



Biotechnology and Life Sciences

We represent growing and emerging companies in the life sciences, which include biological and genetic sciences. Our life science expertise includes three basic areas: diagnostics, therapeutics, and biofuels. In each of these areas, the assistance of patent counsel at an early stage of development is essential. Protection of trade secrets, intellectual property protection and freedom to operate are essential elements of a successful development strategy due to the high costs and regulatory approval processes of:

Dx

Diagnostics (Dx) is a rapidly growing field and includes tests for diagnosing disease, co-developing drug diagnostics for determining efficacy and avoiding severe side effects, and genetic testing of individuals or individual diseases for prescribing therapies and preventing disease. These areas include traditional and cutting edge applications for diagnostics requiring unparalleled expertise in both the life sciences and intellectual property.

Rx

Therapeutics (Rx) include drugs, biologics and therapeutic procedures. Therapeutics are useful for treating or preventing disease. However, in the early stages of research, a company might not know what actual use a specific therapeutic might have. Issues of patentability of certain therapies both in the United States and elsewhere in the world are common. Claim drafting expertise is essential. We help our clients develop an intellectual property and regulatory strategy for protecting exclusivity to the intellectual property developed by our clients developing therapeutics.

Biofuels

Genetic engineering, nanocatalysts and biocatalysts have shown promising development. Early stage companies are finding sources of financing to enter into the field. Companies can expect to need one or more licenses for fundamental technologies. We assist clients in developing an intellectual property portfolio and reducing exposure to the risk of patent infringement lawsuits. Research and development may be targeted based on both potential technical success and freedom to operate if R & D proves to be successful.

Patents

Patents provide a limited monopoly for a period of twenty years from the date of filing of an utility application of fourteen years from the date of issue of a patent for an ornamental design. A patent is granted in exchange for public disclosure of a new, useful and nonobvious invention and gives the patent holder a right to exclude others from making, using, selling and importing goods and services that infringe the claims. Foreign and U.S. patent rights might be lost forever, if timely action is not taken to file an application. Our patent professionals include attorneys with advanced technical degrees and expertise in areas of materials science, nanotechnology, and life sciences.



Practice Team

Christopher Paradies, Ph.D.
Jay S. Pattumudi



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Trademarks

A key segment of the Intellectual Property Management team's practice is in trademark/service mark matters. We prepare applications to register trademarks and service marks with state agencies, with the United States Patent and Trademark Office (USPTO), and with foreign Trademark Offices, and we prosecute those applications; we also prosecute and defend trademark administrative proceedings in the USPTO. The Intellectual Property Group also prepares and defends trademark cease and desist letters, and has significant expertise with "trade dress" infringement claims and with domain name and cybersquatting matters.

Licensing / Trade Secrets

Every lawyer in the Intellectual Property Management team regularly counsels clients in the areas of intellectual property licensing, trade secrets and confidential business information. We represent and advise a number of technology-oriented manufacturers and distributors and, as part of that work, prepare invention ownership, licensing, confidentiality, non-disclosure, and other agreements to protect clients' proprietary information.

Regulatory Compliance

Life science products, devices and therapies are heavily regulated by federal and state agencies. The Life Science practice provides regulatory review and advice for compliance with federal and Florida State laws for the manufacture and sale of nanotechnology, biotechnology, foods, drugs, pesticides, cosmetics and other regulated products and services, especially in the areas of nutritional, health and beauty products. Many companies are not fully aware of the need for regulatory approval in these areas. Compliance with labeling laws and prior approval for any use, sale or manufacture of any product making health related claims or any product relating to nanotechnology must be ascertained in order to avoid regulatory noncompliance and civil liability, fines or criminal prosecution.

Copyrights

A copyright protects the creative expression in "works of authorship" which are "fixed in a tangible medium of expression," such as writing, music, recordings, motion pictures, and sculpture. While a copyright does not protect facts and ideas, it does protect the way that the author chooses to express them. We prepare applications for copyright, provide legal opinions, and license and enforce rights in copyrights. Software may be protected by copyrights and patents.

Fowler White Boggs Banker operates throughout Florida, serving clients around the country and throughout the world. The *National Law Journal* lists our firm as one of the nation's leading law firms and Martindale-Hubbell has given our firm its highest rating (AV). Today our firm has more than two hundred attorneys in seven offices located in Tampa, St. Petersburg, Fort Myers, Tallahassee, Orlando, Jacksonville and Fort Lauderdale.