

Andrew Cobden

Counsel

Hong Kong

Biography

For more than 25 years, Andrew Cobden has been helping companies understand and deal with intellectual property issues. In that time, he has dealt with all types of matters involving a wide range of technical subjects including adhesives, airplane cockpit windows, car spare parts, oil well valves, LED lights, car navigation systems, mobile telephones, many types of pharmaceuticals, and biological products. He enjoys the challenge of understanding how leading edge complex science and technology works.

He often works with leading technical experts and has helped design experiments to produce evidence of patent infringement. His goal is to find practical and, if necessary, innovative solutions to legal problems so clients can focus on their businesses.

Andrew studied in Australia and joined the firm in 1985, first working in London, then in Tokyo, and now in Hong Kong. Having lived and worked on three continents, he appreciates the legal, political, and cultural issues and differences which impact businesses operating globally, both in the East and the West.

Andrew advises multinational technology companies on licensing their intellectual property (IP) into mainland China, through joint ventures and other licensing arrangements. He regularly helps multinational companies understand the patent enforcement landscape in China and other countries in Asia to achieve their commercial objectives.



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Languages

English

Practices

Patents

Trademarks and Brands

IP Litigation, Arbitration, and
Alternative Dispute Resolution

Industries

Life Sciences and Health Care

Technology and Telecoms

Areas of focus

IP Rights in Transactions

He has worked on all types of IP litigation, for plaintiffs and defendants, in both trials and appeals in England, France, Japan, China, and Hong Kong. Andrew is one of the few solicitor advocates with higher rights of audience before the Hong Kong Courts for civil proceedings. Andrew frequently represents clients in the superior courts in Hong Kong. He also has substantial experience in other forms of dispute resolution, including arbitrations and mediations.

Apart from IP disputes, Andrew has also acted for clients across a broad spectrum of matters from competition law (antitrust), international fraud and defamation cases (including obtaining a judgment from a jury worth several million dollars), and a multibillion-dollar transaction involving the sale of a mobile telephone network in Japan.

Representative experience

Acting for a Japanese pharmaceutical company in relation to patent infringement proceedings against six generic drug distributors companies in Hong Kong.

Acting for a Singaporean life sciences company in relation to its licensing negotiations with a Japanese university in respect of joint research, development, and exploitation.

Advising Merck Sharpe & Dohme Corp. on trademark disputes in Hong Kong and mainland China concerning the use of the name "Merck."

Acting for a major U.S. film studio against persons in Hong Kong and mainland China who set up companies with similar names in order to scam investors.

Advising a multinational chemical company on licensing its IP to a Chinese joint venture.

Advising a large Chinese group on setting up businesses in Europe, United States, and the Asia-Pacific region.

Awards and rankings

- Included in IAM Global Leaders, 2020

Technology Contracts
Medical Devices
Pharmaceuticals and Biotechnology
Electronics and Consumer Appliances
Cell, Tissue, and Gene Therapies
Artificial Intelligence

Education and admissions

Education

B. Ec, LL.B., The University of Sydney

Memberships

Asia Patent Attorneys Association
Chartered Institute of Arbitrators (Fellow)
Chartered Institute of Patent Attorneys (Associate Member)
Hong Kong Institute of Patent Agents

Court admissions

High Court of England and Wales
High Court of Hong Kong
Supreme Court of New South Wales

Accolades

'Counsel Andrew Cobden is a patent lawyer who has extensive experience handling multi-jurisdictional disputes involving complex technology in Hong Kong.'

- IP Star (Patents), *Managing Intellectual Property*, 2018
- Recommended Lawyer (Hong Kong: Patent Litigation and Transactions), *IAM Patent 1000*, 2015

Latest thinking and events

- ■ Analysis of IP landscape (Greater China focus): update on patents and patent licensing, and current trends in trademarks, including insights from INTA Conference 2024
- Insights and Analysis
 - The age of AI – Hong Kong plans consultation on copyright protection
- News
 - Affordable Innovation: Reduced official fees for design registration
- News
 - Cross-border enforcement of judgments – new mechanism comes into force 29 January 2024
- News
 - What China's new patent linkage and patent term extension systems mean for foreign pharma
- News
 - Spotlight on Greater China: antitrust and regulatory risks in life sciences distribution channels

Managing Intellectual Property, IP Star 2018

'Having accumulated valuable cultural and legal savvy over a 25-year career spent on three different continents, the experienced IP veteran has seen everything there is to see in IP law and deploys his worldly wisdom to superb effect'

IAM 1000, The World's Leading Patent Professionals 2018

'The 'exceptional' Andrew Cobden has niche expertise in acting for pharmaceutical companies in patent matters; he is representing Otsuka Pharmaceutical in enforcing two of its "second medical use" invention patent protection on an antipsychotic drug.'

Legal 500, 2018

'Andrew Cobden skillfully tackles chemical and electronic patent infringement cases'

IAM 1000, The World's Leading Patent Professionals 2015
