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# Intellectual Property

June 2019



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In today's knowledge economy, a large part of the value of your business depends on intangible assets and goodwill. Your intellectual property (IP) plays a key role in gaining and keeping your competitive edge.

IP is one of your most important assets, and CMS is there to help you secure and protect your precious know-how.

A cohesive IP strategy, including both commercialisation and enforcement, ensures you get maximum value from your portfolio. Our dedicated team of specialist lawyers and patent attorneys focus on understanding your business needs, bringing knowledge gained from working with some of the world's best-known brands in a range of sectors – from banks to tech and media, and life sciences to FMCG.

We handle the full lifecycle of IP assets, including finding the best strategy for the creation, identification, registration, protection and capture of assets, their realisation through commercial agreements and licensing, and their protection and enforcement through litigation and other dispute resolution.

We have more than 400 specialist IP lawyers worldwide, ready to apply their skills to add value to your assets.



## Trade Mark

We support you by advising on trade mark registrations, oppositions and portfolio management, globally and locally. If disputes arise, we are there to guide you through the litigation process, whether you are pressing or defending a claim locally or across national borders.



## Patent litigation

International patent litigation, presents difficult challenges and a wide range of strategic options across multiple countries. Our specialist advisors are experienced in cross-border patent disputes and are skilled coordinators of multi-country advice, working without fuss and focusing on client service. At the same time, we offer efficient and cost-effective local litigation services, even in relatively small disputes.



## Patent prosecution

Our full-service, in-house patent attorney team has specialists in all areas of technology, and we draft, prosecute, defend and challenge patents in patent office proceedings. We represent clients before the EPO as well as national patent offices.



# Awards and Rankings

Number of  
**partners** globally

100

Number of  
**lawyers** globally

300



Many of our IP lawyers actively serve on **committees of leading industry associations**, including the **INTA, AIPLA and AIPPI**.

We have over **400 sector specialists** offering a hands-on approach to **protecting your IP**.

Through our **global webinars** we keep our clients up to date with developments that impact their business.

We help shape the IP regulatory landscape by **proactively advising industry associations**.

We are **fast growing** in **Latin America and Asia**.

**Strong sector expertise** in Automotive, Consumer Products, Energy, Life Sciences & Healthcare, Mechanical Engineering, Technology, Media and Communications



Our specialists **speak your language** and know your business.

## Global directory rankings

**Many of our lawyers and sector experts are recognised in global, regional and local directories**, including Chambers & Partners, Legal 500, Who's Who Legal and many others. Our UK, German and Chinese teams are considered among the best in the world and are ranked in tier 1. CMS is gold-ranked in World Trademark Review 2019.



## Recognised leaders and relationship-driven

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We are IP experts – our highly regarded team of more than 100 partners and over 300 associates has a wealth of IP experience and our lawyers are recognised by all the legal directories. We are actively involved in the development of IP law and policy – we are members of the International Trade Mark Association (INTA) and serve on a number of INTA committees. We are also members of and play an active role in PTMG, Marques, ITechLaw, AIPLA and AIPPI.

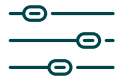
As recognised industry sector leaders, we focus our IP practice around several industry sectors, including:

- Automotive
- Consumer Products
- Energy
- Life Sciences & Healthcare
- Mechanical Engineering
- Technology, Media and Communications



Provides heavyweight IP, parallel trade and patent litigation capability for an impressive roster of clients.

*Legal 500 Europe*



## Local and international

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We work closely with clients in local and international markets, advising on:

- Brands, trademarks and passing-off
- IP Litigation
- Patents, utility models
- Know-how and confidential information
- Industrial design rights
- Copyright
- Competition law
- Anti-counterfeiting and anti-piracy
- Customs proceedings, parallel import- and grey market issues
- Contracts for the protection, management and exploitation of IP rights
- Including strategic alliances, technology transfer, licensing, franchising, merchandising and R&D agreements
- Evaluation of IP portfolios in the course of due diligence proceedings Databases and data protection



CMS's Intellectual Property Department is excellent for high-level and complex questions and offers a good mix of very sound legal advice and practical tips.

*Chambers & Partners Europe*



# Highlights of our recent experience

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## Microsoft Corporation

Advising on a broad range of IP issues, including managing Microsoft's European patent and trade mark portfolios. We have acted on hundreds of cases, from trade mark litigation and anti-piracy actions to spam email, phishing and major licensing disputes.

## Royal Philips

Advising on regulatory matters governing medical devices. Our advice covers special rules on advertising, clinical trials, and cooperation agreements with entities belonging to the National Healthcare System.

## LinkedIn

We are preferred European Patent Attorneys, prosecuting the European patent applications which were originally drafted and filed in the US.

## Heineken

Provided IP assistance in the due diligence process carried out on behalf of Heineken regarding the acquisition of a 51% stake in beer manufacturer Cerveza La Cibeles.

## Ecolab Inc.

Trademark prosecution and enforcement in various jurisdictions.

## Johnson & Johnson

Representing the client in infringement litigation concerning their medical devices against an Austrian distributor of Chinese imitation products. The claims are based on trademark, design and unfair competition law.

## Dentsu Aegis

Managing the global trade mark portfolio of the highly acquisitive media group, Dentsu Aegis Network (DAN). We have worked with DAN over the past four years as its portfolio has doubled in size following numerous global clearance and filing programmes resulting from agency rebranding, branding alignments and geographical expansion. We run DAN's watch service and advise on international disputes, licensing, copyright and related IP issues.

## Marriott

Representing the international hotel chain in trademark litigation. We have recently started new proceedings seeking cancellation against the competitor's trademark.

## Silence Therapeutics

Advised on a life sciences patent action and EPO oppositions on chemical modification technology crucial to the new field of interfering RNA. The litigation and EPO oppositions with Alnylam were settled in December 2018.

## Dassault Systems

Representation in Latin America, except for Brazil, on copyright infringement of SolidWorks software.

## Thomas Cook Group

CMS is IP counsel to the international travel business, looking after its brands on a global basis. We are responsible for over 1,300 marks, in over 120 territories, providing strategic advice and dealing with a range of oppositions and contentious matters around the world.

## Eli Lilly and Company

Providing a range of services, including: product protection and combating counterfeiting; trade mark law; parallel imports; comprehensive trade mark litigation mandate combating counterfeiters' network; and patent prosecution (EPO Opposition and Appeal Board hearings)

## Sandoz

Successfully defended Sandoz against both patent infringement proceedings and a regulatory challenge mounted against its pharmaceutical product authorisations. Now advising on its claim on the cross-undertaking in damages against Napp Pharmaceuticals.



They have magnificent availability, they are dedicated and they offer us interesting help, as well as solid legal opinions.

*Chambers & Partners Europe*



## Get in touch

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