

Worldwide Patent Term Extension Provisions

Mechanisms to recover patent term lost during regulatory approval are available in many countries throughout the world. The August 2017 issue of Sterne Kessler's Global Patent Prosecution Newsletter includes information on Patent Term Extension/Supplementary Protection Certificates worldwide.

Sterne Kessler's Global Patent Prosecution Newsletter is designed to help meet the needs of biotech/pharmaceutical companies regarding global patent prosecution strategies. For more information, please contact [Paul Calvo](#) or [John Covert](#). If you wish to unsubscribe from this and other newsletters, please click on the unsubscribe link below.

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Patent Term Extension Considerations for BioPharma Patents

By: [Gaby L. Longworth, Ph.D.](#)

Time spent on securing marketing approval for regulated products, such as pharmaceuticals, medical devices and agrochemicals effectively shortens the term of patent protection during which an innovator can recover its investment without fear of generic competition.

Even a few months of additional patent term can mean the difference between millions of dollars or several billion dollars. This short article will highlight the provisions put in place for patent owners to be compensated for up to 5 years of patent term lost while developing a product and obtaining FDA approval.

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Considerations for Developing a Global Patent Term Extension Strategy

By: [Miklos Gaszner, Ph.D.](#) and [Carla Kim](#)

Many jurisdictions provide for the extension of the term of the patents that cover a regulated product. Patent term extension (PTE) is particularly important in the bio/pharma industry given that development of an innovative drug can take more than a decade, biosimilar/generic competition is fierce, and the most profitable period for the patent owner tends to be at the end of the patent term. This article contains a brief discussion of the main considerations for developing a global PTE strategy.

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Global Patent Term Extension/Supplementary Protection Certificate Provisions

By: [Paul A. Calvo, Ph.D.](#)

Country	Patent Term Extension Provision
Argentina	No
Australia	Yes
Austria	Yes

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