



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

SESSION 5.1 UNIFIED PATENT COURT

Patent litigation in Europe has been a national domain. Thus it is not harmonised, like the colours of our cars. However, although nothing prevents customers from buying cars of all colours, black or silver prevail.

Similarly, patent litigation plaintiffs tend to pick the few mainstream fori. The UPC should harmonise patent litigation in Europe. One significant question is what colour will the litigation be, black and silver or pink and yellow?

In late 2014, we are close to the start of the UPC. Top experts will provide the latest news and their views on the colours of litigation in the UPC.

Simon Dack (NL) – *Barrister*

Daniel Alge (AT) – *Patent Attorney and “Technical Judge” at the Commercial Court Vienna*

Dr Martin Chakraborty (DE) – *Litigator*

Dr Klaus Grabinski (DE) – *Judge Bundesgerichtshof & member of Draft Committee for the RoP of the UPC*

Kevin Mooney (GB) – *Litigator and Chairman of Draft committee for the RoP of the UPC*

SESSION 5.1 UNIFIED PATENT COURT

SIMON DACK (NL) – MODERATOR

One of the founding partners of Hoyng Monégier, Simon is an English-qualified barrister who is entitled to practice before all Dutch and English Courts. He has a technical background, having originally trained as a chemist and worked for a while at the European Patent Office. Simon's practice is primarily focused on international patent litigation, though he also has extensive experience in other areas of IP law, including pharmaceutical regulatory and advertising law, agricultural biotechnology, and anti-piracy and anti-counterfeiting.

Whilst most of his work is in the healthcare, biotech, medical device and pharmaceuticals area, he has handled patent cases in a wide variety of other technical fields, including mechanical and electronics-related inventions. Much of the work Simon is involved with is cross-border in nature and he has extensive experience of coordinating multi-jurisdictional IP matters. Representative clients in the pharmaceutical/biotechnology field include Johnson & Johnson, Abbott, Sanofi, GlaxoSmithKline and Pfizer.

ADMISSIONS

- Registered as European Lawyer with the *Nederlandse Orde van Advocaten* (2002)
- Called to the Bar of England and Wales by Lincoln's Inn (2000)

EDUCATION

- Inns of Court School of Law, Grays Inn, (2000)
- European Qualifying Examination for European Patent Attorneys, Munich (1995)
- University of London, Queen Mary College (BSc Hons, Chemistry, 1987)



Partner
Hoyng Monegier LLP

t: +31 20 592 4411
dacks@hoyngmonegier.com
www.hoyngmonegier.com

**HOYNG
MONEGIER^{LLP}**



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE
INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS
INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

SESSION 5.1 UNIFIED PATENT COURT

DANIEL ALGE (AT) – SPEAKER

Biochemist, specialised in molecular biology and biotechnology during his diploma studies (graduated in 1988) and his thesis (doctor degree in 1990). Continued research work at the European Molecular Biology Laboratory (EMBL) in Heidelberg, Germany.

European Patent Attorney 1995; Austrian Patent Attorney 1997; Partner of Sonn & Partner, Austria; Expert Lay Judge at the Commercial Court Vienna since 2005; Sworn Certified Court Expert 2011.

For more than 20 years involved in patent matters (prosecution, litigation and licensing) relating to pharma and biotech.

Tutor for the CEIPI EPC basic course for European Patent Law in Vienna since 1995.

University tutor for patent law (esp. IP involving biotechnological inventions) at the Vienna Biocenter (University of Vienna), at the University of Innsbruck and at the University of Salzburg, since 1998. Tutor for patent and innovation management at the Management Center Innsbruck (MCI) since 2006.

Frequently appointed as private expert in patent infringement and nullity actions, especially in the field of pharmaceutical chemistry, biochemistry and biotechnology.

Austrian Delegate of FICPI; President of the European Union Members Commission of FICPI (EUCOF).



*FICPI
CET Executive
CET 4 – Regional Patents
CET 5 – Inventions
European Members Commission
(EUCOF) – President*

Partner
Sonn & Partner
t: +43 (0) 1-512 84 05
f: +43 (0) 1-512 98 05
daniel.alge@ficpi.org
www.sonn.at



SESSION 5.1 UNIFIED PATENT COURT

DR MARTIN CHAKRABORTY (DE) – SPEAKER

Martin Chakraborty is based in Hogan Lovells' Düsseldorf office and has been a partner since 2005. He is a member of our IPMT - IP, Media & Technology practice.

He specialises in litigation/counselling patents with a strong focus on multi-jurisdictional cases. Besides, Martin advises his clients in licensing projects and evaluation of patent portfolios.

Representative experience

- Acting for HTC in multi-jurisdictional patent litigation against Nokia covering more than 30 asserted hi-tech patents
- Acting for HTC in multi-jurisdictional patent litigation against a German Non Practising Entity.
- Representing NEC against non practising entity regarding patent for video play adjustment and on-screen menu system.
- Assisting NEC against Italian company in a licensing/litigation project.
- Representing U.S. chip manufacturer Qualcomm in its worldwide patent litigation against Nokia.
- Representing ABB in patent infringement proceedings against competitor in robotics field.
- Advising British Technology Group on a range of IP matters (mechanical patent litigation and invalidity proceedings).
- Advising Fisher & Paykel on patents for motors for washing machines.
- Representing Fraunhofer Gesellschaft in a patent entitlement action.
- Representing a medical devices manufacturer in mechanical/medical patent infringement cases.
- Representing a Japanese pharmaceutical company on due diligence projects and patent litigation.



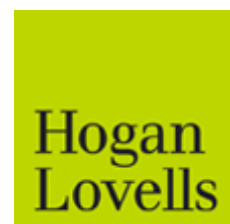
Partner
Hogan Lovells

t: +49 211 13 68 0

f: +49 211 13 68 100

martin.chakraborty@hoganlovells.com

www.hoganlovells.com





FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

SESSION 5.1 UNIFIED PATENT COURT

JUDGE DR KLAUS GRABINSKI (DE) – SPEAKER

Dr Klaus Grabinski was appointed as judge in the Federal Court of Justice (Bundesgerichtshof) in 2009. At the Federal Court of Justice he is allocated to the 10th Civil Division (X. Zivilsenat), which has *inter alia* jurisdiction in patent dispute matters. Before, he was Presiding Judge at the District Court in Düsseldorf in one of the two Patent Litigation Divisions (2001-2009), Judge at the Court of Appeal in Düsseldorf (2000-2001), Legal Researcher at the Federal Court of Justice (1997-2000) and Judge at the District Court in Düsseldorf (1992-1997).

Dr Grabinski studied law at the Universities of Trier, Geneva and Cologne. He is co-author of a commentary on the European Patent Convention (Benkard, Europäisches Patentübereinkommen, 2nd edition) and a commentary on the German Patent Law (Benkard, Patentgesetz, 10th edition) and author of several articles concerning Patent Law, Civil Procedure and International Private Law.

Dr Grabinski is member of the Drafting Committee that is advising the Preparatory Committee on the Rules of Procedure of the future Unified Patent Court. He is a frequent speaker at national and international conferences on patent law.



**Judge of the German Federal Court
of Justice (Bundesgerichtshof)**

t: +49 721 159-0

f: +49 721 159-2512

grabinski-klaus@bgh.bund.de

www.bundesgerichtshof.de



SESSION 5.1 UNIFIED PATENT COURT

KEVIN MOONEY (GB) – SPEAKER

Kevin specialises in contentious and non-contentious intellectual property matters, focusing specifically on patent litigation, especially in the pharmaceutical industry.

Kevin is recommended by “Chambers Guide to the Legal Profession” as being cited by peers as “the doyen of patent law”. He is specifically recommended by the Legal 500 for his “pre-eminent reputation for patent expertise”. He is also specifically rated as a leader in his field by “The Legal 500”, for Patent Litigation and in advising the Pharmaceutical and Biotechnology sector, and the “Global Counsel 3000”.

He is a member of the Intellectual Property Solicitors Association, a member of the American Intellectual Property Law Association and a former member of the Nuffield Bioethics Counsel Working Party on Human Tissue. He is past-President and a Director of the European Patent Lawyers Association (EPLAW) and has chaired three Venice conferences of the European Patent Judges.

He is chairman of the Drafting Committee for the Rules of Procedure for the Unified Patent Court.

He is the author of many articles and a frequent speaker in the UK, Europe and the US on intellectual property issues.

Kevin qualified as a solicitor in 1971 and became a partner in 1973.



Partner
Simmons & Simmons

t: +44 20 7825 4480

f: +44 20 7628 2070

kevin.mooney@simmons-simmons.com

www.simmons-simmons.com

Simmons & Simmons