

## 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 Verit. The case changed the law on patent infringement for the supply of consumable parts and allowed Verit to continue its business.



### Phone

+44 20 7296 2628

### Fax

+44 20 7296 2001

### Email

[stephen.bennett@hoganlovells.com](mailto:stephen.bennett@hoganlovells.com)

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### Languages

English

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### Practices

Patents

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### Industries

Life Sciences and Health Care

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### Areas of focus

Cell, Tissue, and Gene Therapies

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### Education and

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

- Press Releases

## admissions

### Education

LL.B., King's College London

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### Memberships

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

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### Accolades

'celebrated patent litigator', 'very knowledgeable, calm and collected and inspires confidence in clients.'

*Chambers*

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'Clients appreciate his knowledge, pragmatism and efficiency while opponents recognise that against him they have a 'hard but sensible fight''

*Chambers*

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'commercial and strategic', 'brilliant litigator'

*Legal 500*

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- Eli Lilly secures major win in its long-running patent dispute with Fresenius Kabi over oncology drug Alimta
- Insights
  - UK Supreme Court hands down eagerly awaited FRAND issues ruling in Unwired Planet
- Press Releases
  - UK Supreme Court rules for Hogan Lovells client Olaplex against L'Oréal in high-profile patent infringement case
- Press Releases
  - Hogan Lovells wins two awards at the IAM and WTR Global IP Awards – seven lawyers also recognized in IAM Global Leaders
- News
  - Hogan Lovells secures win for Olaplex against L'Oréal in patent infringement case
- Analysis
  - EU SPC Manufacturing Waiver Now in Force