



Jeremy Lowe Discusses Double Patenting Doctrine in Law360

Spencer Fane attorney [Jeremy Lowe](#) was recently quoted by *Law360* in the article, [Double Patenting Ripe For Fresh Fed. Circ. Look Amid Debate](#).

The article examines growing uncertainty surrounding obviousness-type double patenting after recent USPTO actions appeared to take differing approaches to the doctrine's application. It also highlights calls for the Federal Circuit to provide further guidance, particularly on the doctrine's anti-harassment rationale and its impact on patent owners. Jeremy observed that the doctrine should be anchored in the Patent Act's "one invention, one patent" principle rather than shifting policy rationales.

"Until the Federal Circuit and the PTO fully anchor ODP into the one invention, one patent right, one term under the statute ... we are going to keep seeing the pendulum swing between broad rules and increasingly complicated exceptions," Jeremy explained.

Jeremy leads the Spencer Fane Patent Litigation Group and Hatch-Waxman and Biologics Litigation team. He focuses on high-value patent disputes across technical sectors, with particular emphasis on pharmaceutical, biologics, Hatch-Waxman, BPCIA, and Federal Circuit matters. His work is supported by the firm's broader Life Sciences platform, which brings together patent litigation, FDA regulatory, technical, and industry experience for clients facing complex disputes involving regulated products.

Read Jeremy's full article [here](#). Please note, a subscription may be required.