

Pfizer antibodies purification case study

[Business](#)



Furthermore, a patent application goes through various examination phases to ensure that the invention is new and non-obvious. Publication of the patent application does not guarantee that the patent will be granted. Thus, having patent attorneys to take care of the application process is essential in order to file and prosecute high quality patent applications. This, of course, comes with a high price for an attorney fee. In contrast to obtaining a patent, the trade secret has no explicit cost. Some Investments, however, may be required to keep the relevant Information of the purification method secret.

Pfizer must require all of its employees to sign a confidentiality agreement to cover the purification method. In addition, Pfizer must limit access to the method and mark all the documents related to the method as confidential. A trademark for the method requires some work compared to the trade secret approach, but it is easier to obtain than the patent. State and federal registration of a trademark requires applicants to state the date of first use, its allegation, and a fee (\$50 for state, \$350 for federal) paid for the period of 10 years, which is renewable.

Considering an annual average amount, they are cheaper and easier to obtain than the patent.

Both patent and trademark applications should be done internationally due to global competition. All of the above intellectual property rights have their own limitations. Although the patent is the strongest form of protection in comparison with trade secrets and trademarks, the costs to secure and enforce patent rights are much higher than the other Intellectual property

rights. It is also very difficult to enforce patent rights once the patents are granted.

Competitors might choose to use the published patented method without disclosing to the inventor. Thus, protecting a patent requires a legal team always to be on the lookout of potential patent infringers.

Trade secrets are limited by the risk of the information getting exposed to the public. Trade secrets do not provide any protection to an invention since the method is no longer considered a trade secret once it is revealed.

Moreover, there are many ways that competitors can come to use a trade secret without Pfizer knowing.

For example, another company might buy Pfizer antibodies purification kit and reverse engineer the method in order to copy it. The limitation on a trademarked product involves the name turning into a generic term. If it is granted, a trademark on the purification method will allow Pfizer to extinguish its antibodies purification method from the potential competing methods developed by competitors.

However, the trademarked name could become a generic term, mainly Lutes ten Electiveness AT ten trademark. Once a trademarked name becomes the generic name, the trademark loses its value and becomes invalid.

For instance, once Pfizer established itself as the sole leader in antibodies purification industry, many people might continue to use their trademarked method name as a generic term to describe the entire purification process. Pfizer could develop one of its main business strategies to protect the

invention: the complete exclusion of any competitors or the partnership with other companies. Per exclusion business strategy, Pfizer must choose between obtaining a patent or keeping the purification method of antibodies as its trade secret since these two forms of intellectual property rights exclude each other.

As mentioned above, each right has its own advantages and disadvantages.

If Pfizer chooses for patent protection, its competitors will learn about the invention and potential applications of the invention because the patent application will be available to the public after 18 months of the iris patent application. Consequently, this purification method might be better protected by a trade secret rather than a patent since the technology is an efficient manufacturing process that occurs in a limited-access facility.

Since the invention is a process improvement that cannot be determined by examination of the product (antibodies) released into the market, a trade secret may provide a larger competitive advantage than a patent. However, keeping its technology as the trade secret might hinder future development of the method since sharing of any information is prohibited. In addition, the method might get disclosed to the competitors who might exclude Pfizer from practicing the method by patenting the technology first.

There are many different ways for the competitors to use the technology without engaging in misappropriation.

If the purification method is disclosed, the competitors may choose to reverse engineer the technology and use it to their advantages. Thus, there

are more risks involved when choosing to keep the technology as a trade secret due to the zero scope of protection. Partnership with other companies also requires patenting of the method in order to provide the legal rights to Pfizer on who it wants to include or exclude from utilizing the antibodies purification method.

Trade secret does not apply in this business strategy due to the mentioned requirements. Partnership with other companies will bring in more financial resources and capabilities to commercialize the technology through wider pool of knowledge skills and contacts.

Section 2 The CEO of Pfizer, the Business Unit Director for Biologic, and the Business Development Manager at Pfizer will most likely develop the same strategy to protect and promote the invention.

They all have a common goal in find ways to develop and implement growth opportunities for Pfizer. With this goal in mind, the company will benefit from patenting this technology, mainly by gaining global market recognition in antibodies purification and receiving royalty fees from licensing, cross-licensing, and/or litigation. Since Pfizer generates revenue by inventing, branding and licensing its products, patents will likely provide the most competitive advantage over trade secrets.

The CEO of Pfizer will need to have the technology patented in order to justify the budget spent on developing the method to the shareholders. By publicizing its technologies through patents, Pfizer will attract potential clients and shareholders.

The Business Unit Director for Biologic would utilize the patent as the marketing tool Tort attracting more clients In Alton, ten Business Unlit Dielectric Tort Biologic will use the patent to increase funding to the research and development team when there are demands for a new technology from the public and/or the government.

Furthermore, Pfizer must patent its technologies in order for the Business Development Manger to be able to identify opportunities for potential in-licensing and out-licensing of the company's technologies. The Business Development Manager will be in favor of drafting patents that are broad to allow Pfizer to claim sweeping ownership of seemingly related or unrelated products built by competitors, thus allowing the company to dominate the market. The researcher who invented the method at Pfizer might have a different approach to develop a strategy to benefit from the technology.

The inventor will most likely demand compensation for his time and effort in research and development. Pfizer will mostly likely make its entire employees sign an agreement to give away their rights to products and methods developed within the company.

Thus, the inventor will most likely have to agree to patent the method due to the disclosure agreement. The inventor might not benefit as much financially from patenting the method compared to Pfizer. However, having his name on the patent is a personal enrichment to the inventor because of prestige that comes with the patent.

This could lead to future career development of the inventor. Section 3 It is important to take into account future exploitation of the intellectual property rights when deciding with which of these rights to pursue.

There are advantages and disadvantages that come with different approaches to protect intellectual property rights. Patents require the most effort including the time and cost to obtain, but it provides the best protection to intellectual property.

Trade secrets do not cost anything to obtain but they might be the hardest intellectual property right to protect because it is impossible to take legal actions against competitors with who alleged infringement occurs. Obtaining a trademark registration is a simple way to provide legal presumption of your ownership of the product and the exclusive right to use the mark. Thus, a combination of intellectual property rights is the most suitable for this technology. Pfizer should patent this technology and register the method for a trademark.

The purification method may offer domination on the market for the 20 years, which are enough to establish a very good position on the market. In addition, the introduced trademark can become worldwide known. Since the trademark can be used infinite, the maintenance of the good position on the market is possible even when the patent right has ended. Patenting of the method will allow Pfizer to license, cross-license, standardize, provide the exclusivity on the market, and defend the antibodies purification method against competitors.