with regards to patents in the life sciences and pharmaceutical sectors, the principles it teaches are broadly applicable to other IP rights and other technology areas. While the course is based on European and UK IP laws, some key examples of differences between US and European patent law are given.

The introductory "**IP Rights in Life Sciences and Pharma**" session gives an overview of the important IP rights (e.g. designs, trade marks and trade secrets), patentability criteria and the patenting process (e.g. UK, national, PCT routes). Examples of Life Sciences and Pharma patents are discussed.

"**How to Read a Patent and Interpret Claims**" explains the basic structure of a patent and how to read it, particularly how to interpret the claims. Examples of different claim types and scope are given.

"**Infringement and Enforcement of IPRs**" focuses on UK court proceedings, primarily patent cases, in terms of what constitutes infringement, how the courts interpret claims, and common defences against infringement.

Methods for conducting novelty, FTO and validity searches are described in "**Patent Searching**" using freely available data bases (e.g. Espacenet). Other sources and methods for identifying prior art, determining examination and patent status are also covered.

"**Freedom to Operate**" discusses the value, timing and use of an FTO analysis, how to conduct and review the FTO search, and how to develop a strategy to cope with troublesome third party patents or applications that you might uncover.

Finally, there are **Group Exercises**, including a **CRISPR** case study, to run through a number of FTO examples.

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