



EPLAW congress & general assembly

30 November 2018 • Brussels

Programme

For further information please contact
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Social event of 29 November at 19:00

Venue

Les Brigittines

5 Place de la Chapelle
1000 Bruxelles
Belgique

Telephone : +32 2 512 68 91

30 November 2018

Venue

The Hotel Brussels
Boulevard de Waterloo 38
1000 Bruxelles
Belgique

Telephone : +32 2 504 11 11

8:30 Registration and Coffee

9:00 Welcome, General Assembly

President's report
Financial report
Board and Advisory Board announcements
Vote of new Board members

Part 1 - Pros and Cons of Different Patent Litigation Systems in Europe

9:30 Insiders perspectives - from parallel patent litigation proceedings

The patent litigation systems in Europe vary. Especially the role of expert witnesses; whether witnesses are cross-examined; how much time the lawyers is given to present their arguments orally; the duration of the trials; and the use of technical judges; differ a lot. **Three internal patent counsel** who have firsthand experience with parallel patent cases in many European jurisdictions will share some of their experiences and views on pros and cons of different patent litigation systems in Europe.

The three in-house counsel are:

Ivan Burnside, Eli Lilly
Clemens Heusch, Nokia
George Moore, Mylan

Moderator: Rechtsanwalt **Klaus Haft**

10:20 Coffee Break

10:40 Judges' experiences and views

A panel of judges from Finland, Germany, Switzerland, the UK and Korea, will explain their views on the pros and cons of their different procedural systems, such as:

- Case management - can the main issues and documents of the case be pinpointed before the main hearing? If so, how and when?
- Should there be preliminary opinions from the court; Technical opinions from technical experts and/or statements ("summons") of central points to be discussed (EPO TBA style) before the main hearing?
- The role of expert witnesses - are they useful and should there be a right to *cross-examine* them; what is the value of cross-examination?
- Are cases best decided mainly on the basis of written submissions; what is the value of oral pleadings in court and what should the length be, if any;
- Is the result *de facto* open when the hearing starts? Should it be?

The panel of judges:

Judge Jussi Karttunen, Market Court, Finland

Judge Andreas Voß, Oberlandesgericht Karlsruhe, Germany

Judge Sang Hoon Na, Patent Court of Korea

Christian Hilti, non-permanent judge, Swiss Patent Court

Attorney Myles Jelf, UK (replacement for Justice Henry Carr)

Moderators: Advocaat **Bas Berghuis** and Advokat **Sture Rygaard**

12:00**Member survey - results and proposals**

Results from an EPLAW Member survey on pros and cons of different aspects of patent litigation systems

12:15 Working Lunch

The Members will be given some questions to consider over lunch

13:00 Panel and floor debate

The judges, the internal patent counsel and the floor debate pros and cons of elements of different patent litigation systems and suggestions for best practices/improvements

Moderators: Advocaat **Bas Berghuis** and Advokat **Sture Rygaard**

14:15 Coffee Break

Part 2 - The Judges' Venice Meeting 2018 -

14:35 meeting Highlights and main takeaways from the Judges' Venice meeting

Presented by Advocaat **Daan de Lange**

Part 3 - UPC

15:00 - 15:20 Progress and recent developments on the UPC

Attorney **Kevin Mooney**
Avocat **Pierre Véron**

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