

Fordham IP Conference

APRIL 8-9, 2015

WilmerHale is a proud sponsor of the 23rd Annual Intellectual Property Law & Policy Conference at Fordham Law School.

WilmerHale Partner Trevor Cook will speak during the Member State IP Law: An Anachronistic Supplement to EU Law or Fundamental Justice session on "Revisiting Sir Hugh Laddie's 'Moribund Anachronism' – The Duplication of IP Rights in Europe." He will discuss the system of IP protection in Europe, with its duplication of national and EU wide unitary rights, does not devise for a single market. To national patents, utility models, and traditional European 'bundle' patents shortly will add a fourth type of patent right with its own subtly different substantive law; the European patent with unitary effect. Trademarks and designs seem content to double up unitary community rights and national rights, and artificially to sustain the national systems by overpricing the unitary ones, without any apparent analysis of whether this makes any sense, such as whether the benefits of flexibility outweigh those of complexity. The question posed by the Sir Hugh has been largely ignored and until now remains unanswered.

WilmerHale Partner and Chair of the Intellectual Property Department, Don Steinberg, will speak during the Priority Issues session discussing where they arise in the United States. With applications typically filed in the name of the inventor, the issues typically relate to differences in disclosure rather than ownership. For example, when a provisional (or other priority) application is not as detailed as a later utility application, and does not disclose all elements of the claims. What are these issues surrounding priority in general in the US? And how, during the first thirty months of the America Invents Act, are we seeing priority arise in post-grant proceedings, where priority often cannot be raised directly? Mr. Steinberg will then be on a panel to discuss *Teva v. Sandoz*: Peace at last?

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Speakers



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