



SUPREME COURT DELIVERS MYRIAD OPINION

Jun 13, 2013

Companies, inventors and investors are advised to review any pending or issued patent directed to gene sequences and evaluate the patentability or validity of any gene sequence claims in view of this important decision by the Supreme Court.

The Supreme Court of the United States issued its opinion in *Association for Molecular Pathology v. Myriad Genetics, Inc.*, finding that isolated genes are not in themselves patentable, because they naturally exist in nature. The Court further held that cDNA, because it is man-made, is patentable. In reaching its conclusions, the Court is firmly standing by the transformation test set forth in *Mayo Collaborative Services v. Prometheus Laboratories, Inc.*, which requires some form of transformation of a law of nature for the claimed subject matter to be patentable....

