

Market Conditions are Ripe for MPEG LA's Librassay[®] Patent Licensing Supermarket

Molecular diagnostics and personalized medicine are poised to deliver unprecedented advances in healthcare. Yet marketplace uncertainties surrounding access to patented technologies highlighted by recent Supreme Court cases and the USPTO's hearings on genetic diagnostics threaten to curtail these important advances. MPEG LA's [Librassay[®]](#) patent licensing store is poised to offer a solution.

The *amicus* brief filed in the *Myriad* case by AUTM, BIO and the Coalition for 21st Century Medicine notes that the USPTO has issued patents related to "compositions and compounds isolated from nature" as far back as 1873, when it issued U.S. Patent 141,072 to Louis Pasteur for his claim of "yeast, free from organic germs of disease." The joint brief emphasizes that "reversing course at this point would disrupt the long-settled, investment-backed expectations of business that rely on such patents."

Meanwhile, as this article is being written, the USPTO is due to issue a report to Congress on the effect of patents on the development of genetic diagnostic tests and patient access to such tests, particularly in the area of "second opinion" genetic diagnostic testing. Two rounds of public hearing were held on this subject resulting in comments from a diverse cross-section of interested parties, including companies, individuals, intellectual property organizations, and academic and research institutions.

Patent licensing inefficiencies at the heart of this debate are among the reasons why [MPEG LA](#) invested in the creation of the Librassay[®] patent licensing supermarket. Librassay[®]'s "many-to-many" market-based solution offers nonexclusive patent licensing opportunities enabling the growth and dissemination of innovative molecular diagnostic tests and targeted drug discovery tools that assist in delivering the promise of personalized medicine to patients, while compensating patent owners for their inventions and incentivizing them to develop more.

The nonexclusive licensing platform provided by Librassay[®] will provide a wide variety of patent rights in a single, easy, and cost-effective transaction. Librassay[®] employs an on-line shopping site, where licensees can "browse aisles" for patent rights of value to their developmental and commercial products. As more and more groundbreaking patents populate Librassay[®] shelves, packages of patent

rights will be offered around specific technologies and platforms enabling the medical community to deliver personalized patient care for the benefit of a wide market.

More information on Librassay[®] is available at www.librassay.com, or by emailing biotech@mpegla.com.