

Q Are naturally occurring chemical compounds patentable?

A For now, the answer seems to be “some, but not all.” In the past, patents were granted on isolated and purified forms of naturally occurring chemical compounds such as adrenaline and vitamin B12, at least in part because the isolated and purified forms do not exist in nature. However, the United States Supreme Court recently ruled that a naturally occurring DNA segment is not patent-eligible “merely because it has been isolated.” Is DNA unique in this regard? After considering the Supreme Court’s decision, the United States Patent Office has continued to issue patents for naturally occurring compounds other than DNA. Consider consulting with an experienced patent attorney if you have questions about a particular compound.

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