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Oral Arguments In U.S. Gene Patenting Case

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On Friday, July 20, 2012, the U.S. Court of Appeals for the Federal Circuit heard oral arguments in *Association for Molecular Pathology v. Myriad Genetics, Inc.* (the ACLU “gene patenting”/BRCAI case), which is on remand in view of the U.S. Supreme Court decision in *Mayo v. Prometheus*. Reading the tea leaves from the judges’ questions and comments, I think the panel decision will depend on whether **Judge Moore** again concurs with **Judge Lourie** on the patent-eligibility of isolated DNA, or whether she feels compelled by *Mayo* to join **Judge Bryson**, who would invalidate the claims. You can listen to the recording of the oral arguments [here](#), and you can read my full recap of the oral arguments on [PharmaPatentsBlog](#). A decision is likely a few months away, and the case is expected to make its way to the Supreme Court again.

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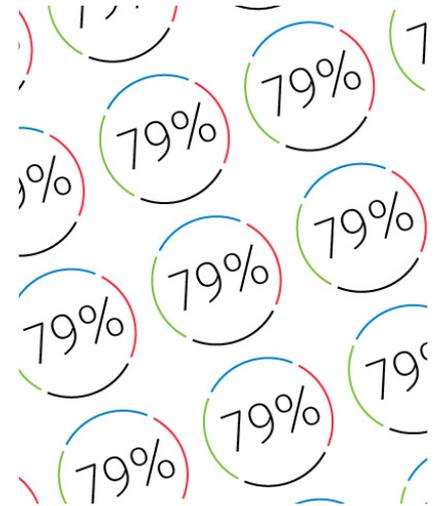
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