

Patenting Carboxyformin in the United States: How Does It Work and What Does It Mean?

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Abstract

Carboxyformin, a new biguanide, shows promise as a treatment for type 2 diabetes mellitus (attributes assumed for the purpose of this article). But is a carboxyformin-based therapeutic formulation patentable? And if the formulation is patentable, what protection is afforded by the patent? This article examines the patent prosecution process, beginning with the initial discovery and continuing through the issuance of the patent. The article also briefly discusses issues of patent infringement and considers whether the inventor is able to practice his invention and whether he is able to keep others from the unauthorized use of his invention.

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