

THE INTELLECTUAL  
PROPERTY  
REVIEW

SEVENTH EDITION

Editor  
Dominick A Conde

THE LAWREVIEWS

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PROPERTY  
REVIEW

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# CONTENTS

PREFACE.....	vii
<i>Dominick A Conde</i>	
Chapter 1	UPCOMING CHANGES TO EUROPEAN PATENT LITIGATION ..... 1
<i>Peter Damerell, Richard Fawcett and Bryce Matthewson</i>	
Chapter 2	BELGIUM ..... 9
<i>Bernard Vanbrabant and Erika Ellyne</i>	
Chapter 3	BRAZIL..... 22
<i>Philippe Bbering and Jiuliano Maurer</i>	
Chapter 4	CANADA..... 36
<i>Adam Haller and Kristin Wall</i>	
Chapter 5	CHILE..... 46
<i>Marino Porzio</i>	
Chapter 6	CHINA..... 56
<i>Jay Sha and Michelle Ma</i>	
Chapter 7	CYPRUS..... 75
<i>Christodoulos G Vassiliades</i>	
Chapter 8	DENMARK..... 83
<i>Rasmus Munk Nielsen</i>	
Chapter 9	FRANCE..... 92
<i>Stanislas Roux-Vaillard</i>	
Chapter 10	GREECE..... 104
<i>Christos Chrissanthis, Xenia Chardalia and Antonia Vasilogamvrou</i>	



## Contents

---

Chapter 11	INDIA .....	120
	<i>Pravin Anand and Raunaq Kamath</i>	
Chapter 12	ISRAEL.....	143
	<i>Yedidya Melchior</i>	
Chapter 13	JAPAN .....	154
	<i>Chie Kasahara, Kunihiko Sumida and Takafumi Ochiai</i>	
Chapter 14	KOREA .....	165
	<i>Gon-Uk Huh, A-Ra Cho, Young-Bo Shim, Dong-Hwan Kim and Yoon Suk Shin</i>	
Chapter 15	LUXEMBOURG.....	175
	<i>Anne Morel</i>	
Chapter 16	MALTA.....	187
	<i>Maria Chetcuti Cauchi</i>	
Chapter 17	MEXICO .....	203
	<i>Victor Garrido</i>	
Chapter 18	NETHERLANDS.....	214
	<i>Wim Maas and Maarten Rijks</i>	
Chapter 19	PHILIPPINES .....	230
	<i>Editha R Hechanova</i>	
Chapter 20	PORTUGAL.....	245
	<i>Gonçalo Moreira Rato and Mafalda Jardine Neto</i>	
Chapter 21	RUSSIA .....	255
	<i>Anton Bankovskiy and Anastasia Entyakova</i>	
Chapter 22	SWITZERLAND .....	264
	<i>Andrea Strahm, Martina Braun, Yannick Hostettler and Melanie Müller</i>	
Chapter 23	TAIWAN.....	276
	<i>Edward Liu and Brian Wang</i>	
Chapter 24	UNITED KINGDOM .....	286
	<i>Gordon Harris, Andrew Maggs, George Sevier and Ailsa Carter</i>	

## Contents

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Chapter 25	UNITED STATES .....	305
	<i>Jason A Leonard and Dominick A Conde</i>	
Chapter 26	VIETNAM.....	316
	<i>Tran Manh Hung</i>	
Appendix 1	ABOUT THE AUTHORS.....	331
Appendix 2	CONTRIBUTING LAW FIRMS' CONTACT DETAILS.....	351

# PREFACE

Over the past several decades, there has been a major push to provide uniform and harmonised intellectual property coverage worldwide. To date, however, there remain significant differences and gaps in intellectual property coverage globally. As commerce increasingly becomes focused on international trade rather than individual countries, companies and clients must respond by thinking globally while also understanding the differences that remain between jurisdictions.

While jurisdictional differences can be anticipated and addressed, these differences are further magnified by the geopolitical turmoil that persists worldwide. A prime example is the United Kingdom's Brexit vote, which initially appeared to doom the prospects of establishing a Unified Patent Court in Europe. Those initial fears, however, may have been premature as the United Kingdom is now in a position to fully ratify the treaty establishing the unified court. Another example is President Trump in the United States. While his unorthodox governing style has left many policies of the United States government in turmoil, he has been successful in appointing a new director of the Patent Office and apparently is taking a tougher stand on the misuse of US intellectual property rights, including by placing tariffs on goods subjected to the forced transfer of US intellectual property to Chinese firms. On the other hand, President Trump has failed to fill many key diplomatic posts, weakening efforts at further worldwide cooperation on intellectual property matters. Finally, as China continues to grow its economy, its intellectual property laws have become better defined and more reliable.

To aid practitioners who are navigating this ever changing landscape of global intellectual property, we now present the seventh edition of *The Intellectual Property Review*. In this seventh edition, we present 25 chapters that provide an overview of the forms of intellectual property coverage available in each particular jurisdiction, along with an update of its most recent developments. Each chapter is written and assembled by leading practitioners in that jurisdiction. While all involved have striven to make this review both accurate and comprehensive, we must note that it is necessarily a summary and overview, and we strongly recommend that the reader seek the advice of experienced advisers for any specific intellectual property matter. Contact information for the authors of each chapter is provided at the end of this review.

**Dominick A Conde**

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## ABOUT THE AUTHORS

### DOMINICK A CONDE

*Fitzpatrick, Cella, Harper & Scinto*

Dominick Conde is a partner at Fitzpatrick, Cella, Harper & Scinto and is widely recognised for his experience and accomplishments in patent litigation. For almost 30 years, Mr Conde has tried and argued patent cases, including arguing numerous cases before the Court of Appeals for the Federal Circuit, and United States District Courts. He is active in all aspects of the firm's patent practice, focusing particularly on large-scale litigation matters related to chemistry, pharmaceuticals and pharmaceutical devices and diagnostics. He has appeared and been lead counsel for numerous major international companies including Astellas Pharma, Bristol-Myers Squibb, Daiichi Sankyo, Eli Lilly & Co, Entegris, LEO Pharma, Merck & Co, Pfizer, Reckitt-Benckiser, Reliable Sprinkler Company, Sanofi-Aventis, Novartis, Aralez Pharmaceuticals, Pernix Therapeutics and Warner Chilcott.

Mr Conde has been widely recognised by many publications as a leader in the life sciences field. He has been recognised as a leading patent lawyer by *Chambers* (2011 to present); recognised as a top intellectual property law practitioner by *Best Lawyers in America* (2011, 2014, 2015, 2016); recognised as a leading patent litigator by *The Legal 500* (2008, 2009, 2011, 2012, 2014); named a leading lawyer, *LMG Life Sciences* (2012–2014); named a Top 10 Life Science Litigator, *Managing Intellectual Property* (2013–2015); named an IP star, *Managing Intellectual Property* (2013–2015); and in 2015 received the Burton Award for an article in the *New York Law Journal*. Clients have also recognised his skills, talent and expertise: 'He sees the forest through the trees and never gets tunnel vision. He also understands the need to find business solutions to legal problems and is very pragmatic,' (*IAM Patent 1000 2015 – The World's Leading Patent Professionals*); 'an intellectual giant, but one who can distil complex patent issues into clear, concise and cogent language that anyone can understand. Business leaders like him because of his clarity. Attorneys like him because they know his direct advice is grounded in thorough legal analysis and experience' (*Best Lawyers*, 2014); 'completely stands out in terms of raw intelligence, lawyering skills and putting together the perfect case' (*Chambers USA 2013*); and 'superb litigator' (*IAM Patent 1000 2013 – The World's Leading Patent Professionals*); 'the best trial lawyer in the country for complex medical cases' (*The Legal 500 2012*); 'an outstanding strategist and litigator. If you end up going to trial, he is amazing – nothing gets by him' (*The Legal 500 2011*).

Mr Conde formerly served as the firm's managing partner and is currently on the firm's management committee.

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