

Matthew Becker Speaks With PharmaWire on the Potential Patent Life of BTC and Johnson & Johnson's Abiraterone Drug For Prostate Cancer

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ATTORNEYS

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PRACTICE AREAS

Intellectual Property

PharmaWire reported on November 29, 2010 that the patent life of BTG and Johnson & Johnson's potential prostate cancer blockbuster abiraterone is unclear due to laws changed in 1995 for calculating expiration dates. According to BTG, abiraterone is protected until 2024. Although abiraterone is a simple molecule that will be reproduced by generic companies very easily and the drug may have a short patent life relying on data exclusivity, experts believe the data is still striking enough to secure a large market share in this timeframe. The companies are expected to also file for an extension of the patent for up to five years. However, patents covering manufacturing and synthesis methods typically cannot be enforced against generic applicants until shortly prior to commercial launch, Matthew Becker, a patent attorney at Axinn, noted in the article.