



SHIMOKAJI & ASSOCIATES, P.C.

Intellectual Property Lawyers
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NEWSLETTER

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We specialize in the litigation and registration of patent, trademark, and copyright matters. The clients we serve range from start-ups to Fortune 500 companies, government entities, and universities. Though located in the US, our expertise and representation has an emphasis in Asia.

— LATEST NEWS & EVENTS —

Annual IP Counsel Forum in Silicon Valley

The Firm's founding partner, Michael Shimokaji, was a speaker this month at the annual IP Counsel Forum in Silicon Valley, California. The event was attended by IP counsel from some of the largest technology companies in the US. Mr. Shimokaji spoke on the topic of "Are Non-Practicing Entities (NPEs) Necessary for a Competitive Market."

More information can be obtained at info@shimokaji.com



US Supreme Court Determines What is an Unpatentable Law of Nature

Earlier this month, the US Supreme Court in *Mayo v. Prometheus* found that a method claim for treating autoimmune diseases are not patentable because it merely recites a law of nature.

The claim stated:

"(a) administering a drug providing 6-thioguanine to a subject having said immune-mediated gastrointestinal disorder; and

"(b) determining the level of 6-thioguanine in said subject having said immune-mediated gastrointestinal disorder,

"wherein the level of 6-thioguanine less than about 230 pmol per 8×10^8 red blood cells indicates a need to increase the amount of said drug subsequently administered to said subject and

"wherein the level of 6-thioguanine greater than about 400 pmol per 8×10^8 red blood cells indicates a need to decrease the amount of said drug subsequently administered to said subject."

The Supreme Court found that the claim simply describes natural correlations. Also, according to the Court, the combination of steps amounts to nothing "significantly more" than an instruction to doctors to apply applicable natural laws when treating their patients.

