



## **BERLIN CONFERENCE**

On November 28, 2012 at Humboldt University in historic East Berlin, Germany, German and American judges, practitioners, corporate general counsel, and academics participated in a Joint Conference on patent law and the life sciences.

The Berlin Conference was a joint program hosted by The Josef-Kohler-Institute, BIO Deutschland, and the Federal Circuit Bar Association Charitable and Educational Fund.

The theme of the one-day conference was "A Search for Best Practices and Challenges at the Leading Edge" from the perspective of the courts, practitioners, clients, and investors.

Professor Dr. Joseph Straus, Director Emeritus at the Max Planck Institute for Intellectual Property and Competition Law, Munich, and NIPMO-UNISA Chair for Intellectual Property at the University of South Africa (USISA), Pretoria, spoke on the "Pros and Cons of Patents in Life Sciences."



Chief Judge Randall R. Rader speaking at the Berlin Conference, November 2012

Chief Judge Randall R. Rader, Chief Judge of the United States Court of Appeals for the Federal Circuit, and Judge Dr. Klaus Bacher, Judge of the Xth Senate of the BGH, spoke on "Recent Developments in United States Patent Case Law and German Patent Case Law."

James C. Calkins, Associate Vice President & Global Head of Patent Operations at Sanofi, addressed the "Search for Best Practices and Challenges" from the perspective of global multinational corporations.

Dr. Stefan Walz, Head of the Division and Patent Department of the Federal German Ministry of Justice, and Terrance Stewart, a partner at Stewart and Stewart, and President of the Federal Circuit Bar Association, discussed "Topical Issues of German Legal Policy."



David Kappos speaking at the Berlin Conference, November 2012

David Kappos, Director of the United States Patent and Trademark Office, and Cornelia Rudloff-Schaffer, President of the German Patent and Trademark Office (DPMA), followed with a discussion of "Topical Issues on German E-Trade Policy."

A panel of judges and litigators discussed "Best Practices from the Viewpoint of Litigators." The panel was moderated by Dr. Ute Kilger. Participants on the panel included Chief Judge Randall R. Rader, Judge Dr. Klaus Bacher, Sandra Kuzmich, Nick Cannella, Philip L. Hirshorn, and Dr. Gregor Konig.

A panel of judges and industry representatives discussed "Best Practices in Litigation and Innovation." The panel was moderated by Howard D. Miller. Participants on the panel included Chief Judge Randall R. Rader, Judge Dr. Klaus Bacher, Andy Culbert, Alex Rogers, Dr. Rainer Wessell, and Professor Dr. Joseph Straus.



Professor Heinz Goddar speaking at the Berlin Conference, November 2012

The last panel of the conference addressed the question: "Does the Patent System Incentivize Innovation?" Professor Heinz Goddar moderated the panel. Panel participants included Dr. Andreas Popp, Karlheinz Schmelig, Professor Dr. iur Felix Addor, Patrick J. Coyne, Rouget F. Henschel, and Ivan Burnside.

"The conference in the historic Humboldt University setting covered a wide range of interesting and timely topics from the perspectives of judges, lawyers, clients, and academics. It also addressed important issues in patent law, and contributed to a better mutual understanding and appreciation of the challenges and issues in dealing with patents on a daily basis in different legal systems," observed Dr. Anna C. Wolters, a partner at Bird & Bird, who participated in the Conference.