

Dr. Frederick Ch'en

Office Managing Partner
Tokyo

Biography

For over 15 years, Dr. Frederick Ch'en has combined his scientific training and cultural background to advise on a broad range of contentious and non-contentious IP matters, especially in the life sciences area. His particular focus is multijurisdictional patent litigation, which also allows him to assist more pragmatically on IP licensing and IP aspects of transactions (e.g., M&A, private equity, and corporate finance).

A former research scientist at Oxford University (with the top First Class Honours degree in Molecular and Cellular Biochemistry (Balliol College) and a doctorate in Medical Sciences (Merton College)), Frederick brings technical insight into clients' disputes or transactions coupled with cross-border perspectives that stem from having been raised in four different cultures.

Frederick is a solicitor (England & Wales), U.S. attorney (California), U.S. patent attorney, a registered foreign attorney in Japan, and a U.K. chartered biologist. He has been recognised as a leading practitioner by various publications, including *Chambers Asia*, *Legal 500*, and *MIP*. *Chambers Asia* calls him "an exceptional IP specialist" and "meticulous, responsive, and comfortable working on complex matters in multiple jurisdictions," and *Legal 500 Asia Pacific* an "excellent advisor," "responsive and experienced," "diligent and talented," and someone who "can easily understand the technical issues and is very good at figuring out a solution."

Prior to joining Hogan Lovells, Frederick was head of IP



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Languages

English
Japanese

Practices

Commercial
Intellectual Property
Patents
Pharmaceuticals and Biotechnology
Regulatory
Trade Secrets and Confidential
Know-how
Digital Assets and Blockchain
IP Litigation, Arbitration, and
Alternative Dispute Resolution

in the Tokyo office of another top-tier law firm (2010-2013), having initially trained and worked for seven years in the London office of a top-tier "Magic Circle" international law firm. He is a member of AIPPI Japan, the Licensing Executive Society in Japan, and Pharma Delegates. Frederick speaks English and Japanese.

Representative experience

Acting for various Japanese and non-Japanese companies with commercial disputes, most recently arbitration matters (ICC and LCIA) in the Life Sciences and Energy sectors, as well as civil litigation in conjunction with Japanese *bengoshi*

Acting for various global originator pharmaceutical companies in relation to numerous patent disputes in Japan, including patent invalidation actions before the Japan Patent Office, appeals before the IP High Court and patent infringement proceedings (as claimant and defendant) before the Tokyo District Court in conjunction with Japanese *bengoshi* lawyers

Acting for a Japanese pharmaceutical company in relation to its European strategy for filing Supplementary Protection Certificates in 26 countries

Acting for a Japanese pharmaceutical company in relation to regulatory data exclusivity in Europe and the U.S.

Acting for a Japanese pharmaceutical company in relation to patent infringement proceedings against three generic companies in Hong Kong

Acting for a Japanese life sciences company in relation to contract negotiations with a U.S. counterparty

Acting for a Japanese life sciences company in relation to a patent licence from a U.S. counterparty

Acting for a Japanese engineering company in relation to its licensing negotiations with a European university in respect of joint research, development and exploitation

Acting for a Japanese electronics company in relation to UK patent litigation proceedings

Industries

Life Sciences and Health Care

Areas of focus

Cell, Tissue, and Gene Therapies

Licensing and Commercial Transactions

IP Rights in Transactions

Pharmaceuticals and Biotechnology

Regulatory Exclusivities, Hatch-Waxman, and Similar Statutes

Strategic Counseling and Portfolio Development

Technology Contracts

Education and admissions

Education

Pg.D.I.P.L.P. (Intellectual Property Law & Practice), University of Bristol

Pg.D.L.P., Oxford Institute of Legal Practice

D.Phil., University of Oxford, Merton College

Pg.D.L., Oxford Brookes University

M.Biochem. (Molecular and Cellular Biochemistry), University of Oxford, Balliol College, First Class Honours

Memberships

Member and Editorial Board

Member, AIPPI (Japan)

Member, Licensing Executive Society (Japan)

Member, Pharma Delegates (Japan)

Acting for a Japanese technology company in relation to its global trademark and brand licensing

Acting for a European pharmaceutical company in relation to the assignment and licence-back of certain patents from a Japanese pharmaceutical company in the context of its multi-million US dollar acquisition by a U.S. pharmaceutical company

Acting for Merck & Co., Inc. in relation to defending patent revocation proceedings in relation to its enzyme inhibitor product (finasteride), a ground-breaking case that changed the English law on the patentability of dosing regimens and the rules of precedent in the UK Court of Appeal

Awards and rankings

- Band 1 for Japan Intellectual Property: International (9 years ranked), *Chambers Asia-Pacific*, 2023
- Band 1 for Life Sciences in Japan (6 years ranked), *Chambers Asia-Pacific*, 2023
- Band 1 for Japan Intellectual Property: International (8 years ranked), *Chambers Global*, 2023
- Leading Individual for Intellectual Property in Japan (5 years ranked), *The Legal 500 Asia-Pacific*, 2023
- Leading individual for Patent Litigation and Patent Transactions in Japan, *IAM Patent 1000*, 2017-2022
- Patent Star in Japan, *Managing Intellectual Property IP Stars*, 2014-2022
- Sole winner of Client Choice Award for Life Sciences in Japan, *Lexology*, 2022
- Sole winner of Client Choice Award for Patents in Japan, *International Law Office (now Lexology)*, 2017, 2018, 2021
- Global Elite Thought Leader - Life Sciences - Patent Litigation, *Who's Who Legal*, 2023
- Global Elite Thought Leader in Life Sciences - Patent Litigation, *Who's Who Legal Japan*, 2022
- Leading individual in Intellectual Property, *Who's Who Legal Japan*, 2017-2022
- Leading individual in Life Sciences, *Who's Who Legal*

Member and Chartered Biologist,
Royal Society of Biology (UK)

Member, Biochemical Society (UK)

Bar admissions and qualifications

Solicitor, England and Wales

California

U.S. Patent and Trademark Office

Japan - Daiichi Tokyo Bar
Association (Gaikokuho Jimu
Bengoshi)

Court admissions

Senior Courts of England and Wales

Japan, 2018-2022

- Named as one of Asia's Top 15 IP Lawyers, *Asian Legal Business*, 2021
- Foreign Lawyer of the Year, *Asian Legal Business Japan Law Awards*, 2020

Latest thinking and events

- News
 - Spotlight on Greater China: antitrust and regulatory risks in life sciences distribution channels
- Webinar
 - APAC Life Sciences and Health Care Webinar Series - Spotlight on Greater China - Session 5
- Webinar
 - APAC Life Sciences and Health Care Webinar Series - Spotlight on Greater China
- Webinar
 - Select IP with Hogan Lovells | Webinar no. 19: Cross-over topics: Patent & regulatory topics I
- News
 - Spotlight on Greater China: navigating a shifting patent landscape
- Webinar
 - Select IP with Hogan Lovells | Webinar no. 18: IP Transactions: Comparative discussion of royalty provisions and other key economic terms in license agreements