

WINNER

Bird & Bird

TREVOR COOK; DAVID WILSON

Victory for Aventis/TKT against Amgen in the decade's biggest patent battle

Enormous credit is due to Bird & Bird's crack patent litigators Trevor Cook and David Wilson for winning this five-year battle for client Aventis/TKT against biotech giant Amgen.

All eyes were fixed on the House of Lords in the run-up to the ruling in October, which concluded what was widely touted as the most significant piece of patent litigation in the last ten years. In the event, the House of Lords decided that Dynepo™, the gene-activated erythropoietin product used for the treatment of anaemia, jointly developed and produced by Aventis and TKT, does not infringe a European patent and that the patent claims asserted against Aventis/TKT by Amgen were invalid. By winning the case for Aventis/TKT, Bird & Bird once again reinforced its leading reputation for patent litigation and confirmed its standing at the forefront of the big money pharmaceutical sector. As the first case dealing with patent infringement under current UK patent law

to reach the House of Lords, it signals how patents will be interpreted and enforced in the future. The decision was also of major commercial significance. 'We are delighted to have our legal position vindicated again in the British courts,' said Michael Astrue, president and chief executive of Aventis/TKT, commenting on the decision. 'We look forward to making Dynepo available to patients in the European Union in late 2005 or early 2006.'



(L-R): Ian Hislop, Trevor Cook, David Wilson and Patrick Kelleher, with Kerry Payne of Voicepath

HIGHLY COMMENDED

BAKER & MCKENZIE

Christina Demetriades

iTunes has revolutionised the music industry and Bakers was at the vanguard of its European launch. With all the big music and technology companies looking to launch similar products, speed to market was essential. Nevertheless, deadlines set by Apple were met and the launch has been a major success: Apple now has 70% of the UK on-line music market.

BRISTOWS

Simon Ayrton; Zoë Butler

The precedent-setting copyright litigation for Sony Computer Entertainment Europe Ltd was cutting-edge work from Bristows, as ever. Just one of many similarly

FIELD FISHER WATERHOUSE

Andrew Blankfield; Justin Harrington; Nigel Wildish

Field Fisher Waterhouse's groundbreaking outsourcing deal for the BBC was the first of its kind in the media industry. The contract, worth £2bn over ten years, was also among the largest of 2004.

FRESHFIELDS BRUCKHAUS DERINGER

Richard Lister

A cracking year for Freshfields' outsourcing practice saw it advise on several of the most pioneering deals. Richard Lister skilfully advised Hewlett-Packard on its multi-billion-pound outsourcing project with BT – a revolutionary collaboration between two companies at the forefront of the IT and communications industries.

SJ BERWIN

Stephen Kon

The victory for William Hill in the landmark database rights case against the British Horseracing Board was also a big win for SJ Berwin. This landmark case is the first interpretation by the ECJ of the new database directive. It focused on sport and gambling, and was heard in parallel with cases across Europe relating to football (the fixtures marketing cases). The outcome has major significance far beyond sport and gambling.

Bird & Bird once again reinforced its leading reputation for patent litigation.

high-flying examples in 2004, this case saw the firm successfully crack down on the leaders of a UK piracy ring. This win establishes the standard for protecting digital rights holders against piracy, and is of enormous commercial significance.



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