The Two Faces of Establishing Patentability of a New Chemical

Fitch, Even, Tabin & Flannery LLP presents a complimentary MCLE webinar, “The Two Faces of Establishing Patentability of a New Chemical,” featuring Fitch Even attorney James A. Zak. The webinar will take place on Wednesday, June 24, 2015, at 9 am PDT / 10 am MDT / 11 am CDT / 12 noon EDT.

To be a patentable invention, a chemical compound must be new and non-obvious. To establish that the compound is non-obvious, a lead compound is selected in the prior art, and the new compound is compared to the lead compound to determine if the new compound is merely an obvious modification. A lead compound is selected by one of two methods, which differ with respect to the rationale used to identify the lead compound and how allegations of obviousness can be refuted. Given the critical role of the lead compound to the non-obviousness determination, when attempting to patent a new compound, one must be mindful of how the lead compound will be selected.

Topics will include:
• Methods of selecting a lead compound: structural similarity and rational selection
• Assumptions made based on structural similarity and how to overcome them
• Why what is believed about a rationally selected lead compound is more important than its real properties
• How to make others select the lead compound of your choosing

Speaker James A. Zak chiefly focuses his practice on the intersection of intellectual property and FDA law, often working with startups in FDA-regulated industries to develop and align their IP and FDA market approval strategies while

simultaneously developing robust patent portfolios.

CLE credit has been approved for California and Illinois and is pending in Nebraska. Other states may also award CLE credit upon attendee request. There is no fee to attend, but please note registration is required.

Register for the webinar.