

Public Relations and Patents

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On the side of a bus stop closest to the George Washington University Law School is a dramatic image of a corpse with the words 'Patents Kill'. (See attached photo). In September of 2021, the US Food and Drug Administration sent a letter to the US Patent and Trademark Office directly asking them to do something about patents and drug pricing. Even the exiled Duke and Duchess of Sussex have used their platform to blame patent protection for being a primary cause of lack of vaccine availability in needy communities.

Is it any wonder that the 'troll' emoji (created and proposed by renowned IP lawyer Frederick Mostert) is already being celebrated as the exciting new emoji of 2022? <https://www.tyla.com/technology/apple-iphone-ios-emoji-horniest-ever-20220128>

Attitudes towards patent protection have historically had their ups and downs in the court of public opinion, from the 19th-century patent abolition movements to backlashes against pharmaceutical advertising in the 20th. This paper will examine antipathy towards patent protection in the wake of the Covid pandemic and compare it with examples from the history of patent law, ultimately asking the question--what should conscientious intellectual property scholars really be doing in terms of patent PR?

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