



Lucas Richert Ph.D.
Hygieia's Workshop

The Complicated Patenting of Our Psychedelic Future

How the field is addressing information gaps and bad patents.

Posted July 14, 2021 | Reviewed by Gary Drevitch



We are in the midst of what some commentators are calling a "[psychedelic renaissance](#)."

There has been a surge in [patents of psychedelic therapies](#). Some recent headlines have suggested that patent claims on psychedelics represent a sign that "[capitalism has gone rogue](#)." Others suggest that investors are debating [ownership of a psychedelic future](#).

I recently interviewed David Casimir, a lawyer specializing in intellectual property who also has a Ph.D. in biochemistry, about developments in psychedelic patenting, the emerging psychedelic industry, and the recently established [Porta Sophia](#) portal, a non-profit website created for patent reviewers around the world to help them find relevant prior art in the field.

How did you get involved with the Porta Sophia project?

In a discussion with Bill Linton from Usona, it became clear that the field of psychedelic medicine was on the verge of a patent problem. Specifically, there was a patent land grab beginning and the traditional barriers that would block bad patents from being granted were missing in this field.

What prompted the creation of the portal in 2021?

To address the problem above, it became clear that there was a need to gather, curate, and make easily available the prior art in this field, much of which existed in locations outside the domains that patent offices typically search — outside of the patent and peer-reviewed scientific literature.

Why does the portal matter for mental health professionals?

It provides a tool that can reduce the number of bad patents. Bad patents can slow the time to market and increase the cost of products. Most importantly, bad patents can restrict patient access to effective and life-changing treatments.

For the psychedelic industry more broadly?

start-up and smaller companies that do not have the resources to fight patent cases. In emerging fields like this one, start-ups and smaller companies often drive much of the innovation.

What should we know about the work behind the portal?

One of the key features/goals of the Porta Sophia system is to provide quality information over quantity. The team has identified all relevant patents and patent applications in the field and targeted prior art searches to the specific topics covered by these patents and patent applications. By using both technical and scientific expertise, key prior art references are curated to ensure that those seeking prior art can easily find the relevant information.

Some have criticized the portal for not having enough material, such that if a patent examiner was on the site and didn't find any prior art, they might assume there is none and let some bad claims through.

The current portal content has emphasized drug categories that are the subject matter of the most aggressive land-grabs. As such, not all drugs have been thoroughly added yet. The project is a work in progress and we are actively increasing the information content. We are working on messaging to make it clear to the community what the status is and to invite the community to contribute to making this as robust as possible.

What else do readers need to know?

The number of patents and patent applications in this field will grow dramatically. We are building the system to accommodate this growth. We welcome involvement from the community in assisting with the process.

References

Can LSD Treat Food Allergies? We Don't Know, But It's Already Been Patented, VICE, July 1, 2021

Psychedelics Patent Claim Raises Questions From Researchers Who Say They Did It First, VICE, June 3, 2021



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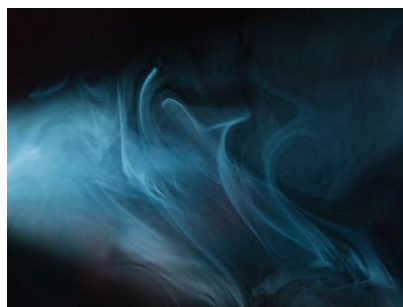
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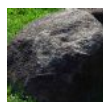


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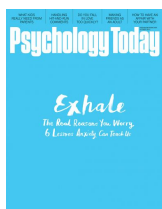
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