

# Are Patent Settlements Anti-Competitive ?

EU, U.S. AND KOREAN PERSPECTIVES

Under the direction of **Paul Nihoul & Alain Strowel**

**Friday 18 October 2013** [AFTERNOON SESSION]

Rue d'Arlon 11 - 1050 Bruxelles

## PRESENTATION

When parties are unsure about their rights and claims, litigation ends up with settlements. In the pharmaceutical sector, settlements to end patent disputes between originator and generic companies have recently been under scrutiny. In some instances, patent holders have indeed paid generic companies to delay their entry on markets ('Pay for Delay'). Is this acceptable, in the light of the restrictions to competition that follow from such payments?

The conference aims at providing an update on recent developments. Cases are indeed pending or have been decided recently in the EU (Lundbeck, Servier), in the U.S. (Actavis) and in Korea (GSK). The conference will offer a platform for stakeholders and academics to present their view. There will be time for interactions with the public.

PROGRAMME FRIDAY 18 OCTOBER 2013	12.30 – 13.15	REGISTRATION AND WELCOME RECEPTION	
	13.15	INTRODUCTION	> Alain Strowel (Université Saint Louis and UCLouvain)
	13.30	KEYNOTE SPEECH	> Henri Piffaut (DG COMP), European Commission
	14.00 – 15.15	RECENT DEVELOPMENTS IN THE EU, U.S. AND KOREA	> Josef Drexl (Max-Planck Institute, Munich) > John Kallaughar (Visiting Professor University College London ; Partner, Latham & Watkins) > Hwang Lee (Korea University School of Law, Seoul)
	15.15-15.45	VIEWS FROM INDUSTRY AND CONSUMERS	> Kristine Peers (Pfizer, European Federation of Pharmaceutical Industries and Associations) > The European Generics medicines Association > Ilaria Passarani (BEUC – the European Consumer Organisation)
	15.45 – 16.00	COFFEE BREAK	
	16.00 – 17.00	ROUNDTABLE DISCUSSION	> Benoît Durand (Partner, RBB Economics) > David Hull (Partner, Covington & Burling) > Esther Van Zimmeren (Universiteit Antwerpen) > Wouter Devroe (KULeuven)
	17.00	QUESTIONS AND DEBATE	
	17.45	CONCLUDING REMARKS	> Paul Nihoul (UCLouvain)

## REGISTRATION

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Attendance will count for the continuing legal education program of the bar

## F E E S

150 € > normal rate

70 € > academics, researchers and officials

20 € > students

Payment to: CRIDES (UCL) - IBAN BE80 0016 4220 8077- BIC GEBABEBB  
With the mention: « Conference 18 October » followed by the name of the registered person.

**Organisation:** The conference is organized by the « Université Saint Louis »\* and the « Université catholique de Louvain »\*\*. It takes place in the premises of the « Institut libre Marie Haps » (Haute École Léonard de Vinci) ideally located in the heart of the European area in Brussels.

\* Centre Intellectual Property and Innovation (CIPI)

\*\* Centre de recherche interdisciplinaire Droit, Entreprise, Société (CRIDES)