

# **PATENT PROTECTION FOR ESSENTIAL BIOMEDICAL INVENTIONS AND ITS IMPACTS ON THE IMPLEMENTATION OF PUBLIC HEALTH**

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## **ABSTRACT**

*The widespread application of biomedical innovations, especially genetic testing, has gained increasing importance in recent years. Even though biomedical treatment methods are not patentable in most countries, medical practices and activities can still be hampered by patents since inventors can, on one hand, lawfully obtain patents on genes, related medicaments and medical kits, and on the other hand, design around the prohibition of patentability of medical methods ruled by patent law without difficulty. The BRCA 1 genetic testing is a good example. This paper asserts that it is the right time to reconsider whether and how patent law should be changed in a way that enhances both innovation and public health in the biomedical arena.*

**KEYWORDS:** *method of medical treatment, genetic testing, patent right, public health, BRCA 1*

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