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Chapter 5: Clearing Freedom to Operate for New Agrochemical Products

Chemistry and Patent Law: U.S. Supreme Court Decisions 2000-2020

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Clearing new agrochemical products and formulations from competitor intellectual property in anticipation of commercialization can be a daunting challenge. This chapter explores best practices for conducting freedom to operate (FTO) searches, analyzing competitor patents, and documenting non-infringement positions. It provides step-by-step guidance on how best to conduct FTO searches, analyze third party patents, and develop an action plan for commercializing new agrochemical products. This chapter also explores mechanisms for challenging troublesome third party patents in the US Patent &Trademark Offe, including Inter Partes Review (IPR), Post Grant Review (PGR)and District Court Litigation.

Related People



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