

## An Update from the Director on the Work of the Institute – February 2009



### Pharmaceutical Sector Inquiry

The Institute submitted its comments to the DG Competition Inquiry into the pharmaceutical sector at the end of January.

Our paper focuses on the IP-related aspects of the Commission's Preliminary Report, addressing issues such as filing strategies, litigation, oppositions, appeals and settlements. However, the Institute has also criticised some general features of the Report, especially the poor presentation, analysis and interpretation of the data gathered by the Commission, which we believe undermines its credibility. More information about the Inquiry is available from the Commission's web site (link below).

<http://ec.europa.eu/competition/sectors/pharmaceuticals/inquiry/index.html>

At this time, the responses to the Inquiry have not been posted on the site, but if you would like a copy of the Institute's paper, please get in touch with me directly: [ipi@ip-institute.org.uk](mailto:ipi@ip-institute.org.uk)

### Francis Gurry on “The Future of IP”

The (relatively) newly appointed Director General of WIPO will deliver the fifth lecture in our “Future of IP” series on 16<sup>th</sup> March. The event will be chaired by **Ian Fletcher**, CEO of the UK IPO, and we have invited the Minister for IP, **David Lammy**, to make some introductory remarks: I will confirm this as soon as possible. More information about the event is available from the IPI web site at the link below.

[http://www.ip-institute.org.uk/pdfs/francis\\_gurry\\_seminar.pdf](http://www.ip-institute.org.uk/pdfs/francis_gurry_seminar.pdf)

If you missed **Alison Brimelow's** superb “Future of IP” address last month, you may download a copy of her text at the link below. Of course, Alison did not stick rigidly to a text, and it does not capture the excellent Q+A session afterwards chaired by **Sir Robin Jacob**: it's good, but it's no substitute for being there!

<http://www.ip-institute.org.uk/pdfs/alisonbrimelowspresentation.pdf>

### Other Forthcoming Events

Our seminar programme continues to be busy and we have a very strong pipeline of events coming up over the next few months, so please get these dates in your diary.

- **18<sup>th</sup> March: Professor Hector MacQueen** will address “Authors, Editors, Originality and Antiquity” at a seminar hosted by Milbank Tweed Hadley & McCloy LLP: **David Perkins** will chair the proceedings.

- **13<sup>th</sup> May: Dr Dev Gangjee** will speak on the subject of “Trade Mark Dilution: Bringing Blurring into Focus”.
- **28<sup>th</sup> May: Professor Lionel Bently** will examine the gloriously entitled case “Chicken Nuggets: Re-Reading Faccenda Chicken v Fowler”.
- **10<sup>th</sup> June: David Kappos** (IBM’s Vice President and General Counsel for IP): the sixth in our “Future of IP” lecture series.
- **18<sup>th</sup> June: James Wallace** (Wiley Rein LLP) will cover the Blackberry case (NTP v RIM): how NTP got \$12.5 million.

## What’s New in the IPQ

The latest issue of the IP Quarterly includes papers from **Chris Wadlow** on the protection of regulatory data under TRIPs and the Paris Convention; **Hazel Carty** on modern action for breach of commercial confidence; **Chris Dent** on the principles, precepts and purposes that provide structure to the patent system; and **Sigrid Sterckx** on the Warf case (patentability of stem cells under the EPC).

## Hugh Laddie

There will be an event to remember, and celebrate the life of Sir Hugh Laddie on 4<sup>th</sup> March, 5.00pm at Middle Temple. I have no further details at this stage, but I would advise you to get there a little early: it will be very busy, as you would expect. If anyone has more details and would like me to pass them on, I would be pleased to do so.

## What’s New with You?

We are always keen to understand what IP issues are to the fore among our members so that we can work to address them, either through research or our seminar programme. Please contact us to let us know if there is anything specific from your point of view; we will help in any way we can.

Best regards,



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The IP Institute is a member organisation of the IP Awareness Network [www.ipaware.net](http://www.ipaware.net)