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Deirdre E. Sanders at the Concord Commuter Rail Station with a copy of her grandfather's patent for an "apparatus for ... ballasting railway road beds."

W. MARC BERNSAU

OUTSIDE THE BOX | DEIRDRE SANDERS

Full circle

Boston lawyer has patents in her blood

Though she didn't know it when she started out in patent law for biotechnology, Deirdre Sanders' great-grandfather had obtained a patent for a railway raising and ballasting apparatus more than a century ago. Now, Sanders helps innovators like him obtain patents, some of which have developed into marketable drugs. Now president of the Boston Patent Law Association, Sanders is furthering the organization's mission to educate lawyers and lawmakers to benefit the innovation community. She recently spoke to Business Journal correspondent Paxtyn Merten.

TITLE: President, Boston Patent Law Association

RESIDENCE: Watertown

EDUCATION: Bachelor's degree in Biology and Anthropology, State University of New York at Albany, 1986; master's degree in Anthropology, State University of New York at Albany, 1988; juris doctorate, Boston College Law School, 1995



What interests you about biotechnology patent law? It's pretty cool if you feel you can get a patent to something in the life sciences that can help cure illness

and that leads to more funding for that research. It can help fund research ... getting some value out of the inventiveness of the researcher.

Biotechnology is a quickly evolving field.

How does that impact your work? Claims that were easily patentable or easy to get a patent on in the past are not necessarily so easy to get a patent on now. So you always have to jump ahead and anticipate how the law is evolving — to the extent that you can — to give enough breadth and options to fall back on.

When did it become more difficult to obtain a patent in this field? I think it was easier in the late 90s and it feels like it's been getting more challenging ever since. Certainly there's unique challenges, from the Prometheus v. Mayo and the myriad cases in the Supreme Court that have made it more challenging the last few years.

You've been in this industry for about 20 years. What else has changed in that time? Everything has gotten more digital, so you have to be more aware of online publications and online availability. Companies in the United States are increasingly interested in overseas protection. And as the world gets more available through digital means — being able speak and travel around the world more easily — I think there is more interest in global protection and global considerations.

What do you enjoy most about what you do? I enjoy helping people convert their creative ideas into intellectual property — which is property — that they can use to grow their business so they can take it to the next level and keep developing. And I also really like the educational aspect of it. I like to give talks to different groups of inventors, which is one of the things that's cool about the BPLA. I like to help starting-out inventors talk about patent law,

trademark law, intellectual property and how to best protect their rights early on to help them not fall into what they call "traps for the unwary."

What are you looking forward to in your BPLA presidency? Getting out more into the legal community, meeting with more people and spreading the word about intellectual property and how it can be improved — how it can be used to generate innovation and propel innovation. I'm incredibly excited to get out there, get that message across and participate in better community events. I'm at a point in my career where I really do want to give back and be out there and educate younger people and work with startups, different groups.

You gave a few talks recently about successfully commercializing innovations. What advice do you usually provide? File for and obtain intellectual property that makes sense for your business objectives. Which is not a cookie-cutter, one-size-fits-all thing. What are you trying to achieve with the intellectual property? Is it recognition? Is it investment? Is it to keep competitors out of the market? Is it to grow your business? What are you trying to do? That should always be the main factor that affects all your intellectual property decisions.