D YOUNG & CO PATENT NEWSLETTER no.39

February 2014
In this issue:

The Unitary Patent
An Economic View

Full Story Page 02

Editorial

We hope that all of our clients and associates are experiencing a good start to 2014.

In this first edition of the newsletter for 2014 we explore some of the issues and questions surrounding the new European patent system: the unitary patent (UP) and the Unitary Patent Court (UPC).
We strongly recommend that applicants and patent proprietors review their portfolios over the coming 12 months with a view to deciding on how the new system will influence your IP strategy and your patent rights. You will find regularly updated information on this subject on our dedicated UP and UPC website page: www.dyoung.com/unitarypatent.

Please do make use of your D Young & Co advisor(s) who will be able to advise you and/or your clients on the best course of action.

Just as we go to print I am delighted to report that the D Young & Co patent group has been highlighted as 'top tier' for our patent work in the Managing IP Global IP Survey 2014. More on this on page 08 of this newsletter. Our thanks to our clients for their support during the survey's research process.

Editor:
Anthony Albutt

Events

17-18 March 2014 - Conference
PTMG Spring Conference, London UK
Tamsin Holman, D Young & Co Dispute Resolution & Legal group partner, will be attending the 88th Pharmaceuticals Trade Marks Group Spring Conference.

23 April 2014 - Webinar
European Biotech Patent Case Law
European patent attorneys and D Young & Co partners Simon O'Brien and Robert Dempster present their ever popular biotech patent case law webinar. Register now via our website to secure your place.

1014 May 2014 - Conference
INTA Hong Kong 2014
Members of D Young & Co's Trade Mark and Dispute Resolution & Legal groups will be attending the International Trade Mark Association's 136th Annual Meeting.

dyoung.com/events

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Article 01

The Unitary Patent
An Economic View

Whilst much has been written about the unitary patent (UP) in the last year, comparatively little attention has been given to the cost of holding a UP, or the economic advantages – or disadvantages – of doing so compared to holding conventional European patent (EP) bundles of national patents. However, estimating their relative costs is essential, because patent renewal fees can amount to 50 per cent or more of the lifetime cost of a patent.

One reason for the limited discussion to date is that the annual renewal fee for the UP has not yet been set; but as this article will show, it is possible to predict the fee with some confidence, and also identify some issues with the fee that may affect your decision whether to adopt the UP.

> The business case for the UP can be summarised as whether it will cost more or less than your current EP renewals, coupled with the considerations that if it costs more, whether you get anything of extra value to mitigate this, whilst if it costs less, whether you still get the protection you need.

Costs

The level of the renewal fee of the UP is governed by Article 12(3) of the Council Regulation on the Unitary Patent, which states that the fee will be *"equivalent to the level of the renewal fee to be paid for the average geographical coverage of current European patents"*.

The average geographical coverage of European patents can be gleaned from various recent studies, such as the *Study on the quality of the patent system in Europe* (see useful links, top right of page 03), which produced a percentage breakdown of the number of European Union (EU) states

What is the likely cost of holding a UP?

validated and renewed in for at least one year (see figure 01, graph, top right of page 03).

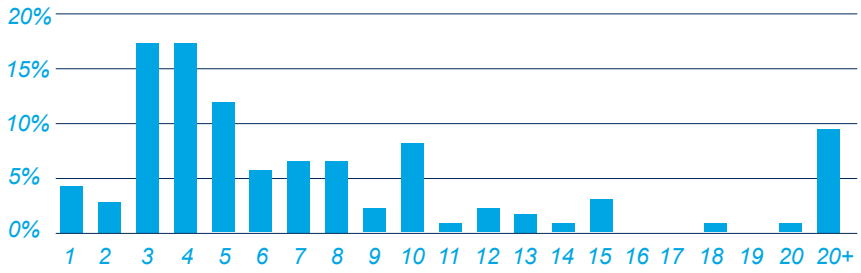
On this basis, the average geographical coverage of current European patents is **five states**.

Coincidentally, this also represents a broad division in validation patterns between electronic and mechanical industries on one hand (typically validating in five or fewer states), in contrast with chemical and biological industries (typically validating between five and 15 states) together with the pharmaceutical industry (typically validating in around 10 or more than 20 states).

A crude economic reason for this difference in behaviour relates to the markets they sell in. At one end of the spectrum, the electronic and mechanical industries typically sell to a pan-European market with little effective regulation. Validating in the three or five EU states with the highest gross domestic product (the top five hold in the order of 60-80% of EU gross domestic product (GDP)) will thus have a chilling effect on competition EU-wide and protect a large proportion of their income. This effect is strengthened further where there is any standardisation or interoperability feature in the product.

Meanwhile at the other end of the spectrum the pharmaceutical industry in particular is more likely to see each state in Europe as a separate market with an incumbent major client in the form of a national health service, and/or a medically driven consumer demand that is less sensitive to GDP. National regulations on products and labelling can also effectively fragment the market. Validating in just a few

Figure 01: Geographical coverage of European patents
Percentage breakdown of the number of European Union (EU) states validated and renewed in for at least one year



Useful links
Study on the quality of the patent system in Europe: http://dycip.com/eupatentsystem

D Young & Co online UP & UPC FAQ and recent updates on the proposed system see www.dyoung.com/unitarypatent

states therefore has less of a chilling effect on competition in the remaining states, and so a broad validation strategy is advisable. This suggests that if the UP renewal fee is set at the equivalent of five national renewal fees, then it will typically be more expensive for electronic and mechanical industries than under current EP practice, whilst for pharmaceutical industries, and to a lesser extent chemical and biological industries, the UP will be considerably cheaper.

In fact, in practice the effective cost of the UP will be more than five renewal fees, for one simple reason: out of the top six economies of Europe, three will not be participating in the UP. Spain and Italy have refused to participate, whilst Turkey is ineligible because whilst it is an European Patent Convention (UPC) contracting state, it is not a member of the EU.

Consequently, if one normally validates in the top five EU Economies of Germany, France, Great Britain, Spain and Italy (costing five renewal fees), then to replicate this coverage using the UP one must validate the UP itself (costing five renewal fees) plus the non-participating Spanish and Italian validations (costing a further two renewal fees).

> Hence from a cost perspective, the UP only breaks even compared to the existing EP scheme once the number of states participating in the UP, which you normally validate under the EP scheme, exceeds the equivalent number of states at which the UP renewal fee is set.

Due to the non-participating states mentioned above, this means that for typical validation patterns, the UP only breaks even if you normally validate in **eight or more** EP states.

There are two take-home messages from the above analysis: 1) When announced, the headline renewal fee for the UP may not fully reflect the cost of maintaining a typical European portfolio; this will depend on your existing validation preferences. 2) Interested parties should lobby immediately for Article 12(3) to be interpreted as meaning that the UP renewal fee should be set equivalent to the geographical coverage of current European patents **in the subset of states actually party to the UP** as of the date of ratification. This will reduce the cost impact of Spain, Italy, Turkey, and others not participating.

Finally, as an aside, it's worth noting that the one-off costs at grant are likely to be roughly the same for both schemes, with the reduction in attorney fees from fewer validations being offset by a likely increase in translation costs and printing fees from the European Patent Office (EPO) due to the requirement to fully publish the granted patent in English and one other EU language.

Having discussed costs, we can now briefly address returns and risks.

Returns

For applicants who normally validate below the UP break-even level, then if you opt for the UP despite the greater cost, will you see greater rewards? Typically in this scenario you will obtain a wider geographical coverage within Europe than previously – but so what? Unless you have the intent and means to exploit the patent in the additional territories, this extended coverage is academic. In addition, if your original validation strategy targeted or encompassed the top six or so economies of Europe, then the lower GDP states added by the UP may represent diminishing returns that make the costs, complexities and risks of pursuing revenues there even less appealing.

Hence unless you intend to actively pursue new revenue streams from additional states, to the extent that this offsets the cost of using the UP in your portfolio, then there is unlikely to be a mitigating return on your investment.

Risks

Meanwhile, for applicants who normally validate above the UP break-even level, then if you opt for the UP to save costs, are you getting the same quality of protection?

The primary concern here is the unitary nature of the protection. This means that there is a risk of central revocation causing a loss of all rights within UP member states. Moreover, you are obliged to use the currently untested Unified Patent Court (UPC), with no opt out possible. This adds further uncertainty to the risk.

As a result, for essential patents the risk of centralised revocation is likely to outweigh the savings of the UP renewal fees. Ironically it is the pharmaceutical and biochemical industries (where substantial UP renewal fee savings are most likely) that have the highest proportion of actual or potential essential patents, due to products tending to comprise a single active compound rather than an assembly of independently protectable components.

Conclusions

The combination of cost deterring typical electrical and mechanical applicants, and risk deterring typical pharmaceutical and biochemical applicants, appears to limit the appeal of the UP among most of its target audience. However, it is possible to improve matters; electrical and mechanical applicants should consider actively lobbying now to set renewal fees at a sensible level that would be attractive to them. Meanwhile, steering portfolio management towards identifying a cost/risk threshold for using the UP could allow it to become a useful means for cost effectively warehousing the long tail of a pharmaceutical applicant's portfolio. Clearly, tactical considerations may also override economic considerations based on mere costs. For example, where possible having a mix of unitary and EP bundle patents may provide an ideal combination of enforcement strength and defensive resilience that is better than adopting either scheme alone.

Once the renewal fee is announced, together with any indication of how it may change as new states join the scheme, we will return to this subject with an update. In the meantime, your usual D Young & Co advisor will be happy to discuss how your current validation practice would be affected by using the UP. You may also wish to view our dedicated UPwebsite page at www.dyoung.com/unitarypatent for the latest UP and UPC updates.

Author:
Doug Ealey

Unified Patent Court
Preparatory Committee Gives View on Part of Opt Out Question

> UP & UPC questions?
> *Visit our website to read our UP & UPC FAQ and link to our dedicated page of UP & UPC advice and information.*

www.dyoung.com/unitarypatent

It was a crucial part of the Unified Patent Court (UPC) package for many users, especially those from the pharmaceuticals sector, that conventional European patents could be opted out of the jurisdiction of the UPC, at least for a transitional period. Their concern was that to do otherwise would bring highly valuable patents within the jurisdiction of a new, untried court, which could have the power to invalidate the patent protection for a hugely important product across the whole of the European Union (EU).

To meet that concern, the Agreement on a Unified Patent Court includes in Article 83 the following provisions:

1. *During a transitional period of seven years after the date of entry into force of this Agreement, an action for infringement or revocation of a European patent or an action for infringement or for a declaration of invalidity of a supplementary protection certificate issued for a product protected by a European patent may still be brought before national courts or other competent national authorities.*

2. *Unless an action has already been brought before the Court, a proprietor of or an applicant for a European patent granted or applied for prior to the end of the transitional period under paragraph 1 and, where applicable paragraph 5, as well as the holder of a supplementary protection certificate issued for a product protected by a European patent, shall have the possibility to opt out from the exclusive competence of the Court. To this end they shall notify their opt-out to the Registry by the latest one month before expiry of the transitional period. The opt-out shall take effect upon its entry into the register.*

In addition, Article 3 of the agreement provides that the agreement applies to European patents or patent applications **without prejudice to Article 83**. Note that no similar proviso is made here in relation to the agreement's application to supplementary protection certificates (SPCs), which would appear to be an unintended omission.

Questions arising from the opt out

Many people reviewing these and other provisions of the agreement expressed concerns that they could be interpreted in a way that did not achieve the objective that the opt out was understood, by most at least, to have been meant to achieve. Namely, the possibility to opt out conventional European patents from the jurisdiction of the UPC completely for their entire life, provided that opt out was exercised during the relevant period. The difficulties in interpretation arose because of the language used in both Article 83(1) – which provides for jurisdiction in both the national courts and UPC during the transitional period - and 83(3) which provides an opt out from the **exclusive** competence of the court. Depending on how you do it, reading them together these two provisions can be hard to reconcile. Further, serious questions remain as to how the opt out will be effected and administered prior to commencement of the UPC.

These questions remain unanswered but the Preparatory Committee has considered an additional question concerning the law that should be applied to opted out patents. In particular, should the national courts apply the law of the agreement to opted out patents, or should they continue to apply their national law? And indeed, what law should those courts apply during the shared jurisdiction period contemplated by Article 81(1), having regard to the somewhat ambiguous proviso in Article 3?

> Preparatory Committee says the Agreement on a Unified Patent Court does not apply to opted out patents or litigation in national courts.

In summary, the Preparatory Committee has expressed the view that the agreement should be interpreted such that it does not apply to opted out patents or SPCs, or to European patents or SPCs litigated before national courts during the transitional period. Thus the answer, in its view, to the question of applicable law in these circumstances is that national courts should not apply the provisions of the agreement but should instead continue to apply national law.

While the Preparatory Committee did not express a view on the other important issue of the effectiveness and extent of the opt out, its reasoning would suggest that in its view an opt out is complete. In its conclusion, the Preparatory Committee says: *"It is the Preparatory Committee's view that if an application for a European patent, a European patent or a Supplementary Protection Certificate that has been issued for a product protected by a European patent is opted out (or during the transitional period the case is brought before a national court), the Agreement no longer applies..."*

The apparent distinction here between opted out patents on the one hand and those litigated during the transitional period on the other, and the indication that the agreement does not apply in such situations, suggest the Preparatory Committee considers the opt out to be both for the life of the patent and from the entire jurisdiction of the UPC. If so, that would be welcome news to patentees.

Of course, this is just the opinion of the Preparatory Committee and both it and inferences that can be drawn from it need to be treated with caution. But the approach the Preparatory Committee, which comprises representatives of the contracting states, to this question, which is very much to look consider the intention of the contracting states, does indeed suggest that the opt-out should do what it was always contemplated to do.

We still await further news on how the opt out will work, in particular how to ensure key patents are opted out before commencement.

Author:
Richard Willoughby

Useful link

The opinon of the Preparatory Committee:

http://www.unified-patent-court.org/news

Little Orphan Annies
Will the Sun Come Out Tomorrow for Orphan Copyright Works?

More information
UKIPO copyright works: seeking the lost. Reference 2014-001. Launch date 10 January 2014. Closing date 28 February 2014: http://dycip.com/ukipocopyright

Copyright protects original creative and artistic works from the infringing act of unauthorised copying. The copyright owner must give consent to copying for a copier to avoid infringement. In the United Kingdom, copyright springs into existence when a work is created; there is no need for registration. While this is very convenient, it means that there is no officially recorded copyright owner. This can make it difficult for a person wishing to use a copyright work to obtain the necessary consent. In some cases the owner simply cannot be found, and the aspiring copier faces the undesirable choice of not reproducing the work or committing infringement. Copyright works in this circumstance are known as orphan works.

A conservative estimate of 91 million orphan works in the UK has been made. The UK Government is addressing this significant issue by proposing an orphan works licensing scheme. The Enterprise and Regulatory Reform Act 2013 allowed a scheme to be established, with the details of its implementation to be determined. Also, a deadline of October 2014 exists for European Union (EU) countries to enact national law in line with EU Directive 2012/28/EU on permitted uses of orphan works. Thus, UK draft regulations *The Copyright (Licensing of Orphan Works) Regulations 2014* and *The Copyright (Certain Permitted Uses of Orphan Works) Regulations 2014* have been proposed, and are currently the subject of a public consultation published by the UK Intellectual Property Office (UKIPO).

UK orphan works scheme

The orphan works licensing scheme intends that a party wishing to reproduce a work protected by UK copyright must undertake a diligent search to find the owner and seek permission for copying. If the owner cannot be found by this search, the party can apply to the authorising body (which will be the UKIPO) for a licence to reproduce the work. The authorising body can grant a licence and charge a licence fee under terms like those typically applied to similar non-orphan works. Licences can cover a range of commercial and non-commercial uses but will be non-exclusive and apply only in the UK. The fees

A conservative estimate of 91 million orphan works in the UK has been made

will be held in trust for payment to the proper rights owner should they ever claim the work. An orphan works register will be maintained to aid diligent searches and hopefully reunite some orphans with their owners.

Some other countries already have orphan works schemes. In drafting the regulation, the UK Government has used as a model the Canadian scheme, which has been operating since 1990. A significant difference proposed is that, while Canada only licenses published works, the UK scheme is to cover both published and unpublished works (such as is already done in India, for example).

Requirements of the EU Directive

The EU Directive intends that bodies with a *"public-interest mission"*, such as museums and libraries, will be able to digitise certain categories of orphan works in their collections and make them available to the public for non-commercial use, without infringing copyright. Like the UK scheme, a diligent search for the rights owner is required, after which an application for exception can be made to the competent authority (which in the UK will likely be the UKIPO). The Office for Harmonisation in the Internal Market (OHIM, which administers European Community trade marks and registered designs) will maintain a database of these orphan works. The diligent search must cover specified sources, which vary for different types of work. Mutual recognition across EU member states is proposed, under which a subsequent applicant interested in an orphan work in the database can rely on the previous search. A difference from the UK scheme is that no licence fee is payable when the exception is granted. Instead, if a rights owner returns and claims an orphan work, the body using it must pay fair compensation.

The consultation

The consultation is seeking views on the detail of the draft regulations, and also on particular points of importance. For the UK orphan works licencing scheme, these include:

- What should be done with collected licence fees which are never claimed by the rights owner?
- Should there be a time limit for a rights owner to claim ownership and receive the fees?
- What form should any appeals process take?
- How much use do you anticipate making of the scheme?

For the EU orphan works exception, questions include:

- Which sources should be covered by the diligent search?
- How should the fair compensation be determined?

If you think that these issues may affect you or your business, be aware that the consultation period ends on 28 February 2014. You can respond to the consultation via the UKIPO website (see the 'more information' link above).

Author:
Cathrine McGowan

Novartis v Hospira (Part 2)
A Strict Approach to Priority

Want to read part 1 of this report?

Visit our website to read our August newsletter article "Novartis v Hospira - Interim Injunction Granted Pending Appeal When Patent Found Invalid": www.dyoung.com/patentnewsletter-aug13

Part 2 of Novartis v Hospira follows the article in our August newsletter on the granting of interim injunctions (see link above right). In Part 2 of this case, the Court of Appeal has decided on the priority entitlement of one of Novartis' zoledronic acid second medical use patents EP(UK) 1 296 689.

Readers may recall that in the earlier reported case, Arnold J decided that EP(UK) 1 296 689 was invalid due to a prior art document published between the priority and filing date of the patent. Following this decision, Novartis appealed on the basis that claim 7 was entitled to priority. Claim 7 covered Novartis' commercial product ACLASTA, and was of commercial importance to all parties.

Claim 7 claimed priority from two US applications: US 597135 (P1) and US 267689P (P2). The point at issue for the Court of Appeal was whether P2 disclosed the subject-matter of claim 7. Claim 7 included the following five features:

i. the drug (zoledronate);

ii. use of the drug for the treatment of osteoporosis;

iii. mode of administration (intravenous);

iv. range of dosage sizes (about 2 up to about 10 mg); and

v. dosing interval (about once a year).

In relation to point (i) above, P2 disclosed that: *"a unit dose of from about 1 up to about 10 mg may be used. For example…from about 1 to about 5 mg may be used for dosing once every 6 months; whereas a dose of from about 2 up to about 10 mg may be used for once a year dosing."*

This *"2-10 mg once a year"* passage followed a teaching relating to unit dose forms of infusion solutions containing 0.5 to 500 mg of active ingredient, which were suitable for, but not limited to intravenous infusion. The passage also mentioned

Claim 7 included the drug, the condition, dosage sizes, intervals and administration

that the unit dose used depended upon potency of the active ingredient and dosing interval *"amongst other things"*, for example, method of administration and condition.

P2 also contained five examples. The most relevant was example 5, which concerned a phase II 12 month clinical trial of zoledronate for the treatment of post-menopausal osteoporosis. Either zoledronate or placebo was administered intravenously and dosage sizes and intervals included 4 mg every 12 months.

The problem faced by Novartis was that the disclosure of P2 was either too general or too specific for the combination of features (i) to (v) required by claim 7.

Novartis argued that although the *"2-10 mg once a year"* passage didn't specifically mention the treatment of osteoporosis, this was part of the general teaching and the focus of P2. In addition, Novartis submitted that intravenous administration was one of the principal routes taught in both the description and in Example 5, and that because Example 5 included studies using less than 4 mg of zoledronate at more frequent intervals, the 4 mg dose would be understood by the skilled person as not the only possible dose. They alleged that the Judge at first instance had erred by failing to read P2 as a whole.

The Court of Appeal disagreed.

The court held that there was nothing to link the dosage sizes and intervals with the other features of claim 7. The *"2-10 mg once a year"* passage was too general since it told the skilled person nothing about dosage range for any particular method of administration, and example 5 was too specific since it related to 4 mg, once a year, administered intravenously to patients with post-menopausal osteoporosis.

The court held that Novartis' arguments relied on reading the *"2-10 mg once a year"* passage as saying that this dosage size and interval could be used independently of the condition being treated and the method of administration. Instead the court read this passage as: depending on the method of administration and the condition being treated, some doses within this range may be suitable. This reading was said to be supported by the other disclosures in the patent and the common general knowledge that dosage is critically dependent on condition and method of administration.

Thus claim 7 was held not to be entitled to priority from P2. It therefore followed that the patent was invalid and the appeal was dismissed.

Comments

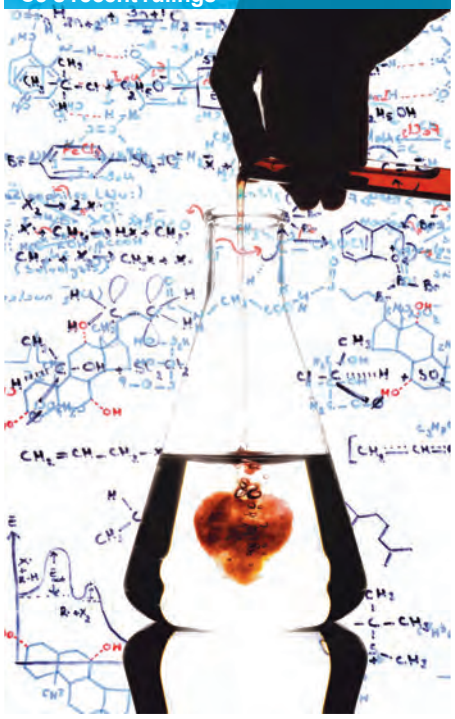
This decision demonstrates a very strict approach being taken by the UK courts to priority, especially since all of the elements of claim 7 were disclosed in P2. It does, however, make clear that a link between individual features is required in order for a combination claim to be entitled to priority.

If you have any questions on priority, please contact your usual D Young & Co advisor.

Authors:
Rachel Bateman

An SPC Trilogy
CJ Decides Three in a Day

SPC applicants are likely to welcome the CJ's recent rulings



The Court of Justice of the European Union (CJ) was very busy in December 2013, ruling on three cases relating to Supplementary Protection Certificates (SPCs) on the same day. These rulings are generally good news for SPC applicants and clarify some long overdue questions of law in this constantly evolving field.

The Georgetown University (C-484/12) and Actavis v Sanofi (C-443/12) cases were both concerned with the same question: if the same basic patent protects more than one authorised medicinal product, can this same basic patent be the basis of an SPC for each of these products? In other words, does the SPC Regulation specify *"one SPC per patent"* or *"one SPC **per product** per patent"*?

Both cases were also concerned with the specific question of if the basic patent protects a medicinal product (A), whether the same patent could also protect another authorised product (A+B) which is a combination of that product (A) and another medicinal product (B) not protected by the patent.

Although the general practice of most patent offices in the European Union (EU) has been to grant SPCs for each product in this situation, there has long been a slight uncertainty over the issue in view of a comment by the CJ in the earlier Biogen and Medeva decisions, which had potentially suggested only one SPC could be granted per basic patent.

In the Medeva decision (C-322/10) the CJ indicated that an active ingredient should be 'specified' in the claims of a basic patent in order for an SPC to be based on that basic patent. This caused controversy and confusion as it was unclear how the term 'specified' should be interpreted – in particular, how narrow the claim needed to be to adequately 'specify' the product.

The Actavis v Sanofi reference was the final chapter in the Europe wide litigation between Sanofi and various generic manufacturers. Sanofi's basic patent contained both claims to irbesartan itself and to a combination of irbesartan and a diuretic. Based on this same patent, Sanofi had obtained, firstly an SPC to irbesartan as the sole active, and then a second SPC to a combination of irbesartan and the diruretic hydrochlorothiazide (HCTZ). After the first SPC had expired, generic manufacturers had challenged the second SPC on the basis that the claim to irbesartan and a diuretic did not adequately 'specify' the product as required by the Medeva decision. National courts gave differing verdicts on this point: some upholding the second SPC, others revoking it. The UK High Court was unsure, and referred the matter to the CJ.

The CJ upheld Georgetown's SPC, but invalidated the second Sanofi SPC. The court distinguished the two cases in that, in Georgetown, all the SPCs were filed on the same day (and therefore none could be granted before the others were filed), whereas in Actavis v Sanofi the first SPC had already been granted before the second was filed. This difference appears critical in the CJ's reasoning in allowing the combination SPC in Georgetown but not in Actavis.

Both decisions appear to provide a qualified endorsement of the general principle of *"one SPC **per product** per patent"*, particularly in the situations wherein the first SPC has not been granted before the second was filed; and/or wherein the SPCs expire on the same day. However, in view of the restricted wording of both judgments, it is possible that national courts may follow it only in cases where one SPC relates to an active ingredient (A) and the other SPC relates to a combination (A+B).

The Eli Lilly v Human Genome Sciences case (C-493/12) was concerned with how strictly the Medeva 'specified' test should be applied. In this case, the court ruled that it is not necessary for the active ingredient to be identified in the claims of the patent by a structural formula to meet this test: in particular, it is acceptable that the active ingredient is covered by a functional formula. This is good news in that the potential restrictive effect of the 'specified' test in Medeva seems to have been partially relaxed, particularly for biological products which are often defined at least partially by function.

It should be noted that, in both the Eli Lilly and Actavis cases, the court declined to answer the more fundamental question of what Article 3(a) of the SPC Regulation means by a product *"protected by a basic patent in force"*. In the referring UK judgment, Arnold J suggested that, when deciding this question, consideration should be given to the 'inventive advance' embodied in the basic patent. The CJ appeared to concur with this view in Actavis, observing that the combinations were not *"protected as such by the basic patent but simply referred to in the wording of the claims of the patent in general terms"* and that the grant of such SPCs may be contrary to the objectives of the Regulation. However, it decided the case based on Article 3(c) of the SPC Regulation (ie, that the product had already been the subject of an SPC), rather than Article 3(a). Nevertheless, if a pharmaceutical company is developing in parallel a medicinal product (A) both as a sole active and in combination with another product (B), the CJ's advice seems clear: if at all possible, file the SPCs on the same day.

Author:
Garreth Duncan

And finally…

D Young & Co Acclaimed Leading UK Patent Firm
Patent Work Ranked Top Tier Across the Legal Directories

D Young & Co is top tier for patents in Legal 500, MIP, Chambers and IAM Patent 1000

We are delighted to announce that we have been ranked as a top tier firm for patent prosecution in the Managing Intellectual Property Magazine (MIP) Global IP Survey 2014. We are particularly proud to note that this means that we now hold all the UK IP directory cards: we are listed as top tier for our patent and/or trade mark work in Legal 500, MIP, IAM Patent 1000, WTR 1000 and Chambers UK.

The MIP Global IP Survey consists of rankings of the leading firms practicing in intellectual property in each country. Top tier firms are regarded as having the strongest practices in the patent prosecution category. Prosecution work includes filing of patents and associated work in that jurisdiction, including filing for overseas clients.

The ranking reflects our standing in the market over several years and follows MIP's extensive research, based on the information and feedback received from firms and clients.

The second part of the survey, covering trade mark work, will be published in March 2014, with further research (including analysis and lists of the world's leading lawyers) to be published in the MIP Handbook in May 2014.

We would very much like to thank our clients and peers for their support during MIP's research process.

Contact details

D Young & Co LLP
120 Holborn, London, EC1N 2DY
T +44 (0)20 7269 8550
F +44 (0)20 7269 8555

D Young & Co LLP
Briton House, Briton Street
Southampton, SO14 3EB
T +44 (0)23 8071 9500
F +44 (0)23 8071 9800

www.dyoung.com
mail@dyoung.com

Contributors

Partner, Editor
Anthony Albutt
aja@dyoung.com
www.dyoung.com/anthonyalbutt

Partner
Garreth Duncan
gad@dyoung.com
www.dyoung.com/garrethduncan

Partner
Richard Willoughby
rww@dyoung.com
www.dyoung.com/richardwilloughby

Partner
Doug Ealey
dre@dyoung.com
www.dyoung.com/dougealey

Associate
Cathrine McGowan
cmg@dyoung.com
www.dyoung.com/cathrinemcgowan

Associate
Rachel Bateman
reb@dyoung.com
www.dyoung.com/rachelbateman

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