Topics

- Germany & Netherlands: Court practice after ‘Orange Book Standard’ and ‘Philips/SK Kassetten’
- UK: Update on IPCom v Nokia UK
- The FRAND defence in Germany, the Netherlands and UK
- Panel discussion on strategy: Claimants' and defendants' Litigation, Industry vs NPEs, Speed of EU vs US proceedings

Speakers

Klaus Haft (Chairman)
Attorney, Partner of Reimann Osterrieth Köhler Haft, Düsseldorf, Germany

Bart van den Broek
Attorney, Partner of Hoyng Monegier LLP, Amsterdam, The Netherlands

Rian Kalden
Judge, Rechtbank’s-Gravenhage, The Hague, The Netherlands

Ari Laakonen
Solicitor, Partner of Powell Gilbert LLP, London, UK

Kevin Scott
Principal IP Counsel, Philips Intellectual Property & Standards, Redhill, UK

Dr. Claudia Tapia
Director IP Policy, Research in Motion, Bochum, Germany

Dr. Peter Tochtermann
Judge, Landgericht Mannheim, Mannheim, Germany

Edwin H. Wheeler
Vice President, Rovi Corporation, Santa Clara, USA
About this conference

A modern electronic consumer product, such as a mobile phone, is now potentially covered by thousands of patents owned by hundreds of companies. A large number of these patents also cover the standards which such products must comply with.

But litigating standard-essential patents are different from litigating ordinary implementation patents. While on one hand the patentee might more easily prove infringement because features of standard-essential patents may be found in the standard used by the defendant, the defendant on the other hand is offered some additional defences deriving from FRAND.

Can companies owning standard-essential patents enforce them without restriction? What is the correct royalty for a licence to such patents? Should an injunction be available against defendants who refuse to take a licence on terms offered by the patent owner? How can the patent owner validly assert his rights in respect of hundreds of patents? If the patent owner has committed to granting a licence on fair, reasonable and non-discriminatory terms for such patents, should he be allowed to seek a border seizure of imported goods?

These questions keep the industry and courts in Germany, the Netherlands and the UK. As licensing negotiations always take place in the shadow of actual or potential litigation, the answers supplied by the courts will shape the industry.

Who should attend

- Attorneys at law
- Heads and managers of legal departments
- Heads and managers of IP departments
- IP consultants
- Corporate counsels
- R&D officers

working in the field of industries with standard-essential patents

Further information

www.international-patent-litigation.com

Event information

The Practice of multi-jurisdictional Patent Litigation –
Conference with Judges Floyd, Grabinski and Kalden on
18 and 19 March in Amsterdam

Litigating Standard-Essential Patents

Chairman

Klaus Haft
Attorney, Partner of Reimann Osterrieth Köhler Haft,
Düsseldorf, Germany

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Bochum, Germany

Dr. Peter Tochtermann
Judge,
Landgericht Mannheim,
Mannheim, Germany

Edwin H. Wheeler
Vice President,
Rovi Corporation,
Santa Clara, USA
Your program

09:00 am
Welcome and Opening Remarks
Klaus Haft

09:15 am
Keynote: 'Orange Book Standard' and beyond
Dr. Peter Tochtermann
- History of the 'Orange Book Standard' Case-Law
- Court practice following the 'Orange Book Standard' Case-Law
- Open Questions

09:45 am
Litigating Standard-Essential Patents in Germany
Klaus Haft
- Proof of infringement
- Availability of injunctive relief and specific defenses
- Latest case law

10:30 am Coffee Break

11:00 am
Litigating Standard-Essential Patents in the Netherlands
Bart van den Broek
- Practical implications of Dutch FRAND-approach
- Enforcement tools for essential patent holders

11:45 am
Litigating Standard-Essential Patents in the United Kingdom
Ari van Laakonen
- FRAND defences in the UK, update on IPCom v Nokia UK
- Patent litigation in the UK in light of proposals for a unified European patent court system

12:30 pm Lunch Break

02:00 pm
Panel Discussion: Litigating Standard-Essential Patents in Europe
Moderator: Klaus Haft
Panelists: Rian Kalden, Dr. Peter Tochtermann, Dr. Claudia Tapia, Kevin Scott, Edwin H. Wheeler, Bart van den Broek, Ari Laakonen
- Claimants' and defendants' litigation strategies
- Industry v NPEs - new strategies?
- Speed of EU proceedings vs US proceedings - new strategies?
- What role will the Central Division play?

03:30 pm Coffee Break

04:00 pm
Outlook
Rian Kalden
- Approach followed by the Court in 'Philips/SK Kassetten' and distinctions with 'Orange Book' in Germany;
- Court practice following the 'Philips/SK Kassetten' decision
- Open questions

05:00 pm End of the Conference
Registration under registration@forum-institut.com or Fax +49 6221 500-555

Registration Form

Yes, I will attend the International Conference

☐ Litigating Standard Essential Patents
20 March 2012

☐ The Practice of multi-jurisdictional Patent Litigation
18 – 19 March 2012

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Any Further Questions?

I am gladly at your disposal should you have any further questions about the seminar.

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How to register

Registration: +49 6221 500-501
Conference-No. 12 03 112 B

Web:
www.forum-institut.com

Date/Venue:
20 March 2012
Wyndham Apollo Amsterdam
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Fee:
€ 1.180,– or € 1.960,– for both conferences.
The fee includes course documentation as well as mid-session refreshments and lunch. Invoice and confirmation will be forwarded to you.

Hotel accommodation:
A limited number of rooms have been reserved at the hotel and are subject to availability. Please book at least four weeks prior to the seminar to obtain a hotel room at the discounted fee. All bookings should be made directly with the hotel quoting Forum Institute and the Conference-Number.

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