



The U.S. Patent and Trademark Office will Accelerate Examination of Patent Applications for Cancer Treatment Methods

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On June 29, 2016 the U.S. Department of Commerce's U.S. Patent and Trademark Office (USPTO) announced new actions aimed at advancing President Obama's call to make America cancer-free.

The USPTO has launched the "[Patents 4 Patients](#)" initiative, which will accelerate the patent application process for methods of cancer treatment. The goal is to cut the time it takes to review patent applications in cancer therapy in half. This means that a newly filed patent application could have a final decision within 12 months.

Nearly 900 cancer immunotherapy applications are received annually by the USPTO. This program aims to move innovative new treatments from conception through regulatory approval more swiftly so that patients can obtain new treatments faster. This is open to any applicant, including early-stage companies. For those formulating nutraceutical or cannabis remedies for cancer, this is good news.

The following requirements must be met for new patent applications under these guidelines:

- Patent applications should be in the field of Oncology.
- The applications must contain at least one claim encompassing a method of ameliorating, treating, or preventing a malignancy in a human subject wherein the steps of the method assist or boost the immune system in eradicating cancerous cells. For example, this can include the administration of cells, antibodies, proteins, or nucleic acids that invoke an active (or achieve a passive) immune response to destroy cancerous cells.
- The Pilot Program also will consider claims drawn to the co-administration of biological adjuvants (*e.g.*, interleukins, cytokines, Bacillus Comette-Guerin, monophosphoryl lipid A, etc.) in combination with conventional therapies for treating cancer such as chemotherapy, radiation, or surgery. Claims to administering any vaccine that works by activating the immune system to prevent or destroy cancer cell growth are included.
- The Pilot Program also will consider *in vivo*, *ex vivo*, and adoptive immunotherapies, including those using autologous and/or heterologous cells or immortalized cell lines.