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Patenting Stem Cell Technologies

Making a Claim

Antoinette F. Konski

Patenting Stem Cell Technologies Making A Claim

Antoinette F Konski

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Patentschutz für menschliche Stammzellen Andreas Ruster, 2016-01-11 Andreas Ruster discusses and compares the patentability of human stem cells in Europe and the United States taking into account the legal implications of both ethical and economic aspects The analysis culminates in a proposal to integrate patent law ethics and economics

Study on the Patenting of Inventions Related to Human Stem Cell Research Geertrui van Overwalle, 2002 Recoge 1 Human stem cell technology 2 Patents on human stem cells 3 Patent law and human stem cells 4 Routes for reflection

Limits of Patentability Andreas Hübel, Ulrich Storz, Aloys Hüttermann, 2012-10-12 SpringerBriefs in Biotech Patents presents timely reports on intellectual properties IP issues and patent aspects in the field of biotechnology In this volume the limits of patentability are addressed a question that is often raised when it comes to biotechnological inventions The first section addresses current issues in the patentability of plants produced by essentially

biological processes including the controversy between farmer's privilege and patent exhaustion with respect to seeds in the US. The second section examines the patentability of human embryonic stem cells in Europe and the US also considering alternative technologies with respect to their practicability and patentability. The third section focuses on the patentability of genes and nucleic acids especially the issue of patenting of encoding genes and nucleic acids. Patents and Venus Geertrui Van Overwalle, Nele Berthels, 2013. In the last decade patent law has been in turmoil and has been seriously criticized. At present serious concerns are being raised with regard to human embryonic stem cells and oocytes. Are the arguments put forward against patents for human genes similar to the objections raised against patents for human stem cells? Do human genes, human stem cells and human oocytes have a similar status in patent law? What are the legal claims and underlying ethical values put forward to argue in favour or against patent protection? The present paper aims at offering an answer to these delicate and intriguing questions. The paper is divided in three parts. Part 1 examines the state of play with regard to the patentability of oocytes from a twofold perspective. First an overview of the daily patent granting practice in Europe and the US in this field is composed. Next European patent legislation is carefully examined. Part 2 explores the patent regime for human embryonic stem cells and does so through a twofold lens as well. First an updated survey of the European and US patent practices with regard to human stem cell technology in general and human embryonic stem cells in particular is drafted. Then an overview of the current European patent framework for human stem cells is offered. In an effort to clarify the legal situation and the arguments put forward for and against patenting the paper critically examines the recommendations laid down in the Opinion of the European Group on Ethics in Science and New Technologies (EGE). Part 3 looks into additional conditions for patenting human embryonic stem cells and examines the enforceability and scope of the prior informed consent requirement in a patent law context. The paper concludes that patents related to human oocytes and human embryonic stem cells are more easily granted in the US than in Europe. Along the same line European legislation demonstrates a wide reluctance towards the patenting of human embryonic stem cells and oocytes. Appropriation of the female body through patents is considered unacceptable in Europe. Patents and Venus seem to be pretty incompatible.

Stem Cell Century Russell Korobkin, Stephen R. Munzer, 2007-01-01. *Stem Cell Century* provides a very clear analysis of the policy issues around cloning and stem cells in biomedicine on the basis of a sound scientific understanding of the underlying biology. Ian Wilmut, director Edinburgh University Centre for Regenerative Medicine and creator of Dolly the lamb, the world's first cloned mammal. From the bookjacket: **From Clones to Claims** Hans R. Jaenichen, Jürgen Maier, Leslie A. McDonnell, James F. Haley, Yoshinori Hosoda, 2022-10. **Bioethics and the Patent Eligibility of Human Embryonic Stem Cells-Related Inventions in Europe** Ali Seyhan Ugurlu, 2014. Neu entstehende Technologien wie die Biotechnologie stellen eine Kontroverse und Herausforderung für das Patentrecht dar. Das Werk analysiert die neuesten Entwicklungen in der Rechtsprechung zur Zulässigkeit von Patenten im Rahmen der Stammzellen-Forschung in Europa. Reihe Munich Intellectual

Property Law Center MIPLC Band 22 *Embryonic Stem Cell Patents* Aurora Plomer, Paul Torremans, 2009 Stem cell research and particularly embryonic stem cell research while offering the prospect of developing therapies for serious life threatening diseases also raises a number of difficult and controversial moral questions This is reflected in a variety of moral perspectives and regulatory regimes already adopted or in the process of being developed in EU Member States In particular the moral exclusion clause in Article 6 of the EC Directive on the legal protection of biotechnological inventions has created much uncertainty in this field This collection of original essays provides comprehensive analysis of the EU patent system as applied to biotechnological inventions and particularly stem cell research dealing with the overlapping EPC EU international and national law regimes bearing on the exclusion of patents in a morally fragmented and contested field In this multidisciplinary study the editors aim to clarify the legal scope of Article 6 which they deem essential for the fostering of research and investment in Europe while ensuring that such research is conducted within clear ethical limits which address the concerns of society As well as a complete overview of the application of the European patent law in the field of human embryonic stem cells topics covered include legal and philosophical accounts of the decisions of the European Court of Justice and European Patent Offices reasoning in the leading litigated cases as well as the institutional tensions between national and transnational European research and patent regimes With its broad research in the fields of patent law ethics and philosophy the book analyzes a wide range of issues in a way no other book has previously done and suggests solutions to unblock the current stalemate surrounding the patentability of human embryonic stem cell related inventions The book will be welcomed by a broad readership including experts and academics in both ethical and legal disciplines as well as policy makers and regulators in the field of embryonic stem cell research in Europe

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