

Stephen Bennett

Partner

London

Biography

Stephen Bennett is a patent litigator recognised for his ability to steer the right course in the toughest cases. Being trusted with the trickiest pharmaceutical cases for innovator clients means he has been able to push the boundaries around preliminary injunctions to stop infringing generic launch, changing the answer to the question: how far can a generic go before the court can stop it. His experience of pushing the most difficult cases includes those where they said it couldn't be done - zero term SPCs and paediatric extensions. They were wrong. In the tech sector, Stephen is known for litigating in some of the biggest patent disputes that Europe has seen. Those cases raise additional complications on issues such as FRAND, scope of injunctions, managing supplier information, co-ordinating litigation across multiple jurisdictions. Having litigated these issues several times over for different clients gives Stephen a particularly seasoned view that helps to anticipate the ways the case can develop and to deal with it.

Sometimes the case needs the law to move on for the client to win. This was true for the case that Stephen took to the Supreme Court for his client Werit. The case changed the law on patent infringement for the supply of consumable parts and allowed Werit to continue its business.

Stephen is recommended as a leading individual by *Legal 500* which describes him as 'commercial and strategic' and 'creative, pragmatic and a pleasure to



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Languages

English

Practices

Patents

Industries

Life Sciences and Health Care

Areas of focus

Cell, Tissue, and Gene Therapies

Education and admissions

work with' and 'exceptional at complex IP'. *Chambers* directories recommend Stephen for patent litigation with the following comment: Stephen 'is well known for his assured handling of complex, often multi-patent telecommunications and pharmaceutical disputes. Clients appreciate his knowledge, pragmatism and efficiency while opponents recognize that against him they have a 'hard but sensible fight'.

Representative experience

Acting for Werit in its Supreme Court patent case against Schutz. The case changed the law in relation to patent infringement for consumable parts.

Stephen acted for Merck in obtaining the first ever zero term SPC (supplementary protection certificate) for a pharmaceutical product (JANUVIA, for diabetes).

Acting for mobile phone maker ZTE in its multi-jurisdictional patent litigation with Ericsson in relation to patents declared essential to various mobile telecoms standards.

Acting for Medinol in its multi-jurisdictional patent litigation with Abbott in relation to coronary heart stents.

Acting for QUALCOMM Incorporated in its cross border patent action against Nokia Corporation in relation to GPRS and EDGE mobile phone technology.

Awards and rankings

- Intellectual Property: Patent Litigation (UK), *Chambers Global*, 2018-2019

Latest thinking and events

- News
 - Retained EU Law Act and IP: draft regulation on exhaustion
- Webinar
 - Select IP with Hogan Lovells | Webinar no. 20: Cross-over topics: Patent & regulatory topics II

Education

LL.B., King's College London

Memberships

Invited member of Association of British Pharmaceutical Industry Intellectual Property Expert Network

Accolades

'extremely pragmatic and always thinking of the client first' and 'very thorough in terms of his grasp of the legal and technical issues. More importantly, he has good judgment in terms of strategy.'

Chambers Global, 2023

'Stephen Bennett is an industry leader in organising and leading complex multi-jurisdictional patent disputes.'

Chambers UK, 2023

'..unflappable, down to earth and urbane. He is as cool as a cucumber even when the pressure comes in litigation.'

Chambers UK, 2023

- Webinar
 - Select IP with Hogan Lovells | Webinar no. 19: Cross-over topics: Patent & regulatory topics I
- News
 - UK - Retained EU Law Bill and intellectual property
- Webinar
 - Select IP with Hogan Lovells | Webinar no. 14: Patent Litigation: Strategy – Life Sciences in Europe (Part II)
- Webinar
 - Select IP with Hogan Lovells | Webinar no. 13: Patent Litigation: Strategy – Life Sciences in Europe (Part I)