

DIALOGUE 173

The Assault on Drug Patents: Short-Term Gain, Long-Term Harm?

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Mailman Center for Child Development, Room 4003

Lunch provided — first come, first served.

A fundamental change to U.S. patent law in 2011 made it fast, cheap, and easy for any challenger to seek the revocation of any U.S. patent. Drug-makers use this new system with gusto to break patents that currently prevent them from bringing generic copies or competing drugs to market. Short-selling hedge funds use it to drive down pharma company stock prices. The U.S. government is pleased as punch, because the resulting price drops can save Medicare billions. The immediate benefits are obvious, but what about long-term costs, such as the willingness of the markets to invest in new drug R&D?

Dr. Kamholz is a patent attorney and former judge. He earned a law degree from Boston College after completing B.S., M.D., and Ph.D. degrees at the University of Miami. In 2012, he was appointed an Administrative Patent Judge by the U.S. Secretary of Commerce. Over the next 3 years, Dr. Kamholz conducted trials reviewing the validity of U.S. patents. He handled the first pharmaceutical patent review cases under the America Invents Act of 2011, as well as cases in a wide variety of other technologies. Dr. Kamholz returned to the private practice of law in the Washington office of Foley Hoag LLP in 2015.

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