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QUOTED. Oct. 15, 2018. Joshua Stowell.

by

Diagnostic developers may face a narrowing path to get patent protection in the wake of court determinations that "fundamental laws of nature" aren't patentable. Some legal observers advocate carefully deploying trade secrets to bridge the gap. See what attorney Joshua Stowell said about it [here](#).

"There's a tension right now in patent law as to whether or not a diagnostic is a patentable invention under Section 101 of the patent act. Since the Supreme Court's decision in 2014 in [*Alice Corp. v. CLS Bank International*], there's been a real focus on this 101 case law, and there's a real dilemma being faced by a lot of industries on whether to seek patent protection and risk a 101 rejection, or whether to try to keep an invention as a trade secret." –Joshua Stowell, partner, Knobbe Martens

- Find out more: [In Post-Alice Patent World, Diagnostics Turn To Trade Secrets Protection](#)

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