

## Brief introduction to Withers & Rogers LLP

[Withers & Rogers LLP](#) is one of the leading intellectual property law firms in the UK and Europe. We specialise in the protection and enforcement of IP rights, including patents for inventions, trade marks and design rights.

With more than 50 experts with specialist experience in many industry sectors, we enjoy working closely with our clients so we can advise them on the best intellectual property strategy to meet their needs. We are respected as IP partners in business.

Located at our offices in London, Midlands, Bristol and Sheffield, our experts provide specific advice on all aspects of European and international intellectual property law. We take pride in our global reach and local knowledge.

ウイザーズ&ロジャーズLLPによるこそ

ウイザーズ&ロジャーズLLPは、大手の欧州・英国特許商標弁理士事務所です。125年以上にわたり、私共は英国、欧州、そして世界各地の知的財産法の分野において、専門家としてのサービスを提供して参りました。

ウイザーズ&ロジャーズは、クライアントのビジネスにおける知的財産の役割を理解し、専門家としてのアドバイスを提供することによって、クライアントが知的財産権から最大の利益を上げられるよう努力しております。ウイザーズ&ロジャーズは、最大限の知的財産の保護をもたらし、リーズナブルな費用で効率良くクライアントが望む結果を得られるような戦略的アドバイスを提供いたします。

当事務所の弁理士はそれぞれ技術に精通しており、クライアントの事業分野を的確に把握することができます。当事務所は、機械、電子、自動車、航空、コンピュータのソフト及びハードウェア、電気工学、通信、化学、バイオ技術など、幅広い技術分野に対応しております。当事務所の弁理士は、原則としてそ

それぞれ専門の技術分野の案件を担当しますが、クライアントのニーズに応じて柔軟に複数の技術分野にまたがるチームを編成することも可能です。

英国および欧州特許弁理士として、私共は英国知的財産庁および欧州特許庁の何れに対しても代理人として活動を行っております。特許出願の明細書作成と出願手続、また、欧州特許庁における異議申立および上級審における口頭審理の経験も豊富です。国際的に事業を展開している多数の企業をクライアントとして持ち、特許の権利取得や特許紛争の解決などあらゆる側面で、国際的なサービスを提供しております。

また、ウイザーズ&ロジャーズは、有数の商標事務所です。英国をはじめ世界各地において、商標の選択、保護および侵害訴訟の面でアドバイスを行ってきた豊富な経験があります。私共は国際的なブランドのクリアランス調査および登録に関しても最善の方法をアドバイスいたします。

私共は侵害に対する権利行使、また第三者の権利行使に対する防御の双方で訴訟経験が豊富です。さらに交渉や契約書作成など知的財産ライセンス契約のサポートも行っております。

私共は、多くの有名な国際的企業にサービスを利用いただいていることを大変光栄に思っています。そのうちの多くのクライアントが、当事務所のサービスを長年にわたって継続してご利用頂いております。ここをクリックすると当事務所の代表的クライアントが一覧いただけます。

英国には、メインのロンドンをはじめ、ブリストルとミッドランズ、合わせて三か所にオフィスがあります。

当事務所、所属弁理士およびサービスに関する詳細につきましては、ジョン・ディーン (John Dean)までご連絡ください。

## 1 Purpose of the seminar

This seminar is to give an introduction to the European patent system for members of Japanese corporate patent departments and Japanese patent attorneys from private practice. Our aim is to provide information and practical advice about the system for Japanese users of the European patent system.

## 2 Programme

Day	Subject	Topic	Time	Presenter
1	The European patent system in context.	<ul style="list-style-type: none"> <li>Information about the European system</li> <li>EP vs National systems</li> <li>Proposed EU Community patent</li> </ul>	1 hour	John Dean
1	Review of European patent prosecution - Part 1 Substantive Law	<ul style="list-style-type: none"> <li>Priority</li> <li>Novelty</li> <li>Inventive step</li> <li>Excluded subject matter</li> <li>Sufficiency</li> <li>Claim Interpretation</li> </ul>	5 hours	Nick Wallin and Jim Ribeiro
1	Welcome Drinks reception			
2	Review of European patent prosecution - Part 2 Procedural Law	<ul style="list-style-type: none"> <li>Filing Formalities</li> <li>Search Phase</li> </ul>	6 hours	Nick Wallin and Jim Ribeiro

		<ul style="list-style-type: none"> <li>• Examination Phase</li> <li>• Amendments</li> <li>• Grant</li> <li>• Validation</li> <li>• Oral Proceedings</li> <li>• Appeals</li> <li>• Further Processing</li> <li>• <i>Restitutio in integrum</i></li> <li>• Corrections</li> <li>• Transfers</li> </ul>		
	Informal Dinner (Possible free evening)			
3	Post grant issues	<ul style="list-style-type: none"> <li>• Assignment and licensing</li> <li>• Opposition &amp; Appeals</li> <li>• Enforcement</li> </ul>	3 hours	John Dean  Nick Wallin
3	Practical sessions in 3 groups	<ul style="list-style-type: none"> <li>• Group 1 - claim drafting exercise</li> <li>• Group 2 - protection of software in</li> </ul>	3 hours	Jim Ribeiro  Nick Wallin

		Europe <ul style="list-style-type: none"><li>• Group 3 - protection of biotech and pharmaceutical inventions in Europe</li></ul>		John Dean
3	Closing Drinks and Dinner			

### 3 Lecturers

John Dean BSc, CPA, EPA, RTMA

Partner



#### Higher Education

John has a degree in Microbiology and Microbial Technology from the University of Warwick.

#### Career to date

John joined the Firm in 1985 and has been a Partner since 1994. He is based in our Bristol office, and is now the Bristol office Managing Partner as well as heading the Life Sciences & Chemistry group. In addition to being a European patent attorney he also qualified as a trade mark attorney and this has been useful to life sciences clients. He is a member of FICPI: <http://www.ficpi.org/>

#### Personal Skills

John handles patent prosecution and opposition work for industrial and academic biotechnology clients based in the United Kingdom, Scandinavia, United States, Netherlands and Germany. In a 24 year career he has gained wide experience and often advises on IP strategy. He specialises in work relating to recombinant DNA technology, nuclear receptors, vaccines, antibodies and derivatives, crystals, drug discovery methods, microbiology and biomedical products as well as medical devices. He particularly enjoys EPO Opposition and Appeal work and takes on cases from other technical fields. He

has significant IP due diligence experience and prepares reports for investors, and for Stock Market listing.

As a regular visitor to Japan since 1990 he is still making attempts to improve his knowledge of the Japanese language.

#### Client experience

John works for a variety of clients including Vitrolife AB, Cardiff University, Meda AB, the University of Bristol and the University of the West of England.

#### Notable successes

Apart from having a good record in EPO opposition and appeal work, John helped found the Firm's Bristol Office, which opened in 1989.

#### On a personal note...

John is very proud of his two daughters. John enjoys country sports and riding bikes.

### **Nicholas Wallin MEng, LL.M, CPA, EPA, PAL**

Partner



#### Higher Education

MEng Electronics Systems Engineering, First Class Honours, University of York, 1993-1997. Recipient of British Telecom prize for highest Finals results, 1997

Certificate in Intellectual Property Law, Pass with Credit, Queen Mary and Westfield College, University of London, 1998

LLM Intellectual Property Litigation, Distinction awarded, Nottingham Law School, Nottingham Trent University, 2002-2004

Certificate in Patent Litigation, Pass with Distinction, Nottingham Law School, Nottingham Trent University, 2002-2003

#### Career to date

Prior to training as a patent attorney Nicholas spent time working at BT's research labs in Martlesham Heath, Suffolk, in the fields of speech synthesis and 3D computer graphics. Whilst there he was named as an inventor on several patents relating to generating 3D computer models.

Nicholas subsequently trained as a patent attorney at a private practice firm in London and qualified as a UK Chartered Patent Attorney and as a European Patent Attorney in 2001. After qualifying Nicholas worked in-house at BT within the Intellectual Property Department, where he had responsibility for the speech recognition patent portfolio, as well as undertaking much original drafting work. In addition, whilst at BT Nicholas undertook a part-time LLM at Nottingham Law School.

Nicholas joined Withers & Rogers in July 2004, where he continues his patent drafting and prosecution practice, whilst also developing a strong contentious matters practice. In particular, Nicholas gained sufficient experience to be awarded a Litigator's Certificate in 2005, entitling him to conduct High Court IP litigation, and since then has litigated cases in the Court of Appeal, High Court, Patents County Court and Patent Office. Nicholas became a partner in 2006.

#### Personal Skills

Nicholas has a solid understanding of many fundamental enabling technologies throughout the electronics and communications fields, studied to undergraduate level, and which Nicholas finds of great help in drafting and prosecuting new patent applications for such inventions. Nicholas also has an interest in contentious IP matters, and particularly patent and design litigation, and associated civil procedure, and regularly applies such specialist knowledge where possible in his daily work. In this respect, Nicholas is particularly interested and adept in the tactical use of formal evidence during EPO and UKIPO proceedings. Nicholas is also actively involved with the training of European patent attorneys, and regularly lectures at CEIPI, in Strasbourg, as well as giving tutorials in London.

## Sector Experience

Nicholas is one of Europe's leading practitioners in the field of computer implemented inventions, and has extensive experience of software inventions, and particularly operating systems. Nicholas also has experience in other fields, including communications related technologies, particularly mobile devices; consumer electronics related technologies; and general mechanical devices. Nicholas is a full member of the Institution of Engineering and Technology (IET).

## Client Experience

Nicholas has worked and continues to work for a number of blue-chip companies, many of which are household names, including BT plc, ICI plc, and Symbian. However, Nicholas also works with smaller UK based companies and Higher Education Institutes, including CSR, King's College London, and the University of Cambridge.

## Notable Successes

In 2007 and 2008 Nicholas handled the successful appeal to the High Court of a decision of the UKIPO to refuse a Symbian patent application relating to an improvement in smartphone operating systems. The decision of Patten J allowing the appeal is reported at <http://www.bailii.org/ew/cases/EWHC/Patents/2008/518.html>.

Nicholas then subsequently handled the successful defence of the decision against an appeal of the UKIPO to the Court of Appeal. On 8 October 2008 the Court of Appeal handed down its judgment finding in favour of Symbian, the judgment being available at <http://www.bailii.org/ew/cases/EWCA/Civ/2008/1066.html>. The Court of Appeal judgment finally caused the UKIPO to alter its practice in this area, and the Symbian decision remains the leading decision in the UK in the field of the patentability of software. The Symbian case was immediately followed by the decision of the EPO president to refer the question of computer program patentability to the EPO Enlarged Board of Appeal.

On a personal note...

I am a keen music fan and regularly attend concerts at venues throughout London. In addition I have recently developed an interest in golf, and am (slowly!) improving my game. Finally, I am also football fan supporting Middlesbrough FC, and have travelled both within the UK and Europe to attend their games.

## **Jim Ribeiro BSc, CPA, EPA**

Partner



### Higher education

Jim has a first class honours degree in physics from Bristol University.

### Career to date

Jim trained at a firm of patent attorneys in London from 1992 to 1998, where he qualified as a UK Patent Agent and European Patent Attorney. He then moved to the New Zealand/Australian firm of Baldwin Shelston Waters where he qualified as a New Zealand Patent Attorney, and entered the partnership in 2003.

Jim joined Withers and Rogers in November 2004 and became a partner in 2006.

### Personal skills

Jim aims to give clear and practical advice to his clients. His breadth of technical experience gives him the ability to deal with a wide range of

technologies. Jim has given several presentations on IP to patent professionals and the local business community.

## Sector experience

Jim has a wide range of experience in the electronics, computing, telecommunication, aerospace and defence sectors. Jim's experience in the telecommunication sector includes Frequency Shift Keying (FSK) modulation, IQ modulation, and surveillance of 2G and 3G cellular phones. Within the aerospace sector his expertise includes airframe design, composite materials and manufacturing techniques, fuel systems, control surfaces (slats, flaps, ailerons etc.), flight control systems, and gas turbine fan blades. Within defence, key focus areas include telecommunications surveillance systems, countermeasures, and sonar systems. Jim heads up the Aerospace & Defence specialist practice group.

## Client experience

Jim has advised a variety of clients, ranging from start-ups and Universities to large multinational companies such as Andrew Corporation, Hewlett Packard and Airbus (UK) Limited.

## Notable successes

Jim assisted in the development of patent portfolios for two companies which were subsequently purchased by US corporates on the strength of their patent portfolios.

## On a personal note...

Jim is a keen pianist and has performed as a soloist and in various bands. His principal hobbies are now his son Jake and daughter Hannah.

## **4 Way of registration**

We are hoping that JATES would be able to generate the registration documents in Japanese, perhaps with Withers & Rogers to send on to people by email to [EPOLawcourse@withersrogers.com](mailto:EPOLawcourse@withersrogers.com).