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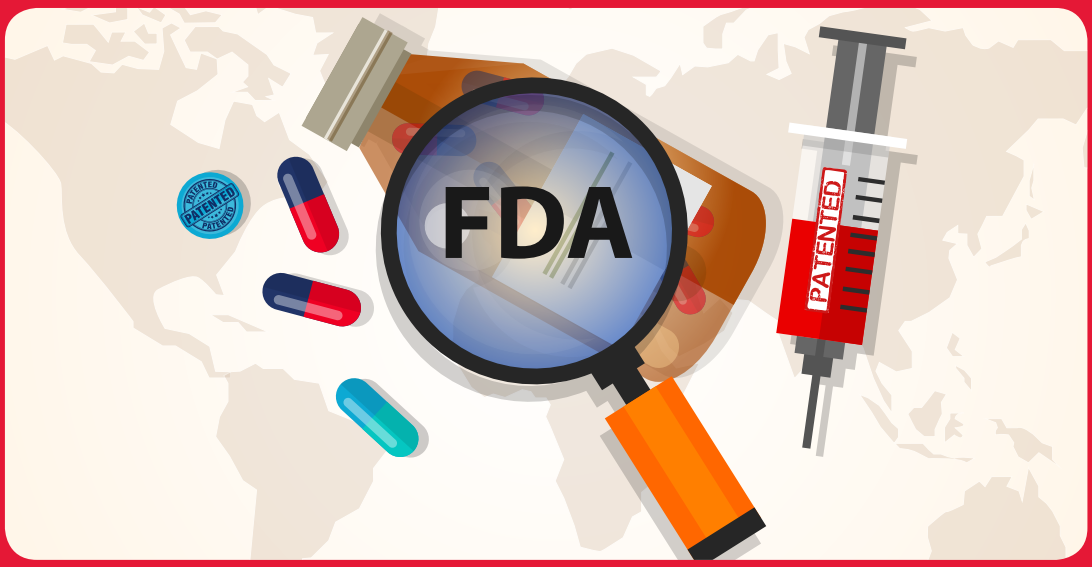

The End of Patent Medicines? Exploring the Rise of Regulatory Exclusivities

John R. Thomas
Professor of Law
Georgetown University Law Center

Thursday, November 9, 2017

2017 VENUE:
THE HOUSTON CLUB
910 Louisiana, Suite 4900, Houston, Texas

Reception 5:30 p.m. • Lecture 6:15 p.m.
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1997 Hon. Nancy Linck, U.S. Patent and Trademark Office

1996 Hon. Glenn Archer, Hon. Pauline Newman, and Hon. Edward Smith, U.S. Court of Appeals for the Federal Circuit

1995 Donald S. Chisum, Author, Chisum on Patents

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John R. (Jay) Thomas is Professor of Law at Georgetown University in Washington, D.C. Since 1999, he has served as a visiting scholar at the Congressional Research Service; he was also the inaugural Thomas Alva Edison Visiting Fellow at the United States Patent and Trademark Office. Jay previously served as law clerk to Chief Judge Helen Nies of the United States Court of Appeals for the Federal Circuit. He was a visiting researcher at the Institute of Intellectual Property in Tokyo, Japan and the Max Planck Institute in Munich, Germany, and has served on the law faculties of George Washington, Cornell, and the University of Tokyo. He is the author of the treatise Pharmaceutical Patent Law. He holds a B.S. in Computer Engineering from Carnegie Mellon, a J.D. from the University of Michigan, and an LL.M. from George Washington University.

Selected publications include: Pharmaceutical Patent Law (Arlington, Va.: Bloomberg BNA 3d ed. 2015); *The End of "Patent Medicines"? Thoughts on the Rise of Regulatory Exclusivities,* 70 Food & Drug L.J. 39-53 (2015)*; Toward a Theory of Regulatory Exclusivities,* in Patent Law in Global Perspective 345-376 (Ruth L. Okediji & Margo A. Bagley eds., New York: Oxford University Press 2014); *Authorized Generic Pharmaceuticals: Effects on Innovation,* in Pharmaceutical Industry: Innovation and Developments 1-14 (David A. Mancuso & Isobel M. Grenada eds., Hauppauge, N.Y.: Nova Science Publishers 2011).

The End of Patent Medicines? Exploring the Rise of Regulatory Exclusivities

The phrase "patent medicine" is not heard much these days. The dubious cures so heavily employed prior to the enactment of the Federal Food, Drug, and Cosmetic Act have been regulated out of existence by the Food and Drug Administration. The same fate may await patented pharmaceuticals--at least to the extent that a proprietary right issued by the United States Patent and Trademark Office serves as the primary intellectual property driver of innovation in the field of health care. FDA-administered exclusivities--currently numbering fifteen, with serious proposals for new proprietary rights before the 115th Congress--may soon come to dominate patents. This talk will explore the substantial consequences of this trend for both public health and the intellectual property landscape.

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2016 FALL LECTURE, L-R: Daniel C.K. Chow (Lecturer), Greg R. Vetter, and Sapna Kumar

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