

## The mRNA IP and Competitive Landscape, A Three Part Series

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Partner Dan Shores, associate Dylan Haversack, and patent agent Andrew Storaska authored a three-part series titled "The mRNA IP and Competitive Landscape" for IPWatchdog.com, the largest online intellectual property publication in the world and a leading source for news, information, analysis, and commentary in the patent and innovation industries. Part one, titled "The mRNA IP and Competitive Landscape Through One Year of the COVID-19 Pandemic" was published on April 11, 2021; part two, titled "The mRNA IP and Competitive Landscape: Translate BIO; Arcturus; eTheRNA and Other Startups; and LNP Technology" was published on April 21, 2021; and the third and final piece, titled "The mRNA Patent and Competitive Landscape: Pioneers, Litigation Outlook and Big Pharma's Next Moves" was published on April 30, 2021.

Shortly after Moderna, Inc.'s October 2020 pledge not to enforce its COVID-19-related patents during the pandemic, the United States Food & Drug Administration (FDA) granted emergency regulatory approval for two COVID-19 vaccines produced by Moderna and BioNTech (with Pfizer), making these groups the first to ever enter the commercial market with mRNA-based therapies. This little-known and never-before-approved mRNA technology has since been widely administered and represents a primary weapon being used to defeat the pandemic.

While this effort carries on, market players are confident that COVID-19 is but one of many indications that the mRNA technology platform might be utilized for, and that approval of the mRNA vaccines could open the door for the approval of other mRNA-based medicines, creating a wide range of new markets.

With the anticipated increase in market activity and competition, the authors provide an overview of the mRNA IP and competitive landscape in a series of three posts in the context of certain key players' patent positions, drug pipelines, strategic relationships, and

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other attributes. These posts are based on publicly available information, are non-exhaustive, and do not identify all market players or potential market players in this space.

Part I focuses on three mRNA companies: Moderna, BioNTech, and CureVac. Part II focuses on Translate BIO, Arcturus, and eTheRNA and discusses issues surrounding certain liquid nanoparticle (LNP) delivery technologies. Part III provides a summary of the competitive and IP landscape as covered in the previous posts and offer conclusions.

To read Part I on IPWatchdog.com, please click [here](#).

To read Part II on IPWatchdog.com, please click [here](#).

To read Part III on IPWatchdog.com, please click [here](#).