

Marine Biotechnology and Patents



Essay from the year 2008 in the subject Law - Comparative Legal Systems, Comparative Law, grade: 1, University of Bremen, course: Seminar, 54 entries in the bibliography, language: English, abstract: Major industries relating to inventions in marine biotechnology increasingly apply for patents. Most patents are applied for inventions that are derived from terrestrial biotechnology. However, it is recognized that marine biotechnology offers a high potential to yield inventions as well. Marine biotechnology can be divided into two main areas. First, development of commercially viable drugs obtained from marine bioprospecting and, second, development of marine genetically modified organisms for aquacultural and environmental purposes. A patent means intellectual protection for an invention. Intellectual protection confers the exclusive right upon the patent holder to sell the right of utilization of the invention to interested parties. The selling of licenses provide one important way of receiving revenues for the research done for the invention. The prospect of potential revenues provide the incentive for investment into biotechnological research and subsequent patenting of inventions arising thereof. The overall aim of this work is to illustrate the close interrelationship of science and law by using marine biotechnology and patents as an example. Section two provides an overview on the scientific side of marine biotechnology. It will define marine biotechnology and investigate current advancements in marine biotechnology. Additionally, it roughly explains the international patent system governing inventions in the biotechnological area and provide examples on patents related to marine biotechnology. Section three illustrates the criticism expressed against life form patents in marine as well as terrestrial biotechnology. It will describe the most important cases that have fueled

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