

“Phenomenon of nature”: Biologist turned law professor on why Myriad may be on shaky ground

The following is an editorial summary.

Can a company like Myriad legally patent something which is, in essence a “phenomenon of nature”—something that becomes obvious once the fundamental laws of nature governing a given process are understood. For instance if you know through physics that heat rises, can you patent a hot-air balloon?

Biologist turned-law professor Jeffrey Lefstin argues that, in the case of *Myriad*, this “non-obvious application of a law of nature or natural phenomenon” as a requisite for patent eligibility could set the stage for “a dramatic contraction in the scope of patent-eligible subject matter in the future.”

View the original article here: [Guest Post by Dr. Jeffrey Lefstin on What’s Really at Stake in Myriad](#)

Additional Resources:

- [“Guest Post by Dr. Jeffrey Lefstin on Myriad’s Pre-History,”](#) Patently-O