

Insights: Publications

CAFC Decision in CardioNet Should Make More Accurate Diagnostics Patentable

IP Watchdog

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A strategy for the COVID-19 pandemic is testing for antibodies to determine possible immunity. Such diagnostic tests may suffer from a high false positive rate. Improving accuracy is therefore desirable. However, the U.S. Patent and Trademark Office is generally not receptive to diagnostic claims that improve accuracy. The recent case of *CardioNet v. Infobionic*, makes patenting more accurate diagnostics easier.

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