

WHO'S WHO LEGAL

PATENTS 2008

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**THE QUEEN'S AWARDS
FOR ENTERPRISE
2006**

ANALYSIS

THE INTERNATIONAL WHO'S WHO OF PATENT LAWYERS 2008

*Most highly regarded individuals***TREVOR COOK***Bird & Bird*
London**DONALD DUNNER***Finnegan Henderson Farabow Garrett & Dunner LLP*
Washington, DC**KEVIN MOONEY***Simmons & Simmons*
London**PIERRE VÉRON***Véron & Associés*
Paris**SALLY FIELD***Bristows*
London**JOCHEN PAGENBERG***Bardhele Pagenberg Dost Altenburg Geissler*
Munich**DON MARTENS***Knobbe Martens Olson & Bear LLP*
Irvine, CA**DANIEL BERESKIN QC***Bereskin & Parr*
Toronto**ROBERT KRUPKA***Kirkland & Ellis LLP*
Los Angeles**ROWAN FREELAND***Simmons & Simmons*
London

Our research into the world's leading patent attorneys finds 391 practitioners in 52 jurisdictions with the technical expertise and business savvy needed to succeed in a field increasingly characterised by complex, multi-jurisdictional suits and multi-lingual client-partner coordination. We found three firms that lead the field for patent work: unsurprisingly they enjoy a strong presence in numerous international jurisdictions.

With 15 lawyers from seven jurisdictions listed in this edition, Howrey LLP is unrivalled for international reach and number of partners on our list. The firm boasts one of the world's largest intellectual property practices, with 275 professionals worldwide, and has been named the world's leading patent law firm in *The International Who's Who of Business Lawyers*. A "first-tier litigator", **Willem Hoyng** manages the firm in Europe, and he is the most highly nominated of the firm's nine European representatives in this edition. Hoyng recently closed a major patent infringement case on behalf of Isover St Gobain against Rockwool, and also counts Dijkstra, Ballantine and Van Bentum among his clients. **Bart van den Broek** is managing partner of the firm's Amsterdam office and specialises in electronics, telecommunications and computer-related technology patent litigation.

"One of the best in Europe", **Benoît Strowel** heads the firm's European IP team. A partner in the Brussels office, he specialises in pharmaceuticals and biochemical products, Strowel recently represented Abbot Laboratories in a dispute with Eurogenerics, Ratiopharm, Merck and Sandoz, against their attempt to launch a generic version of one of its antibiotics upon expiration of the data exclusivity period, and Bayer and Talecris in a multi-jurisdictional dispute against Baxter International. Also based in Brussels office,

where he heads the firm's regional IP team, **Carl De Meyer's** recent clients include Avery Dennison, Mega Brands and Procter & Gamble. **Joachim Feldges** joined Howrey's Munich office last year and has quickly established himself as one of the firm's best, with an international reputation in drafting and negotiating technology transfer agreements in the biotechnology and pharmaceutical sectors.

Managing partner of the Paris office, **Marina Cousté** is "very active" in patent litigation cases, having recently represented Essilor, Institut Pasteur and Philips. **Denis Monégier du Sorbier** joined Howrey from Linklaters last year, and works alongside Cousté at the Paris office. Two attorneys are also listed at the firm's London office: **Mark Hodgson** advises pharmaceutical and biotechnology companies in IP matters and regulatory and product liability issues, and he is joined by **Richard Willoughby**, who supplements his "outstanding" patent practice with "highly regarded" trademark, copyright and trade secrets work.

Henry Bunsow is managing partner of Howrey's Northern California offices and is based in San Francisco. Bunsow is considered a "leader in the field" for high-tech and biotech patent litigation cases, with recent clients including O2 Micro and Digene. **Glenn Rhodes** divides his time between the firm's San Francisco and Taipei offices, and has handled international patent litigation disputes on behalf of Celanese International and Intel. **William Rooklidge**, a resident of the Irvine, California, office, has established a "very good reputation" for infringement litigation work in the communications, motor-vehicles, software and financial services sectors.

In the Houston office, **John Lynch** is "one of the deans of the Texas Bar" with

more than 30 years' experience in patent litigation. In the Washington, DC, office **Cecilia Gonzalez** vice-chairs the firm's executive committee and board of advisors and co-chairs the intellectual property practice group. Litigation expert **William West** joins her on our list.

Bird and Bird's reputation as "one of the leading patent firms" is cemented by the inclusion of 12 of its lawyers from six offices in this edition. London is the best represented office, with five attorneys, including "heavy hitter" **Trevor Cook**, who places first overall in our research. "Unquestionably one of the best in the world", Cook is treasurer of the UK group of the International Association for the Protection of Industrial Property (AIPPI) and secretary to the British Copyright Council's standing committee on copyright and technology, and has litigated in such high-profile cases as *Unilever v Procter & Gamble*, *Oxford Gene Technology v Affymetrix* and *Ranbaxy v Warner Lambert*. Joint head of the firm's IP group **Morag Macdonald** was described as "extremely good" for her coordination of multi-jurisdictional patent actions, placing her in the upper reaches of our research. Leader of the firm's international life sciences group, **Gerald Kamstra** is "highly regarded" and is particularly well thought of for contentious IP, commercial and regulatory work in the pharmaceutical sector. **Jane Mutimear** has acted in numerous hi-tech cases, and was a prominent figure during our research, as was the "excellent" pan-European litigator **Neil Jenkins**.

The "very active" **Yves Bizollon** divides his time between the firm's Paris and Lyon offices and acts as joint head of the firm's IP practice in France, specialising in patent litigation and unfair competition. In our Germany list, Bird and Bird fields two professionals: **Wolfgang von Meibom** and **Christian Harmsen**. Joint head of the firm's international intellectual property group, von Meibom has handled numerous life sciences and pharmaceutical litigations, as well as competition and trademark disputes. Harmsen joins Von Meibom at the Düsseldorf office and in recent years has handled multi-jurisdictional proceedings for

Honeywell, Electrolux and Pharmacia. **Bruno Vandermeulen** heads the intellectual property department of the firm's Brussels office and was strongly recommended for his cross-border patent litigation strategies. In The Hague, **Marc van Wijngaarden** is also recognised for his cross-border work for leading companies in the pharmaceutical, chemical, electronic and mechanical engineering sectors. Joint manager of the firm's Dutch offices **Armand Killan** specialises in international patent and trademark counterfeiting cases, and was described as an "excellent litigator" by respondents to our survey. **Matthew Laight**, managing partner of the Bird and

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Bird's China offices, focuses his practice on litigation for multinationals in China, and completes the firm's strong showing in this publication.

Lovells fields eight professionals from six jurisdictions throughout Europe and Asia in this edition. In the London office **Nicholas Macfarlane** boasts over 25 years of experience in IP matters and has represented leading pharmaceutical companies on both sides of the Atlantic. Joining him here is **Robert Anderson**, whose chemical, pharmaceutical and biotechnology patent work has included

matters relating to metallocene catalysts, the hepatitis D virus, fungal phytase genes, oncogenes and anti TNF antibodies. The firm's Amsterdam office also provides our list with two representatives: **Bert Oosting** and **Klaas Bisschop**. Oosting heads both the firm's IP and information technology group and the pharmaceutical group in Amsterdam, and was recognised for his "top" work for innovative pharmaceutical companies. Bisschop focuses on patent litigation and represents clients in the bio and information technology sectors, including internet-related litigation.

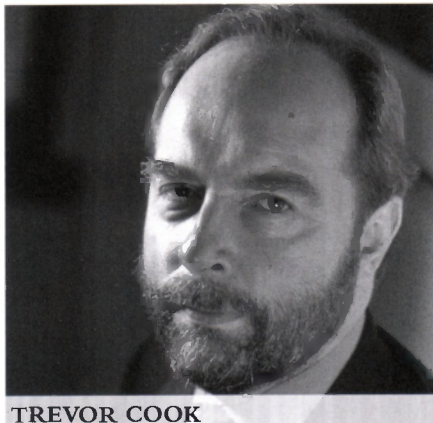
Krystyna Szczepanowska-Kozłowska represents the firm in Poland. Professor of IP and Civil Law at Warsaw University, she advises clients from the software and pharmaceutical sectors in trade secret and data protection cases, and on IP rights protection, among other things. Considered "one of the best in Germany" by sources, **Andreas von Falck** specialises in litigation and counselling on behalf of pharmaceutical, medical devices and biotechnology clients.

Henry Wheare is "a mainstay" of the Hong Kong office, where he heads the firm's Asia-wide IP practice group and handles complex patent litigation and cross-border IP disputes for regional and international corporations. In Japan **Eiichiro Kubota** specialises in patent counselling and litigation work, and is considered "one of the region's leaders".

USA

American attorneys account for almost a third of the lawyers in the edition, with many of the firms below fielding multiple representatives.

The "outstanding" **Donald Dunner** of Finnegan Henderson Farabow Garrett & Dunner LLP is one of the most highly regarded names on our list. Dunner focuses heavily on IP litigation and was recently involved in the complete reversal of an \$80 million jury verdict for Mattel. Also included from the firm's 375-strong IP team is arbitration and litigation expert **Ford Farabow**, whose clients include Hercules Incorporated, Cryovac and



TREVOR COOK

AstraZeneca. Based at the firm's Reston, Virginia, office, **Charles Lipsey** is also "first rate" for patent infringement litigation; he has a particular focus on the mechanical, electrical and chemical technologies sectors. Also in Virginia **David Hill**, a former technical adviser for the US Court of Customs and Patent Appeals is "extremely well versed" in the Japanese patent market. A "big name" in Palo Alto, **Michael Elmer** focuses his litigation work on the coordination of the firm's global IP litigation project, assisting clients in resolving international patent disputes and implementing global offensive and defensive strategies.

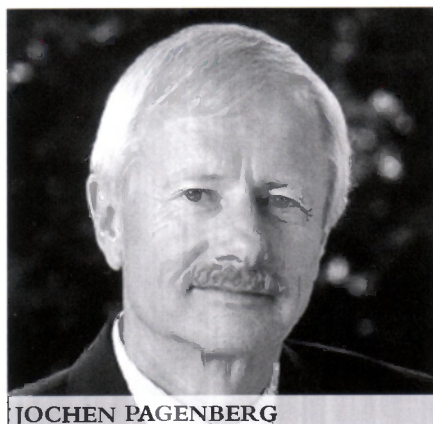
Thomas Jenkins is chairman of the firm's management committee and litigates on behalf of pharmaceutical and biotechnology companies, as well chemical and mechanical manufacturers. Joining Jenkins in the DC office is senior counsel **Brian Brunsvold**, who boasts over 35 years of licensing and patent infringement experience, and is also well recognised for his work with chemical and pharmaceutical companies.



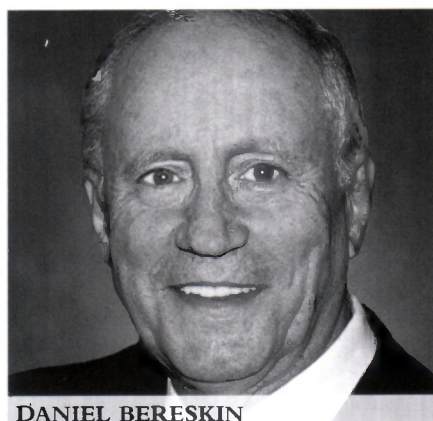
PIERRE VÉRON

At Kenyon & Kenyon LLP, the "very strong" **Richard DeLucia** has recently litigated on behalf of a diverse range of clients including Sony, Savient Pharmaceuticals, Teva Pharmaceuticals USA and Heidelberg Harris, and he gets a high billing in this edition. He is joined on our list by "an excellent team" of three other partners. **George Badenoch** heads the firm's electrical and mechanical practice group and has extensive experience and a "formidable reputation" for his patent litigation work for computer companies, semiconductor and pharmaceutical producers, and automobile parts providers.

Stuart Sinder is co-chair to the electrical and mechanical group, and recent engagements include *Telcordia Technologies v Alcatel SA and Alcatel USA*, and *Twentieth Century Fox Film v Marvel Enterprises*. **James Galbraith** completes the firm's impressive showing here, receiving praise for his IP litigation work before the Federal Circuit, which has seen him act for pharmaceutical and agricultural chemical producers and computer product companies including Hewlett-Packard and Agilent Technologies.



JOCHEN PAGENBERG



DANIEL BERESKIN

Robert Krupka is seen as "one of the top lawyers" for patent work, and our findings confirm this. The Kirkland & Ellis LLP partner, who co-heads the firm's IP group, has acted in complex IP disputes such as *Medtronic v Michelson* and *Honeywell v Hamilton Sundstrand*, and featured prominently in our research. **John Desmarais** is another high-ranking name at the firm and represented Alcatel-Lucent in its \$1.5 billion patent infringement win against Microsoft. **William Streff** focuses primarily on patent litigation for computer hardware, software and semiconductor companies and was classed "among the best" by our sources, as was **Peter Armenio**, who concentrates on the trial and appeal of patent infringement actions, and counts American Express and Boston Scientific among his clients.

Ropes & Gray LLP also has four nominees in this edition. First among these is **Jesse Jenner**, an "excellent" international litigator whose recent work has taken him to Israel, Sweden and Japan and has included acting for clients such as Motorola and VTech.

James Haley heads the firm's patents and IP group and focuses on international patent procurement, enforcement and defence within the biotechnology, pharmaceutical and chemical sectors.

Robert Morgan also received several nominations for his "exceptional" trial work on behalf of telecoms, electronics and semiconductor technology companies.

Bob Goldman engages in complex IP matters with particular reference to the pharmaceutical and medical device sectors, and is "an excellent, practical litigator", according to respondents.

The "great" **Thomas Beck** was the most highly nominated candidate from Sidley Austin LLP's patent team, renowned for his litigation work in complex chemical and pharmaceutical matters. Joining him is chair of the national IP practice **David Pritikin**, who has litigated in numerous cases involving pharmaceutical products, as well as acting for software and semiconductor companies. **Richard Cederoth** is also concerned with litigation on behalf of software and semiconductor producers, while the "very fine" **Bryan**

Medlock brings 35 years' experience to the table with varied experience as arbitrator, mediator and expert witness in numerous patent cases.

Foley & Lardner LLP fields three professionals here, with **Harold Wegner** receiving the most nominations at the firm. Wegner operates out of the Washington, DC, and Tokyo offices and specialises in patent law simplification and implementation of modernised patent systems worldwide. **Richard Florsheim** was praised as "an excellent litigator" with victories in numerous large cross-border disputes to his name and chairs of the firm's industry teams department. **Stephen Maebius** specialises in nanotechnology and life sciences having previously worked as a patent examiner in the US patent and trademark office.

A founding member of Knobbe Martens Olson & Bear LLP, **Don Martens** was described as a "more-than-excellent lawyer" by respondents and was among the most mentioned names in our research. Martens has 40 years of experience both in court and in arbitration and currently serves as an arbitrator and mediator in IP disputes. Also a dispute resolution specialist at the firm, **Joseph Re's** recent engagements include *Heuft Systemtechnik GmbH v Industrial Dynamics Co* and *Applied Medical Resources v United States Surgical Corp*; and he earns high praise from respondents.

The "terrific" **Morgan Chu** is considered "one of the top 10" in the US by sources, and our research confirms this. A partner at Irell & Manella LLP, Chu has recently acted as plaintiff's lead trial counsel in such cases as *City of Hope v Genentech*, *Stac Electronics v Microsoft* and *Immersion v Sony*.

Co-head of the IP and technology group at Skadden Arps Slate Meagher & Flom LLP, **Edward Filardi** is among the most eminent lawyers in our US list. "A disputes expert", Filardi acts on matters involving medical devices, pharmaceuticals, computer software, telecommunications and mechanics in federal and state courts.

At Fitzpatrick Cella Harper & Scinto, **Robert Baechtold** acts as chair of the pharmaceuticals and chemicals litigation group and is considered a "major player" for IP litigation, with clients including Bristol-Myers Squibb, AstraZeneca and Yamanouchi.

EUROPE

The coordination of cross-border transactions is commonplace in a patent law context in Europe, and many of the practitioners listed in this section regularly handle pan-European engagements.

London is one of the major centres for patent law in Europe, 25 lawyers based there make it onto our list of the world's best.

One of the most popular names in London is the "excellent" **Kevin Mooney** of Simmons & Simmons. Mooney focuses on patent litigation, particularly within the pharmaceutical sector and counts GlaxoSmithKline, Sanofi Aventis and Lundbeck among his clients. Also highly rated for his litigation work at the firm is **Rowan Freeland**: he too has represented GlaxoSmithKline, and also has Conor Medsystems on his client list. Both attorneys were among the most highly rated in the world.

David Perkins heads the IP practice at Milbank Tweed Hadley & McCloy LLP, and is another highly regarded London name. Perkins concentrates on multi-jurisdiction patent litigation and related competition matters, with current areas of focus including medical devices, telecoms and pharmaceuticals. **Tim Powell** at Powell Gilbert LLP is also well recognised for his multi-jurisdiction coordination work, and he is joined by fellow name partner **Penny Gilbert**. The firm's recent work has focused heavily on biotechnology, encompassing anti-bodies cases, DNA micro-array technology and genomics and sequencing patent litigation.

Three nominees give Taylor Wessing LLP a strong presence in this edition; **Richard Price** receives the most nominations of the group. Price argued successfully before the



MARINA COUSTÉ



RICHARD DELUCIA



THOMAS BECK



THOMAS REIMAN

House of Lords and the Privy Council on behalf of such clients as Asahi Chemical and Canon. **James Marshall** joins him here, earning high praise for his litigation work for engineering, electronics, biotechnology and pharmaceutical companies, while **Gary Moss**, whose recent engagements include *Pall v Commercial Hydraulics* and *SKM v Wagner Spraytech*, is also included.

Two highly nominated lawyers ensure Bristows' place among the leading firms in London. **Sally Field** appears in the upper reaches of our research in this edition, having worked on numerous cases before English courts of all levels as well as being involved in EPO opposition proceedings in Munich. The "excellent" **Edward Nodder** joins Field on our list. Nodder's client portfolio includes 3M, Novartis and Gillette, and he is involved in major inter-jurisdictional cases.

Linklaters LLP provides two lawyers from London for our list: **Ian Karet** and **Nigel Jones**, alongside **Marianne Schaffner** at the Paris office. Karet specialises in the IP issues arising from acquisitions and disposals as well as patent litigation on behalf of biotech, healthcare and high-tech companies, while Jones focuses his IP practice on assisting multinational pharmaceutical companies to coordinate international patent disputes. Schaffner concentrates on healthcare, pharmaceutical and high-tech litigation in numerous EU jurisdictions.

"A leader in the field", **Pierre Véron** of Véron & Associés received the highest number of nominations in France. Joining him here are his partners **Isabelle Romet**, a pharmaceutical and chemical industry patent litigator; and **Thomas Bouvet**, a patent validity and infringement litigation expert. Also based in Paris, Cabinet Hirsch & Associés fields two lawyers for our list: **Marc-Roger Hirsch** and **Gregoire Desrousseaux**. Managing partner of the firm, Hirsch occupies himself with pan-European patent litigation as well as copyright and trademark infringement work. The "excellent" Desrousseaux is also highly thought of among our sources.

Five Allen & Overy lawyers are included from three European jurisdictions, including two from France. **Pierre Lenoir** is head of IP and information technology in the firm's Paris office, and is "very well thought of" in cross-border patent and trademark matters. Joining him in Paris is pharmaceuticals expert **Laëtitia Bénard**, while in London the "energetic and ambitious" **Nicola Dagg**, who recently led the firm's UK team advising Research in Motion and T-Mobile appears. In Belgium **Geert Glas** is a prominent name, focusing on the telecoms and media as well as the biotech and pharmaceutical sectors; in Germany the "very active" **Marcus**

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Grosch focuses on national and cross-border patent infringement litigation and technology transfer.

Foremost on the German list is **Jochen Pagenberg**: co-founder and senior partner of Bardehle Pagenberg Dost Altenburg Geissler. He is reported to be "the number one lawyer at the number one firm in Germany" for patent work, boasting a portfolio of major clients drawn from the pharmaceutical, biotech and electronic sectors. Partner **Reinhardt Schuster** is also considered "fantastic" at the firm, and he handles multinational patent conflicts

in relation to pharma, biotech and medical devices.

Another "extremely good firm" from Germany, Reimann Osterrieth Köhler & Haft, fields two attorneys on our list. **Thomas Reimann** brings 35 years' experience to the table, acting for clients before the national German courts as well as coordinating multinational litigation proceedings. Joining him is **Klaus Haft**, who advises in patent infringement litigation and subsequent litigation regarding damages in all aspects of IP law.

The Dutch market reveals itself to be a vibrant hub for patent work – 17 professionals make it on our list. With four nominees, Brinkhof seems to be the strongest firm in the Netherlands, with **Richard Ebbink** described as "very well known" throughout Europe, Ebbink concentrates on conducting and coordinating European patent litigation and has represented clients before the courts of The Hague. Name partner **Jan Brinkhof** is also mentioned for his litigation and international strategic planning and coordination, while **Peter Burgers** focuses on multi-jurisdictional biotech and high-tech joint ventures.

De Brauw Blackstone Westbroek also has an impressive patents team, three of whom appear in this edition. The "tier one" **Constant van Nispen** has litigated before the Dutch national courts and the European Court of Justice and counts Johnson & Johnson among his clients, and he was the most nominated name at the firm. **Simon Dack** is another leading name; "very knowledgeable on the technical aspects of patents", his pharmaceutical patent work has seen him litigate in respect to numerous drugs, including Losec and Paroxetine. "Strong (...) technology focused" **Gertjan Kuipers** is also included here. He brings with him an excellent reputation in trademark and patent litigation in the fields of consumer goods, computer technology, mechanics and biotech.

In Switzerland Lenz & Staehelin leads the field, with two attorneys on our list. **Thierry Calame** is "an excellent litigator"

ANDREW RICH
Herbert Smith LLP
London
andrew.rich@herbertsmith.com

RICHARD WILLOUGHBY
Howrey LLP
London
willoughbyr@howrey.com

FINLAND

PETER BACKSTRÖM
Backstrom & Co
Helsinki
peter.backstrom@backstrom.fi

RAINER HILLI
Roschier, Attorneys Ltd
Helsinki
rainer.hilli@roschier.com

SEPPO KEMPPINEN
Borenus & Kempainen
Helsinki
seppo.kemppinen@borenus.com

FRANCE

JACQUES ARMENGAUD
Armengaud Guerlain
Paris
contact@armengaud-guerlain.com

LAËTITIA BÉNARD
Allen & Overy LLP
Paris
laetitia.benard@allenoverly.com

YVES BIZOLLON
Bird & Bird
Lyon
yves.bizollon@twobirds.com

THOMAS BOUVET*
Véron & Associés
Paris
thomas.bouvet@veron.com

PHILIPPE COMBEAU
Cabinet Philippe Combeau
Paris
philippe.combeau@wanadoo.fr

PIERRE COUSIN
Cousin & Moatty
Paris
cabinet.cousinmoatty@avocat-conseil.fr

MARINA COUSTÉ*
Howrey LLP
Paris
coustem@howrey.com

GREGOIRE DESROUSSEAUX
Cabinet Hirsch & Associés
Paris
mail@hirschlex.com

JEAN FREDERIC GAULTIER
Clifford Chance Europe LLP
Paris
jean-frederic.gaultier@cliffordchance.com

MARC-ROGER HIRSCH
Cabinet Hirsch & Associés
Paris
mrh@hirschlex.com

PIERRE LENOIR
Allen & Overy LLP
Paris
pierre.lenoir@allenoverly.com

THIERRY MOLLET-VIEVILLE
Duclos Thorne Mollet-Vieville et Associés
Paris
contact@dtmv.fr

DENIS MONÉGIER DU SORBIER*
Howrey LLP
Paris
monegierdusorbierd@howrey.com

ISABELLE ROMET*
Véron & Associés
Paris
isabelle.romet@veron.com

MARIANNE SCHAFFNER
Linklaters LLP
Paris
marianne.schaffner@linklaters.com

DARIUSZ SZLEPER
Gaultier Lakits Szleper
Paris
dszleper@avocatgls.net

GRÉGOIRE TRIET
Gide Loyrette Nouel AARPI
Paris
triet@gide.com

PIERRE VÉRON*
Véron & Associés
Paris
pierre.veron@veron.com

GERMANY

JOCHEN BÜHLING
Krieger Mes & Graf von der Groeben
Düsseldorf
jochen.buehling@krieger-mes.de

THOMAS BOPP
Gleiss Lutz
Stuttgart
thomas.bopp@gleisslutz.com

PETER CHROCZIEL
Freshfields Bruckhaus Devinger LLP
Munich
peter.chrocziel@freshfields.com

JOACHIM FELDGES
Howrey LLP
Munich
feldgesj@howrey.com

OLAF GIEBE
Klaka Rechtsanwälte
Munich
ogiebe@klaka.com

WOLF GRAF VON SCHWERIN
Wildanger Kehrwald & Graf von Schwerin & Partners
Düsseldorf
mail@wildanger.eu

MARCUS GROSCH
Allen & Overy LLP
Mannheim
marcus.grosch@germany.allenoverly.com