

## **Patenting Natural Matters after *Myriad* & *Mayo***

Dr. Jacqueline C. Lui

U.S. Patent Agent; Managing Director of Eagle IP Limited; President of HIP

The statute 35 U.S.C. § 101 (Section 101) of the U.S. Patent Act offers patent rights to anyone who “invents or discovers any new and useful process, machine, manufacture, or composition of matter.” However, three recent decisions by the US Supreme Court (*Bilski v. Kappos*; *Mayo Collaborative Services v. Prometheus Laboratories Inc*; and *Association for Molecular Pathology v. Myriad Genetics Inc.*) have put limits on patent-eligible subject matter. The US Patent Office has also issued guidelines in the light of these cases for determining patent eligibility. This presentation will briefly review these three cases as well as the USPTO Guidance established recently to see how they would affect patenting for natural products.