4TH ANNUAL

PHARMA & BIOTECH

PATENT LITIGATION EUROPE

21-22 January, 2025 (UPC Litigation Forum on 20 January)
Amsterdam, Netherlands, Beurs van Berlage

Join Europe's Premier Healthcare IP Forum to Define, Shape and Create Your Patent Litigation Strategy

- **Gain Invaluable Industry Insights From Our 55+ Expert In-House Speakers**
- **Benchmark Alongside 450+ Attendees From 35+ Different Countries**
- **Build Strong Long-Lasting Connections During Dedicated Networking Times (15+ Hours)**
- **Connect With The Right Company Through Our 50% In-House Counsel Audience**

> **"Kisaco has grown the conference over the last few years and it is one of the key conferences to go to in life sciences patent space. The organisation has been great and variety of topics covered also. Great event to attend"**
>
> **SHOHTA UENO, REGENERON**

LEADING IN HOUSE INSIGHTS FROM:

MANUEL NEETZ
Head of IP - Diagnostic Imaging
Siemens Healthineers

KRISTIN COOKLIN
Global Head IP Counsel
Recordati

NATALIA WRIGHT
Assistant General Patent Counsel
UCB

RAQUEL FRISARDI
Associate General Counsel
Novo Nordisk

KORA KNUCHEL
Vice President IP & Legal
Brucker

MATTHEW O'NEIL
Director of European IP
Glenmark Pharmaceuticals

PHILIPPE BESSIERE
Global Head of Patents
Pierre Fabre Group

SHOHTA UENO
Senior Director – Dispute Resolution
Regeneron

OUR INSTITUTIONAL AND JUDICIAL SPEAKING

ANDRÁS KUPECZ
Honourable Judge
Central Division Munich - UPC

HEIKE WOLLGAST
Head IP Disputes Section
WIPO

MATHIAS ZIGANN
Honourable Judge
Central Division Munich - UPC

SERGIO NAPOLITANO
General Counsel
Medicines for Europe

GIANLUCA VASSALLO
Case Handler
DG Competition European Commission

MARGOT KOKKE
Honourable Judge
Local Division Hague - UPC

RONNY THOMAS
Honourable Judge
Local Division Dusseldorf - UPC

STEFAN LUGINBUEHL
Head Of Department - European Legal Affairs
EPO

ATTEND OUR PRE-EVENT UPC LITIGATION FORUM ON MONDAY 20 JANUARY!

> It is a fantastic event attracting the best in-house and external counsel in the pharmaceutical and biotech industry. Great speakers, topics and attendance. ”

Kristin Cooklin, Head of IP, Recordati

WILL YOU BE ATTENDING THIS YEAR?

Stay ahead of the curve with insights on the first UPC decisions on the merits, second medical uses, injunctions, SPCs, competition law, patentability issues, and cross-border case law. This premier gathering of European life science patent litigation professionals returns for its 2025 edition. Join this elite community to stay updated on the latest legal developments in Europe and beyond, while forging essential connections with key industry players.

WHAT IS NEW FOR

Attend

Attend the industry's first-ever Diversity & Inclusion at the UPC workshop during our UPC Litigation Forum, offering targeted discussions and networking opportunities.

Benefit

Benefit from specialized and intimate litigation sessions tailored to the unique challenges of the MedTech, large molecule, and small molecule sectors, providing focused insights and strategies.

Discover

Discover our cross-border life science litigation review for 2025 and understand the trends taking place across the globe.

CONTENT FOR 2025

ANTITRUST IN LIFE SCIENCES

Explore the intersection of patent quality and divisional patenting with antitrust considerations, crucial for navigating competitive landscapes.

PATENT LITIGATION STRATEGY

Delve into cross-border case law, settlements, and UPC life science reviews to enhance your litigation approach.

SECTOR - SPECIFIC FOCUS

Access tailored sessions on patent litigation for the MedTech, chemical, and biopharmaceutical industries, ensuring targeted insights relevant to your field.

REGULATORY UPDATES

Stay informed with key sessions on the latest European Commission reforms, Bolar Exemption case law, and a unitary SPC review, providing essential regulatory insights.

UPC LITIGATION FORUM 2025

Don't miss the cross-industry UPC Litigation Forum on Monday, January 20th, for comprehensive discussions on the latest UPC developments.

VIEW THE FULL UPC LITIGATION FORUM AGENDA HERE

OUR 2025 PARTNERS

Diamond Partner

Bird & Bird

Platinum Partners

A&O SHEARMAN
Brinkhof ADVOCATEN
DLA PIPER
FISH.
GOWLING WLG
Linklaters
MAIWALD INTELLECTUAL PROPERTY
Marks&Clerk
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GEMINI
GÜN + PARTNERS AVUKATLIK BÜROSU
HERBERT SMITH FREEHILLS
lavoix. IP vibration
Licks ATTORNEYS
mccarthy tetrault
Morgan Lewis
NSN
Pearce IP
PORTOLANO CAVALLO
Potter Clarkson
powell gilbert.
REDDIE & GROSE
RVA LAW
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Sterne Kessler STERNE KESSLER GOLDSTEIN & FOX
SHOOSMITHS
TaylorWessing
Trevisan & Cuonzo
VAN BAEL & BELLIS
vondst advocaten

> **Great quality conference with a good array of attendees across industry, practice and the globe!"**
>
> **Andrew Hutchinson,** Partner, Simmons + Simmons

Solutions Partners

NLO
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Lanyard Partner

MOROĞLU ARSEVEN

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INSTITUTIONAL SPEAKING

ANDRÁS KUPECZ
Honourable Judge
Central Division Munich

EDGER BRINKMAN
Honourable Judge, Local Division Hague
UPC

ELISABETTA PAPA
Technically Qualified Judge
UPC

FLORENCE BUTIN
Honourable Judge- Central Division Paris
UPC

GERBEN HARTMAN
Lawyer
CJEU

GIANLUCA VASSALLO
Case Handler DG Competition
European Commission

CHIARA ACCORNERO
Legal Officer- IP Disputes Section
WIPO

KAI HÄRMAND
Nordic-Baltic Regional Division
UPC

PETER THOMSEN
President
EPI

MARGOT KOKKE
Honourable Judge, Local Division Hague
UPC

MARTIN SCHMIDT
Technically Qualified Judge
UPC

MICHAEL SWITA
Head of IP
EFPIA

RAINER FRIEDRICH
Technically Qualified Judge & Director
Global IP UPC & CSL Behring

RONNY THOMAS
Honourable Judge, Local Division Dusseldordf
UPC

SERGIO NAPOLITANO
General Counsel
Medicines For Europe

STEFAN LUGINBUEHL
Head of Department & European Legal Affairs
EPO

SVEN BOSTYN
Associate Professor of Innovation Law
University of Copenhagen

VIEW OUR UPC LITIGATION FORUM SPEAKERS HERE

IN-HOUSE SPEAKING FACULTY

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BEA MCDONALD
VP- Intellectual Property
Barinthus Biotherapeutics

BEATRIZ DÍAZ DE ESCAURIAZA
Head of IP- Legal
Insud Pharma

BART NEWLAND
General Counsel
Atalanta Therapeutics

CARSTEN RICHTER
Head of IP
EUROIMMUN

CECILE TELES
Head of IP
Zentiva

CHRISTOPH REHFUESS
Head of IP
Sotio

CORINNA SUNDERMANN
Senior VP IP
Fresenius Kabi

EWAN NETTLETON
Principal IP Counsel
Novartis

FILIP DE CORTE
Head of IP- Crop Protection
Syngenta

FILIPE PEDRO
Director of IP
BIAL

FRANK LANDOLT
Chief Counsel IP & Legal
Confo Therapeutics

GEORGE MOORE
Assistant General Counsel
Viatris

GEORGIA ROUSSOU
Senior Legal Counsel
Win Medica

GUIDO PONTEMOLI
Vice President IP
Chiesi Pharmaceuticals

INA BUERCK
Senior Counsel
Amgen

JAMES HORGAN
Chief IP Counsel
MSD

JIRI SALVIK
Director of IP
Adalvo

KARIN PRAMBERGER
Head of IP
Polpharma Group

KRISTIN COOKLIN
Group Head of IP
Recordati

MANUEL NEETZ
Head of IP – Diagnostic Imaging
Siemens Healthineers

LAILA BEYNON
Director - Dispute Resolution
Regeneron

MATTHEW O'NEILL
Director of European IP
Glenmark Pharmaceuticals

NATALIA WRIGHT
Associate General Patent Counsel
UCB

PHILIPPE BESSIERE
Global Head of Patents
Pierre Fabre Group

RAQUEL FRISARDI
Associate General Counsel
Novo Nordisk

ROB AERTS
Senior Patent Counsel Europe
ADM

SAM WOODLEY
Lead Patent Counsel
Zentiva

SHOHTA UENO
Assistant General Counsel
Regeneron

STEFANIE KIES
Senior Director Intellectual Property
Polpharma Biologics

SUFIYAH SULAIMAN
Senior Manager Patent Litigation
Stada

TONI SANTAMARIA
Vice President Intellectual Property
Adalvo

KEVIN YURKERWICH
Senior IP Counsel
Novartis

PHILIP VULEV
Senior Patent Attorney
TomTom

MATT HERVEY
Head of Legal & Policy
Human Native AI

AMALIA ATHANASIADOU
Lead Counsel
CSL Vifor

SERENA TER KUILE
Senior Legal Counsel, Corporate Strategy
Genmab

PRIVATE PRACTICE AND CONSULTANCY SPEAKERS

ALEXANDER DE LEEUW
Partner
Brinkhof

ANDREW HUTCHINSON
Partner
Simmons & Simmons

ARVID VAN OORSCHOT
Partner
Vondst

BOLKO EHLGEN
Partner
Linklaters

CATHERINE DREW
Partner
Pinsent Masons

CHRISTOPHER SHARP
Partner
Pinsent Masons

DAAN DE LANGE
Partner
Brinkhof

DENIS SCHERTENLEIB
Partner
Schertenleib Avocats

DOUG MCCANN
Principal
Fish & Richardson

EDUARDO HALLAK
Founding Partner
Licks Attorneys

ELEANOR ROOT
Partner, IP, London
Bird & Bird

ENZO MARASA
Partner
Portolano Cavallo

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Partner
Shoosmiths

JASON RAEBURN
Partner
Paul Hastings

KATHERINE HELM
Partner
Dechert

MARC LAUZERAL
Counsel
Schertenleib Avocats

MARCO STIEF
Partner
Maiwald

MARTINA HUFNAL
Principal
Fish & Richardson

MICHAEL CLANCY
Partner
Van Bael & Bellis

MIKE GILBERT
Partner
Marks & Clerk

NICK MCDONALD
Partner
Potter Clarkson

ÖZGE ATILGAN KARAKULAK
Partner
Gun + Partners

PAUL AINSWORTH
Director
Sterne Kessler

PAUL INMAN
Partner
Gowling

ROB RODRIGUES
Partner
RNA Law

ROBIN ELLIS
Partner
Reddie & Grose

SIDDHARTH KUSUMAKAR
Partner
Powell Gilbert

VIVIANE KUNISAWA
Partner
Daniel Law

SELMA ÜNLÜ
Senior Partner
NSN Law

SANJAYA MENDIS
Partner
McCarthy Tetrault

TIM POWELL
Partner
Morgan Lewis

JULIA SCHÖNBOHM
Partner
Linklaters

PAULINE DEBRÉ
Partner
Linklaters

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INTERACTIVE ROUNDTABLE SPEAKERS

ANDRÉ MONTEIRO ANDRADE
Vice President, Client Relations EMEA and Law Firms
RWS Group

AUDE VEINANTE
Partner
Lavoix

CAMILLE PECNARD
Partner
Lavoix

DANIEL HOPPE
Partner
Bonabry

HEIKE RÖDER-HITSCHKE
Counsel
Maiwald

JOHN COX
Partner
Barnes and Thornburg

KAMLEH NICOLA
Partner
Marks & Clerk

LAUREN BAKER
Associate
Barnes and Thornburg

MIKE COTTLER
Partner
Gemini

NAOMI PEARCE
Founder
Pearce IP

PIERRE-EMMANUEL MEYNARD
Partner
Lavoix

ROBERT CERWINSKI
Partner
Gemini

CHRIS FREETH
Managing Associate
Gowling

CHRISTIAN MEYER
Partner
Maiwald

FRÉDÉRIC CHEVALLIER
Partner
HSF

CHARLOTTE GARNITSCH
Partner
Taylor Wessing

CHRISTIAN DEKONINCK
Partner
Taylor Wessing

ANDREW PAYNE
Partner
Taylor Wessing

CARLOS VAN STAVEREN
Counsel
Bird & Bird

ANDREAS OBERMEIER
Counsel
Bird & Bird

LAËTITIA BÉNARD
Partner and Global Co-Head of IP Litigation
A&O Shearman

RAFI ALLOS
Partner
A&O Shearman

STEPHAN NEUHAUS
Partner
A&O Shearman

REBECCA LAWRENCE
Partner
DLA Piper

PHILIPP CEPL
Partner
DLA Piper

AOIFE MURPHY
Partner
DLA Piper

KOKULARAJAH PAHEENTHARARAJAH
Partner
DLA Piper

KEVIN YURKERWICH
Senior IP Counsel
Novartis

VIEW OUR UPC LITIGATION FORUM SPEAKERS HERE

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Day One | 21 January 2025

8:00
Registration and Light Networking Breakfast

09:00
Chairs' Opening Remarks

Kristin Cooklin
Group Head of IP
Recordati

Julia Schönbohm
Partner
Linklaters

09:10
Cross-Border Patent Litigation Considerations in the Life Sciences Sector 2025

Cross-border litigation poses unique challenges and opportunities for the pharmaceutical and biotech industries. This panel will explore the complexities of managing patent litigation across multiple jurisdictions, strategies for harmonizing legal approaches, and the impact of international regulatory environments.

Part 1 - Case Law

Review the major cross-border case law for these cases and discuss the resulting IP effects of these suggested decisions:

- Tecfidera
- Apixaban
- Rivaroxaban
- Covid 19 Cases
- Glucose monitoring devices

Part 2

- Discuss common challenges faced in cross-border patent litigation, including jurisdictional issues, differing legal standards, and enforcement of judgments.
- Understand strategies for harmonising litigation approaches and minimising conflicting decisions.

Andrew Hutchinson
Partner
Simmons & Simmons

Karin Pramberger
Head of IP
Polpharma Group

Chiara Accornero
Legal Officer- IP Disputes Section
WIPO

Kristin Cooklin
Global Head IP Counsel
Recordati

Rob Rodrigues
Partner
RNA Law

09:55 - 10:50
Global Review of Preliminary Injunctions: the UPC, National Courts, the USA and Further Afield

The biggest hammer that a patent holder has is an injunction, therefore meaning that case law, updates and strategies concerning PIs for the healthcare sector are crucial in determining your life science strategy for 2025. This cross-jurisdictional panel will discuss the power of a preliminary injunction and the different nuances occurring across the globe.

- Receive an overview of recent developments in preliminary injunctions across the UPC, European jurisdictions, and the USA.
- Discover significant recent cases and their implications for pharma and biotech patent litigation.
- Understand strategies for obtaining and defending against preliminary injunctions in different jurisdictions.
- Audience Q&A to address specific questions and practical concerns related to preliminary injunctions.

Bolko Ehlgen
Partner
Linklaters

Carsten Richter
Head of Division IP
EUROIMMUN

Ewan Nettleton
Principal IP Counsel
Novartis

Martina Hufnal
Principal
Fish & Richardson

Matthew O'Neill
Director of European IP
Glenmark Pharmaceuticals

Tim Powell
Partner
Morgan Lewis

10:50
Networking Break

11:20
The Effect of the UPC Upon the Life Sciences Industry

The UPC is becoming an established venue for Pharma and Biotech Patent Litigation and with this, the life science industry has more established and nuanced strategies towards litigation strategy at the UPC. This industry-led panel session will discuss the key cases within the life sciences sector and help you understand the ramifications for the wider industry.

Understand the functioning of the UPC for the life sciences sector with key takeaways from cases including:

- Amgen vs Sanofi/Regeneron
- 10x Genomics vs Nanostring
- Sanofi vs Generics

Discuss perspectives towards opt-in and opt-out, the UP and transparency at the court in relation to the life sciences sector.

- Discover the considerable number of medical device cases at the UPC and the takeaways from these cases.

Filipe Pedro
Director of IP
BIAL

George Moore
Assistant General Counsel
Viatris

Marc Lauzeral
Counsel
Schertenleib Avocats

Stefanie Kies
Senior Director- IP
Polpharma Biologics

Siddharth Kusumakar
Partner
Powell Gilbert

12:15

Competition Law and IP: Updates from the EC and the FTC

An important cross-sectional area of competition law and life science patenting law are divisional practices. In this realm, 2024 will see several high-level decisions form the European commission and the FTC regarding this topic. This panel session will review these decisions and provide generic and innovator perspectives towards competition law and IP.

Part 1

- Discuss the recent decision in the Teva Copaxone case adopted by the EC.
- Discover the innovator and generic perspective towards evergreening patents.

Part 2

Determine the US status regarding divisional patent applications:

- How will policy affect the life science industry within the US?

Beatriz Díaz de Escauriaza
Head of IP Legal
Insud Pharma

Enzo Marasa
Partner
Portolano Cavallo

Gianluca Vassallo
Case Handler, DG Competition
European Commission

Michael Clancy
Partner
Van Bael & Bellis

Amalia Athanasiadou
Lead Counsel
CSL Vifor

13:00
Networking Lunch

13:00
Advisory Board Private Lunch

14:00

Litigate, Oppose, Licence or Settle? Patent Litigation Considerations for the Healthcare Industry

Choice of dispute resolution is an important topic and never more so than with the introduction of the UPC. This multi-jurisdictional mix of in-house counsel members and litigators will discuss the best forum for patent revocation in Europe and further afield.

Discover in-house counsel perspectives between choosing to licence innovation or litigate:

- Does this differ between industry?
  - Understand the advantages and disadvantages between using national courts, the UPC or the EPO for life science disputes.
- Is there a trend towards settlements in patent litigation proceedings in the life science industry?
  - How is this best achieved?

Katherine Helm
Partner
Dechert

Frank Landolt
Chief Counsel- IP & Legal
Confo Therapeutics

Nick McDonald
Partner
Potter Clarkson

Raquel Frisardi
Associate General Counsel
Novo Nordisk

Toni Santamaria
Senior Vice President IP & Legal
Adalvo

14:45

Global Judges Session: Multi-Jurisdictional Perspectives for Life Science Patents

With the UPC now being becoming an established venue for litigation in the life science arena, the healthcare industry has a variety of different forums for litigation. This expert-led panel will discuss the jurisdictional differences and key cases in 2025 from some of Europe's top courts.

András Kupecz
Honourable Judge
Central Division Munich

Denis Schertenleib
Partner
Schertenleib Avocats

Kai Härmand
Honourable Judge - Nordic-Baltic Regional Division
UPC

Rainer Friedrich
Technically Qualified Judge & Director of Global IP
UPC & CSL Behring

Laila Beynon
Director - Dispute Resolution
Regeneron

15:30

Navigating Patent Strategies: Second Medical Use and Skinny Labels

The intersection of second medical use claims and skinny labeling remains a crucial battleground for both generic and innovator drug manufacturers. This expert panel will delve into the latest case law, providing actionable insights for refining your patent litigation strategy in 2025.

Part 1 - Second Medical Use

- Explore how recent rulings, particularly those concerning the Novartis product Everolimus, have influenced the interpretation and enforcement of second medical use claims across Europe.
- Gain insights into the strategic use of second medical use claims in protecting pharmaceutical, biologic, and biosimilar innovations.
- Assess how second medical use claims are being addressed within the framework of the UPC, and what this means for your litigation strategies.

Part 2 - Skinny Labels

- Understand the ongoing impact of the GSK vs. Teva decisions on skinny labeling practices, particularly the implications of the 2017 Supreme Court ruling.
- Discuss how this precedent affects generic manufacturers in their competition with innovator drug companies, and what this means for your approach to skinny label litigation.

Alexander de Leeuw
Partner
Brinkhof

Paul Ainsworth
Director
Sterne Kessler

Philippe Bessiere
Global Head of Patents
PIERRE FABRE GROUP

Sam Woodley
Lead Patent Counsel
Zentiva

Viviane Kunisawa
Partner
Daniel Law

16:15

Networking Break

16:45

Connect 25

Roundtable discussions are back! Led by a private practice expert within a jurisdiction, you can discover, question and gain solutions to your most pressing challenges in patent litigation strategy.

Each roundtable session is 45 minutes long with x1 rounds of changes required.

Click here for details

17:25

Roundtable Swap Break

17:30

Interactive Roundtables: Connect 24 Continued

18:10

Chair Closes on Day 1

18:10

Drinks Reception

16:30

Connect 25

Roundtable discussions are back!

Led by a private practice expert within a jurisdiction, you can discover, question and gain solutions to your most pressing challenges in patent litigation strategy.

Each roundtable session is 45 minutes long with x1 rounds of changes required.

United States 1

Patent Litigation Considerations for Biosimilar Litigation

Robert Cerwinski, Partner, GEMINI
Mike Cottler, Partner, GEMINI

Join this roundtable to explore strategic insights and practical solutions for navigating the complexities of global patent litigation.

United States 2

Discovery in the US & Coordinating that with European, UK & Asian Counter-Part Cases

John Cox, Partner, Barnes and Thornburg
Lauren Baker, Associate, Barnes and Thornburg

Examine strategies for managing discovery in U.S. patent litigation while coordinating with parallel cases in Europe, the UK, and Asia. This session will address cross-border discovery challenges, data protection, and aligning patent litigation strategies across multiple jurisdictions.

United Kingdom 1

AI and IP – patentability of AI-related and AI-derived inventions

Rebecca Lawrence, Partner, DLA Piper
Dr Philipp Cepl, Partner, DLA Piper

Is the patent system fit for purpose in the age of AI? Considering protection of AI-related and AI-derived inventions in light of the Emotional Perception case in the UK, EPO decisions and beyond. Understand the evolving IP framework and its impact on AI innovations and patentability.

United Kingdom 2

Arrow Declaration Update in the UK

Chris Freeth, Managing Associate, GOWLING

Get the latest updates on Arrow Declarations and their strategic use in the UK. Discover how these declarations can serve as a defensive tool in patent litigation.

Day One | 21 January 2025

Netherlands

The Status and Effect of G2/21 in the Netherlands and Further Afield

Carlos Van Staveren, Counsel, **Bird & Bird**
Andreas Obermeier, Counsel, **Bird & Bird**

Explore the implications of the G2/21 decision on the doctrine of equivalence in Dutch patent law. Discuss how this impacts your patent litigation strategies in the Netherlands.

France

The Latest Case Law on "Saisie-Contrefaçon" (in the field of life science) Before the UPC

This session will provide an in-depth analysis of recent case law regarding saisie-contrefaçon, a crucial evidence-gathering procedure in intellectual property disputes. Experts will discuss how the UPC is addressing this tool in the context of life sciences, offering insights for effectively navigating infringement litigation.

Camille Pecnard, Partner, **LAVOIX**
Aude Veinante. Partner, **LAVOIX**
Pierre-Emmanuel Meynard, Partner, **LAVOIX**

Germany 1

Comparison of German patent litigation and UPC proceedings

Christian Meyer, Partner, **Maiwald**
Heike Röder-Hitschke, Counsel, **Maiwald**
Anja Fux, Associate, **Maiwald**

Compares traditional German patent litigation with UPC litigation in the life sciences field. Discusses procedural nuances, material law and strategical considerations for the different forums.

Germany 2

Patent Litigation Considerations in the Life Science Sector

Daniel Hoppe, Partner, **Bonabry**

Day One | 21 January 2025

Global Roundtable

Regulatory Data Exclusivity: Global Litigation Strategies

Kamleh Nicola, Partner, Marks & Clerk
Kevin Yurkerwich, Senior IP Counsel, Novartis

Regulatory data exclusivity and market protection regimes around the world are similar but different. These regimes operate separately from the patent system but are no less important in the promotion of innovation and the efficient entry of subsequent entry products. Join this Roundtable to discuss the latest strategies, anticipated changes, and the impact of recent court decisions.

Global

Managing Patent Litigation Global Challenges Outside Europe

Naomi Pearce, Founder, Pearce IP

This roundtable session will be led by elite life science litigators from outside of Europe to help you successfully navigate a global litigation strategy

Europe 1

Managing Patent Litigation Proceedings in the UK, UPC and National Courts

Laëtitia Bénard, Partner and Global Co-Head of IP Litigation, A&O Shearman
Rafi Allos, Partner, A&O Shearman
Stephan Neuhaus, Partner, A&O Shearman

Gain insights into managing patent litigation across the UK, UPC, and national courts. Discuss coordination strategies to navigate multi-jurisdictional disputes effectively.

Europe 2

Patent Search in Litigation. The Crowd: the unbeatable prior art search

Andre Andrade, VP Partnerships, RWS

Explore how crowdsourced prior art searches are transforming litigation strategies in the pharmaceutical and biotech sectors. This roundtable delves into the effectiveness of leveraging collective expertise to uncover critical prior art, strengthen patent challenges, and bolster defense arguments. Join industry leaders to discuss the advantages, limitations, and future potential of crowd-powered solutions in high-stakes patent disputes.

Europe 3

The Latest on PI Cases at the UPC

Charlotte Garnitsch, Partner, Taylor Wessing
Christian Dekoninck, Partner, Taylor Wessing
Andrew Payne, Partner, Taylor Wessing

Stay updated on the latest developments in preliminary injunction (PI) cases at the UPC. Learn about recent trends and effective strategies for securing PIs in life sciences patent disputes

Europe 4

The Interaction Between the SPC Manufacturing Waiver and the Bolar Exemption

Aoife Murphy, Partner, DLA Piper
Kokularajah Paheenthararajah, Partner, DLA Piper

A review of the Bolar Exemption and any recent case law (including the recent decision of the Italian Supreme court), the interplay of the Bolar Exemption with the SPC Manufacturing Waiver including the recent cases in Ireland, Germany and the Netherlands relating to the SPC Manufacturing Waiver, The Research and Bolar Exemption under the UPCA and the latest position relating to the proposed EU Pharma Reforms of Bolar and what the envisaged modification of the Bolar exemption could mean for IP rights holders etc.

Europe 5

Defensive and Offensive strategies in originator v. generics disputes at the UPC

Frédéric Chevallier, Partner, Herbert Smith Freehills

Insights into the use of revocation and infringement actions, and the involvement of multiple defendants and forums in actions at the UPC

Day Two | 22 January 2025

07:30
Registration

8:00
Breakfast Briefing:
Will the UPC Get the Doctrine of Equivalents Right? Comparing National Case Law with UPC Case Law in the Life Science Sector

This session explores how the UPC's approach to equivalence compares to national practices in key jurisdictions such as the UK, Turkey, and Brazil. Panellists will critically assess the four key questions guiding equivalence in UPC cases and their application in the life sciences sector. Join us to evaluate whether the UPC is striking the right balance between patentee protection and third-party certainty.

- Compare the UPC's equivalence framework to national approaches in the UK, Turkey, and Brazil.
- Are the four UPC questions appropriate for life sciences disputes, or are adjustments needed?

1) Technical equivalence: does the variation solve (essentially) the same problem that the patented invention solves and perform (essentially) the same function in this context?

2) Fair protection for patentee: Is extending the protection of the claim to the equivalent proportionate to a fair protection for the patentee?

3) Reasonable legal certainty for third parties: does the skilled person understand from the patent that the scope of the invention is broader than what is claimed literally?

4) Is the allegedly infringing product novel and inventive over the prior art?"

- Balance fair protection for patentees with legal certainty for third parties.
- Understand the implications of UPC decisions for global life sciences patent strategies.


Eduardo Hallak
Founding Partner
Licks Attorneys


Graham Burnett-Hall
Partner
Shoosmiths


Martin Schmidt
Technically Qualified Judge
UPC


Selma Ünlü
Senior Partner
NSN Law

09:00
Chair Recap of Day 1 and Intro to Day 2


Kristin Cooklin
Group Head of IP
Recordati


Pauline Debré
Partner
Linklater

Track 1: Pharma and Biotech Patent Litigation

09:10
Global Biosimilar Molecule Patent Litigation and Launch Review

There is a suggestion that a second wave of biosimilars have appeared. This global panel session will review the state of biosimilar litigation in Europe the US and further afield. By taking looking at individual molecules, this industry-led panel session will see assess the state of the biosimilar IP industry.

- Understand the state of biosimilar litigation related to molecules including: – Eylea, Inflectra, Soliris, Stelara
- Discover strategies concerning BPCIA, PIs and second medical use/ skinny labels for biosimilar products.


Shohta Ueno
Senior Director - Dispute Resolution
Regeneron


Rae Crisler
Principal
Fish & Richardson


Frits Gerritzen
Partner
A&O Shearman


Mike Gilbert
Partner
Marks & Clerk

10:00
Bolar Exemption and Safe Harbor Update Across Europe and the USA

The Bolar exemption and safe harbor regulations set out the legal provisions allowing generic manufacturers to perform experiments and tests necessary for regulatory approval. This industry-led session will highlight some of the core case law in Europe and the USA and determine your optimal IP strategy.

Part 1 - The Bolar Exemption

- Discover the divergences between the Bolar exemptions across Europe and the UPC.
- Understand the interaction between the SPC manufacturing waiver and the Bolar exemption.
- Determine the latest update from the European Commission on the potential for continent-wide harmonisation.
- Case Study Highlight: Italian Supreme Court Rules on Bolar Exemption in Boehringer Ingelheim Dispute (2024).

Track 2: MedTech Patent Litigation

09:10
AI Considerations for Life Science Litigation

With AI becoming a more and more common feature of the healthcare industry, IP attorneys are having to face up to different question relating to AI patents. This MedTech focused panel will discover the regulatory concerns of the industry and the potential for litigation.

- Understand the consequences for AI driven patents and the industry after the Emotional Perception AI decision in the UK (2024).
- Discuss the consequences for clinical trials, patentability and litigation with increased AI use in healthcare.


Arvid Van Oorschot
Partner
Vondst


Georgia Roussou
Senior Legal Counsel


Jason Raeburn
Partner
Paul Hastings


Philip Vulev
Senior Patent Attorney
TomTom

10:00
Vaccine Patent Litigation Review in Europe and Further Afield

The Covid 19 patent battles are ongoing over multiple jurisdictions. These battles centre on MRNA advances, with there being parallel proceedings taking place over the world. This expert panel session will discuss the state of vaccine litigation and suggest the ramifications for the wider IP industry.

- Discuss the status of the Pfizer/ BioNTech vs Moderna cross border litigation cases.
- Understand the impact of other MRNA litigation cases: Arbutus/Genevant vs Moderna - Alnyam vs Pfizer - Curevac vs BioNTech


Matt Hervey
Head of Legal & Policy
Human Native AI


Bea McDonald
VP- Intellectual Property
Barinthus Biotherapeutics


Sven Bostyn
Associate Professor of Innovation Law
University of Copenhagen


Sanjaya Mendis
Partner
McCarthy Tetrault


Paul Inman
Partner
Gowling

Track 1:

Part 2 - Safe Harbor

- Understand the scope and history of protection afforded by safe harbor in the USA.
- Compare the interpretations and applications of safe harbor regulations between the USA and Europe.

Bart Newland
General Counsel
Atalanta Therapeutics

Cecile Teles
Head of IP
Zentiva

Christoph Rehfuess
Head of IP
Sotio

Doug Mccann
Principal
Fish & Richardson

Marco Stief
Partner
Maiwald

Özge Atılgan Karakulak
Partner
Gun + Partners

10:45
Networking Break

11:15

SPC and PTE Litigation Review: Re: OCD, the manufacturing waiver and Article 3A and 3C

Updates and challenges surrounding SPCs (and PTEs) continue to be of significant interest for the life science sector. This industry-led panel session will discuss the latest regulatory changes and the key cases which will allow you to update your patent extension strategy.

Part 1

- Discuss the impact of the Article 3a and 3c Advocate General opinion at the CJEU.
- How have the latest cases on the manufacturing waiver impacted its status:
  - Stelara case in Germany (2023).
  - Stelara case in the Netherlands (2024)

Part 2

Discover the global PTE updates.
Understand the impact of re Cellect (2024) concerning the status of PTEs and PTAs.

Eleanor Root
Partner
Bird & Bird

James Horgan
Chief IP Counsel
MSD

Sufiyah Sulaiman
Senior Patent Manager-Patent Litigation
STADA

Peter Thomsen
President
EPI

End of track

Track 2:

10:45
Networking Break

11:15

MedTech at the UPC: Opt-in Opt-out, Case-Law and Strategy

The MedTech industry have been one of the front runners at the UPC, with there being multiple major cases operating in Europe. This industry focused panel sessions will discuss the key takeaways from these cases and look at the status of the MedTech industry in Europe.
- Gain insights and key takeaways from cases including:

- Abbott Diabetes Care vs SiBio (2024) Edwards Life Sciences Vs Meril (2024)
- Understand the impact of Germany in the UPC, potential inclusion of Ireland, Spain, and Poland, and UK's post-Brexit role.
- Discuss MedTech views on patent enforcement, EPO decisions, and UPC, balancing innovation with enforcement.

Christopher Sharp
Partner
Pinsent Masons

Manuel Neetz
Head of IP- Diagnostic Imaging
Siemens Healthineers

End of track

Day Two | 22 January 2025

12:00

Appeal Procedures, Patentability Reviews and Commentary for the Life Sciences Sector

Appeals to the BOA have wide ranging effects on questions of patentability and by consequence, litigation proceedings across Europe. This industry-led panel session will look at some of these decisions and assess how they are affecting healthcare litigation strategy across Europe.

Part 1 - G2/21
- Discover the decisions from T116/18 in Sumitomo vs Syngenta (2023).
- Compare this with T681/21 in Unilever vs Procter & Gamble (2023) and understand whether the case law is diverging from the G2/21 decision from the EPO BOA.

Part 2 - G1/23
- Discuss this case in relation to the state of the art in view of the commercial availability of a product prior to the filing date/ priority date of a patent.

Part 3 - G1/24
- Understand the potential impact of this referral on claim interpretation.

Part 4 - Appeal Procedures at the EPO
- Understand how the EPO's Administrative Council can overrule the highest judiciary in the system (EBoA), which is not possible in other judicial systems

Corinna Sundermann
Senior VP IP
Fresenius Kabi

Natalia Wright
Assistant General Patent Counsel
UCB

Daan de Lange
Partner
Brinkhof

Robin Ellis
Partner
Reddie & Grose

Rob Aerts
Patent Counsel Europe
ADM

12:55
Networking Lunch

13.55

New Pharmaceutical Regulations in Europe: Perspectives from the Innovator and Generic Industries

The new pharmaceutical regulations are a point of political and IP interest for the life science industry, with there being the potential for a wide-ranging impact on the innovator, generic, biotech and biosimilar industries. This industry focused panel session will discuss the latest update and the potential effect of these reforms.
- Determine the status of the new pharmaceutical regulations in Europe and the impact of the new elections.
- Understand the effect of the new reforms and the potential effect for the IP departments of the life sciences industry.

Catherine Drew
Partner
Pinsent Masons

Sergio Napolitano
General Counsel
Medicines for Europe

Ina Buerck
Senior Counsel
Amgen

Michael Swita
Director- IP Policy
EFPIA

Serena ter Kuile
Senior Legal Counsel, Corporate Strategy
Genmab

14:40

The Unitary SPC: Update and Strategy for Your Life Science Product

The UPC's launch in summer 2023 reshaped European patent litigation, though it initially excluded a unitary SPC. The European Commission has proposed a unitary SPC, bringing new considerations for centralized examinations, national litigation, and legislative impacts. Join our panel discussion with industry leaders.
- What are the potential benefits and challenges of a centralised approach?
- How will the unitary SPC interact with the strategy towards the UPC for life science companies.

Jiri Salvik
Director of IP
Adalvo

Filip de Corte
Head of IP- Crop Protection
Syngenta

15:10
Chair Closing Remarks

15:20
Conference End

INTERESTED IN HOW YOU CAN GET INVOLVED WITH PHARMA & BIOTECH PATENT LITIGATION 2025?

Partnering with us presents a unique opportunity to establish your company as an industry leader in the life science IP space. We provide unparalleled access to key decision-makers through tailored introductions, industry panel sessions, jurisdictional roundtables and bespoke branding opportunities, ensuring you connect with the most influential stakeholders in the field.

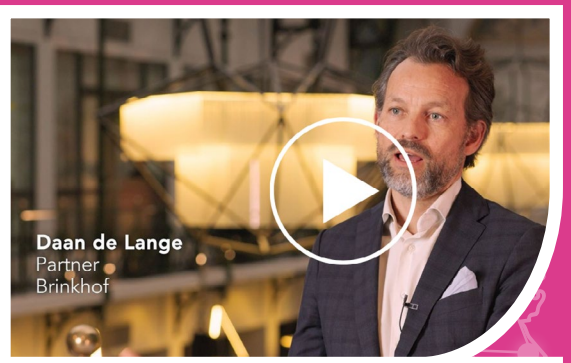
By collaborating with us, your brand will be positioned in front of hundreds of in-house executives, creating valuable conversations and networking with the elite of the IP industry. Additionally, our multi-channel approach offers a powerful platform to amplify your announcements, share expertise, and effectively engage your target market both during and leading up to the event.

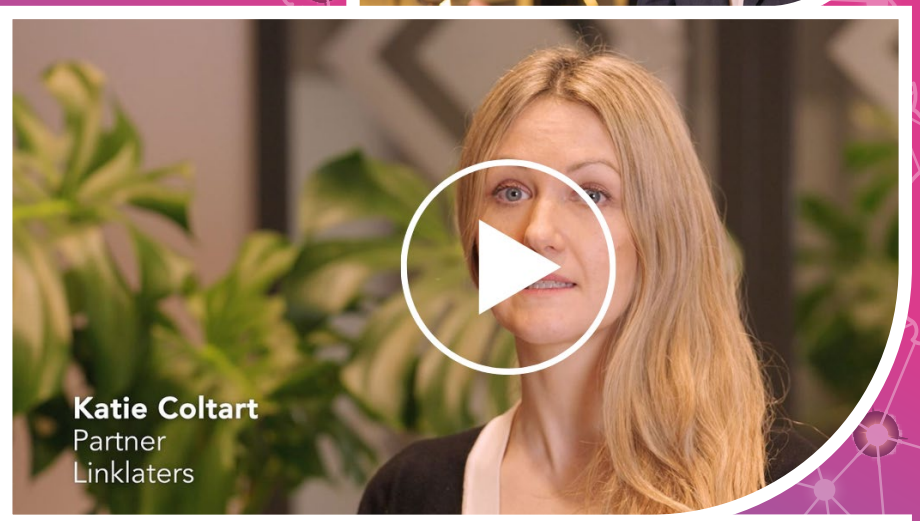
> **Bigger and better than ever this year. The only place to be if you want the most up to date discussions on what is happening in life science IP and a chance to meet some great people from across the industry."**
>
> **Robin Ellis, Partner, Reddie & Grose**

Contact

Duncan Henderson
Commercial Partnership Director
Kisaco Research
duncan.henderson@kisacoresearch.com

LISTEN TO WHAT OUR PREVIOUS PARTNERS HAVE TO SAY ABOUT PARTNERING WITH US:





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PHARMA & BIOTECH

PATENT LITIGATION EUROPE

January 21-22, 2025
Amsterdam, Netherlands, Beurs van Berlage

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