
INTELLECTUAL PROPERTY – PATENT LAW



**BEITEN
BURKHARDT**

Our Expertise: Patent Law

BEITEN BURKHARDT has extensive expertise in all aspects of patent and technology law. Our interdisciplinary approach ensures that all relevant considerations, such as tax, antitrust and state aid law aspects, are taken into account. We provide strategic advice on patents, employee inventions law, litigation, know-how protection and technology transfer.

STRATEGIC PATENT ADVICE

Clients regularly call on us to provide strategic advice on patents, including analyses of company patent and product portfolios. We identify gaps in IP rights and work with clients to develop application structures that are appropriate to both the market and the competitive environment. We investigate existing management structures for research and development and employee inventions, and help improve intra-company and group-wide communication processes.

Our team helps determine the added value of technical IP rights and provides clients with the support they need to make the best use of these rights. We generate alternative exploitation options for IP rights, assist with finding contractual partners and negotiate and draft the relevant contracts. We also analyse the innovative capacity of enterprises or individual business units as compared to competitors or other business units or enterprises within the group.

EMPLOYEE INVENTIONS LAW

Satisfying the legal requirements of the German Act on Employee Inventions poses a challenge for almost every innovative company. We help companies meet this challenge head on. We assist with the establishment and development of company processes, provide training on how to best handle both employee inventions and the inventors themselves, draft guidelines on managing invention disclosures in accordance with both legal requirements and corporate strategies, and prepare remuneration schemes.

In the event of a dispute with an inventor, we help reach an out-of-court settlement and, where necessary, represent our client before the arbitration board or court.

LITIGATION – INFRINGEMENT AND VALIDITY PROCEEDINGS

We have broad expertise and experience with patent disputes. Enforcing patent claims, even coordinating enforcement across borders, and defending against patent infringements or challenges are part of our daily work. Our lawyers regularly appear before all major courts in Germany and are well acquainted with the respective practices.

We execute border seizure procedures in cooperation with customs. We also safeguard your trade fair activities, prevent patent infringements at trade fairs and exhibitions, and work with authorities to organise the seizure of infringing goods.



KNOW-HOW PROTECTION

Much of our work in this field involves advising companies on the protection of know-how and trade secrets, and representing them, especially in connection with the illegal exploitation by third parties. The depth and experience of our team means we can coordinate and enforce civil and criminal claims swiftly and simultaneously, in order to prevent and penalise the illegal exploitation of trade secrets.

We have particular expertise with ensuring that evidence is properly preserved for use in the enforcement of claims. In numerous cases we have successfully applied for inspection procedures (so-called Besichtigungsverfahren) and carried out the investigations in coordination with experts, bailiffs and the police.

We advise in relation to know-how analyses and work with clients to develop protection concepts. We review and draft contracts, and provide training for employees and division heads.

TECHNOLOGY TRANSFER

Our experience with technology transfer is extensive. We advise, for example, on such transfers as part of the establishment of R&D joint ventures and during contractual negotiations on the licensing-in or licensing-out of know-how and IP rights as part of the sale or purchase of an enterprise. Also, licencing or cooperation agreements are part of the IP and technology related contract work we do and offer. Our team finally has considerable experience with M&A transactions involving significant technology.

OUR TEAM

One of our main principles is that the experienced partners of our law firm are not only involved in acquiring clients, but they will also be present throughout the entire lawyer-client relationship, i.e. they are in charge of managing client matters as lead partners and will be actively contributing to the teams' efforts. Our profound specialisation and our high-quality standards guarantee that we will only accept your case if we are confident about our ability to offer you the best legal advice with a customised, permanent team.

Your contact person at BEITEN BURKHARDT for patent law matters, including know-how protection, is **Dr Sebastian Heim**. He is partner at BEITEN BURKHARDT and in charge of the patent and technology law team. He and his team have a wide range of expertise in the area of patent law. The patent law team of BEITEN BURKHARDT is completed by other partners, one of counsel, and several associates of our offices in Munich, Berlin, Russia and China. We have been successfully working jointly with and involving well-known patent lawyers over many years now in all technical areas.

Feel free to contact us.



Dr Sebastian Heim

Lawyer | LL.M. | Licensed Specialist for
Intellectual Property Law
BEITEN BURKHARDT
Rechtsanwaltsgesellschaft mbH
Munich
Phone: +49 89 35065-1421
Fax: +49 89 35065-2152
Sebastian.Heim@bblaw.com



ABOUT BEITEN BURKHARDT

BEITEN BURKHARDT is an independent international corporate law firm. We provide comprehensive legal advice to medium-sized businesses, large corporations, and corporate groups across various industries as well as to the public sector.

When it comes to comprehensive transaction-related advisory services and tax consulting, we closely cooperate with our partner BBWP GmbH Wirtschaftsprüfungsgesellschaft. Our cooperation enables us to offer “one-stop” consulting services on business, tax and legal issues.

Apart from our offices in Germany, we have a strong international presence in Russia, China and Belgium. With respect to other jurisdictions we have been closely cooperating with a network of selected law firms. In teams managed by partners we are developing solutions for our clients on performance-minded terms.

Founded: 1990 in Munich

Offices: Beijing, Berlin, Brussels, Dusseldorf, Frankfurt am Main, Hamburg, Moscow, Munich, St. Petersburg

INTERNATIONAL STRATEGY

BEITEN BURKHARDT's international strategy is based on two pillars: our own offices in Germany, Belgium, Russia and China as well as our world-wide network of first-class law firms with whom we have been cooperating closely for many years.

In our offices in Brussels, St. Petersburg, Moscow and Beijing we provide our clients with a full range of legal services at excellent quality and with profound local knowledge.

In countries where we do not have our own offices, we cooperate closely with first-class law firms which all belong to the leading law firms in their respective jurisdictions. From long-lasting, successful relationships in various jurisdictions and regions, we have developed an international network which is based on mutual trust as well as shared values and quality concepts: in North, Central and South America, Northern and Western Europe, Eastern Europe, Russia/CIS, Asia, Middle East, Africa, Oceania and the Pacific Region. This enables to support our clients in case global transactions and projects as well as to provide them with legal advice at a consistently high level.



BEIJING | BERLIN | BRUSSELS | DUSSELDORF | FRANKFURT AM MAIN
HAMBURG | MOSCOW | MUNICH | ST. PETERSBURG

WWW.BEITENBURKHARDT.COM

01/2019