

Pharma Continuation Stories

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The conventional wisdom is that patentees file continuations to wear down the examiner. But is this true? Using a novel data set of sequential office action data in orange and purple book patents, we examine whether and how patentees exploit the system. We compare patents subject to a terminal disclaimer against those that are not to determine whether follow-on patenting changes examination behavior and results. Finally, we examine the resulting patents for discernable quality differences.