

Why is Myriad still filing patent suits for breast-cancer tests after SCOTUS rebuke?

You can't patent a piece of the human genome, the Supreme Court declared in a unanimous decision in June, 2013. So why, in the weeks after, did Myriad Genetics—the company whose patents were voided—sue a competitor for patent infringement for testing for the very gene declared unpatentable by the Court?

The short answer to how Myriad could justify its move is this: Science is so very complicated, and the Court ruled narrowly.

In all, after the Court's decision, Myriad argues in the documents filed against Ambry, it has retained 515 of 520 patent claims regarding the test. This issue is going to get another go-around in the courts, as Ambry has countersued, citing antitrust violations. A lot of money is at stake here for Myriad and its competitors.

Read the full, original story here: [Why Is Myriad Genetics Still Filing Patent Suits for Breast-Cancer Tests?](#)

Additional Resources:

- [“Not Backing Down in BRCA Test Infringement Case, Ambry Slaps Myriad with Antitrust Countersuit,”](#) GenomeWeb
This article focuses specifically on Ambry's countersuit.
- [“Ambry Responds to Myriad Lawsuit,”](#) Patent Docs
This blog post provides a link to the countersuit text and also provides a more accessible breakdown of the legal argument.