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Editorial

At a recent Editorial Advisory Board meeting of the journal, the thorny subject of patents and patent agents/attorneys arose, and the latter's attitude to publishing.

It is perhaps not realised by many in the intellectual property (IP) field how valuable it can be to publish original research and development work in a prestigious journal, where the data is peer-reviewed and subject to intense scrutiny. This encourages high-quality work to be carried out in the organisation, lifts standards, and motivates staff. A strong publication record helps to recruit top-quality scientists and engineers to the organisation and can spread news about new products and processes, which may be valuable from a marketing viewpoint.

The negative view of publishing by IP professionals is particularly prevalent in Europe, where outstanding process R & D work is kept secret in many organisations. The fear is that, once the patent has expired, generic companies will copy the process to produce the alternative generic version of the compound. In practice, nothing could be further from the truth—the generic (usually chemical) companies are often far too innovative and cost-conscious to bother with the originator's process. It is much more cost-effective for the generic companies to produce a better, cheaper (and patentable!) process to the bulk active. This is particularly true in the pharmaceutical industry where initial cost/kg of drug substance at launch may be high, and although cost reductions by the patent originator occur owing to improvements in the process, major synthetic route changes are often inhibited by regulatory (or perceived regulatory) issues. A change in synthetic route to a drug substance would be the generic company's preferred way of producing low-cost drugs (see from *Bench to Market* by Cabri and DiFabio, reviewed in last month's issue, for examples).

Therefore, failure to publish good process chemistry should not impact on the IPR (if the patent is well-written) or on the future marketing of the product. It may, however, negatively impact on recruitment of high-quality scientists, retention and motivation of staff, and perception by outsiders (including the stock market?) of the quality of the company.

Publication of R & D results can only benefit your company. Readers should pass this editorial to their patent department for comment—letters can be published even when critical of the editor! I look forward to some heated debate on this issue.

In 2002 we will have two special issues, one on Biocatalysis and the other on Safety Issues, Thermal Hazards, and related topics. Potential authors should contact the editors concerning submissions to these special issues.

Finally, electronic manuscript submission to OPR & D will commence at the beginning of October, 2001—this will not replace hard copy submission but will be an option for authors. For further details on how to submit papers via the web see web page <http://pubs.acs.org/journals/oprdfk>.

Trevor Laird

Editor

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