This year marks 30 years since the inception of C5 Group. It is time to match our brand with the dynamic strides we have made. See inside for details...

14th & 15th March 2016 | The Wyndham Apollo Hotel | Amsterdam, Netherlands

C5’s 8th Conference on

PHARMA & BIOTECH PATENT LITIGATION

Get ready for the new Unitary Patent Regime with a first-hand perspective from renowned experts in the patent litigation field.

Ask the questions you want answered from members of the Unitary Patent Preparatory and Drafting Committee and listen to patent judges from across Europe debate the key considerations for devising effective patent litigation strategies in this changing environment.

KEY AREAS OF FOCUS AND DISCUSSION:

1. The landmark Lyrica case, the ripple effect throughout different jurisdictions and consideration of how all players in the industry will react.
2. The very latest position on the practical implementation of the Unified Patent Court directly from those who are devising the rules.
3. Crucial debate around how to plan your patent portfolio opt in/opt out strategy and manage your risk once the new regime begins.
4. Understand how Supplementary Patent Protection Certificates will work in practise within the new unitary patent regime.

Invaluable insight from members of the key Unitary Patent Advisory Committees

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Kevin Mooney  
Chair  
UPC Drafting Committee

Pierre Veron  
Member  
UPC Drafting Committee

Alan Johnson  
Chair  
AIPPI’s UPC Committee

Juergen Dressel  
Head of Patents Litigation  
Novartis Pharma AG (Switzerland)

James Horgan  
Assistant Managing Counsel, Merck Sharpe & Dohme (UK)

Arturo Lucas  
Senior Counsel  
Chemo Group (Spain)

Invaluable insight from members of the key Unitary Patent Advisory Committees

Practical guidance from senior in house counsel of Pharma and Biotech Corporations:

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From a Practical Perspective, How to Devise Your Patent Litigation Strategy in Conjunction With the New Unitary Patent Regime: Prior to Commencement, During Transition and Beyond…

The UPC is arguably the biggest single change to affect the patent litigation environment ever. This workshop will guide you on what you really need to be thinking about right now. How and what to opt out of, fees and costs – all of these issues and many more, will impact upon strategy. This workshop will provide an opportunity to consider and discuss in depth, in an interactive environment, the real challenges and the practical solutions when devising patent litigation strategy under the new unitary patent regime.

Our experts will share their expertise, critical insight and suggestions for best practice.

PLUS, ENHANCE YOUR EXPERIENCE BY ATTENDING THE IN-DEPTH PRE-CONFERENCE WORKSHOP ON SUNDAY 13TH MARCH 2016:

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C5’s 8th Pharma & Biotech Patent Litigation conference will provide an invaluable focus for analysis of all the fundamental changes affecting pharma and biotech patents across Europe and the US and consider the impact of judicial decisions in the national courts on your litigation strategies.

Receive an in-depth understanding of the hottest topics, equipping you to alter and strengthen your litigation strategies and tailor your techniques to the latest challenges in today’s constantly changing patent landscape.

Don’t miss this outstanding opportunity to learn from industry leaders and network with those at the forefront of this field.

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8:00 / Registration and Welcome Coffee

8:45 Opening Remarks from the Chair
Paul Inman, Partner, Wragge Lawrence Graham & Co LLP (UK)

9:00 Second Medical Use Patents: Consequences of Lyrica and the Ramifications Throughout Europe
Christoph de Costa, Partner, Taylor Wessing (Germany)
Matthew Royle, Partner, Taylor Wessing (UK)
Mark Van Gardingen, Partner, Brinkhof (Netherlands)
- Case summary and status
- How will the Lyrica decision impact differently across the separate jurisdictions?
- An analysis of Lyrica across a number of different countries with consideration of:
  » The different routes to market
  » Contrasting reimbursement systems
  » How will the infringement issues arise in each country?
  » Approaches by the different courts to the construing of claims
  » What will be the ultimate impact on the end user?

10:15 Lyrica – What Will The Generic Companies Do Now?
Interactive panel discussion with industry leaders who will discuss the case of the year.
Juergen Dressel, Head of Global Patent Litigation Strategy, Novartis (Switzerland)
Judge Tochtermann, Judge of the Patent Division of the Mannheim District Court (Germany)
Gavin Lawson, Senior Litigation Counsel, GILEAD (UK)
Ulrich Reese, Partner, Clifford Chance (Germany)
Miquel Montana, Partner, Clifford Chance (Spain)
- What is the message to generic companies?
- How can they avoid unwanted attention in the future?
- Will patentees now unjustly profit from a new culture of caution?
- Is increased infringement action inevitable as a matter of course?
- How can we start to think about a sensible generic code of conduct going forward?
- Perspective of the wider stakeholders – how will the payers react?

11:15 / Coffee Break

11:45 The 101 Issue: Patent Eligibility in the United States – Should Europe Fear the US System?
- Review of recent US case law
- Current guidelines for patent eligibility
- Where do the challenges lie?
- Is the current mood in the US changing?
  » Obiter comments in Ariosa v Sequenom
- What sort of claims will be allowed in the US?
- Attitude towards biotech ventures going forward?
- Best practices for patent drafting

12:30 / Networking lunch

14:00 Litigating Biosimilars – Round Up of Case Developments across the World
Multi-jurisdictional panel discussion to compare and contrast the position in the US and North American markets compared to other regimes across the world.
Sheldon Hamilton, Partner, Smart & Biggar (Canada)
Claudia Milbrandt, Partner, Clifford Chance (Germany)
John D. Murnane, Partner, Fitzpatrick, Cella, Harper & Scinto (United States)
Hari Subramaniam, Partner, Subramaniam & Associates (India)
- Protection of Biosimilars and Enforcing Patent Rights against them
- Amgen v. Sandoz (U.S)
  » How it may affect Biosimilars litigation in the United States
- Amgen v Apotex (Canada)
  » The first wave of the patent dance

15:00 Biosimilars – What’s Feeding the Biosimilars Trend?
- Where are we going with Biosimilars?
- When will the litigation start?
- Technological advances in the bio-manufacturing platforms
- Considerations for marketing?

15:35 / Coffee Break

16:00 How Does the Commercial Restructuring of a Pharma Business Impact on its Patent Litigation Strategy?
Arturo Lucas, Senior Legal Counsel, Chemo Group (Spain)
- External and internal impact of large scale mergers and acquisitions in the industry
- What happens to litigation strategy when a company buys or sells parts of its portfolio?
- How to manage patent strategy when you have branded and generic businesses under one roof
- Consideration and insight?

16:35 Raising the Bar: Are Sufficiency Requirements Changing?
Paul Inman, Partner, Wragge Lawrence Graham & Co LLP
- What is the current bar for sufficiency and is it getting higher?
- How have recent cases impacted on the current standard?
- What is the current position of the EPO on sufficiency?
- How much data do you really need to support the breadth of your claim?

17:10 Chair’s Closing Remarks and Conference Adjourns

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Opening Remarks from the Chair

Case Law Round Up On Supplementary Protection Certificates
An essential update on the key cases over the last year that are impacting on SPC’s:
- The “UK Torpedo”
  » Actavis UK Ltd & Others v Eli Lilly
- The question of scope
- Pharmaq v Interret International BV
- The Seattle Genetics Case

Supplementary Protection Certificates under the Unitary Patent Regime – How will they Work Together in Practice?
James Horgan, Assistant Managing Counsel, Merck Sharpe & Dohme (UK)
Daniel Wise, Partner, Carpmaels and Ransford LLP (UK)
- “New” and “old” SPC’s – is there going to be a contradiction between the two systems?
- What will be the different rules in the different jurisdictions?
- Is it possible to lose your SPC rights under the new regime?
- Will SPC’s still be reliable and enforceable under the new system?
- How will the documentation requirements work under the new regime?
- Will there be potential to transfer SPC’s within a company group?
- The Seattle Genetics Case

The Practicalities of the UPC: The Facts – What We Know and What We Don’t
Kevin Mooney, Partner of Simmons & Simmons and Chair of the UPC Drafting Committee (UK)
Pierre Véron, Partner of Véron & Associés, UPC Drafting Committee (France)
- Status report on the courts - when will they actually go live?
- When will the local and regional divisions be established?
- Training and education of the judges
- When can you start making applications for the unitary patent
- How and where exactly to opt out – who manages the process?
- Transparency of opt outs – will there be a register?

Reconciling the UPC and the European Patent Office
Dr Pierre Treichl, International Legal Affairs, European Patent Office
- How will the EPO and the Unitary Patent Regime work together?
- The role of the EPO and new tasks
- State of play of implementation: work of the Select Committee
- How will we reconcile and relate unitary patent court decisions to decisions made by the EPO?

The UPC: Is It Really An Improvement On What We Already Have?
Alan Johnson, Bristows, Chair of AIPPI’s UPC Committee (UK)
Judge Tochtermann, Judge of the Patent Division of the Mannheim District Court (Germany)
Richard Ebbink, Partner, Brinkhof (Netherlands)
Debate and Panel Discussion
- Is the new system as attractive as we once thought?
- How are you going to plan your portfolio opt in/opt out strategy around an unknown and untested procedure?
- What are the drawbacks and the risks attached to each decision?
- How to plan strategy throughout the “sunrise period” – Are the risks the same?
- How the UPC will impact on multiple ownership
- To what extent will fees and costs under the new system determine patent strategy?

Inter Partes Reviews: Increasingly Significant in a Wider Litigation Strategy?
Karen Mangasarian, Partner, Ropes & Gray (US)
- Are the increasing use of IPR’s a strong indication of good procedure?
- Will greater use of IPR’s lead to cheaper litigation?
- What are the challenges of using them?
- Exclusivity periods

The Competition Authorities and Patent Litigation – What Exactly Are They Looking For?
Richard Ebbink, District Court (Germany)
Alan Johnson, Already Have?
The UPC: Is It Really An Improvement On What We Already Have?
Inter Partes Reviews: Increasingly Significant in a Wider Litigation Strategy?
The Practicalities of the UPC: The Facts – What We Know and What We Don’t
Reconciling the UPC and the European Patent Office
The UPC: Is It Really An Improvement On What We Already Have?

The Nagoya Protocol – A “Patent-Like” Legal framework and its Impact on FTO strategy
- How might the Nagoya Protocol change the patenting process?
- How could it result in more litigation?
- What are the sanctions for non-compliance?
- Who will police it and how likely are sanctions to be enforced?
- How can we resolve anticipated disputes over who owns and profits from an invention?
- What are the implications for non US ratification on products researched in the US but later marketed worldwide?

Chair’s Closing Remarks and End of Conference

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Can’t take time out of the office? Attend the conference from the convenience of your home or office. Save money on travel and view the conference according to your own schedule. This interactive live webcast allows you to participate in the sessions as they occur, download hand-outs, and ask speakers questions. If you can’t watch the live feed, the recorded archives of the presentations will also be available for you to view for 45 days after the conference is over, so you can re-watch sessions, or view any sessions you may have missed.

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Wragge Lawrence Graham Co is a UK — headquartered UNPARALLELED IP® international law firm providing a full range of legal services to clients worldwide. The partner-led firm delivers top-quality legal advice and with experts across the world, it has the resource, relationships and expertise to handle the largest instructions. A trusted adviser to FTSE 100 and 250 companies, multi-national corporations, financial institutions, and UK and overseas government departments, Wragge Lawrence Graham & Co’s experts deal with day-to-day issues and complex, strategic matters.

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Date: 14th & 15th March 2016
Time: 8:45 – 17:10
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Address: Apollolaan 2, 1077, BA Amsterdam, Netherlands
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