

INDEX 2005/2006

BIO-SCIENCE LAW REVIEW

VOLUME 8

CONTENTS

Subject Index	i
Countries and Institutions	iii
Contributors	iv
Contributions	v
Case List	v

Subject Index

BIOTECHNOLOGY

Mergers

- Reverse mergers between German and US biotech firms (Article)
3 131

Patents

- Is German utility model protection available for biotechnology
inventions? (Article) 3 123
Recent developments in biotechnology patents (European News)
6 256

CHEMICALS

Regulation

- New European REACH Regulation (United Kingdom) 5 211

CLINICAL PRACTICE

EC law

- Implementation of Good Clinical Practice Directive (European
News) 3 137

CLINICAL TRIALS

Agreements

- New DOH/ABPI model clinical trial agreement (United Kingdom)
4 168

Orphan drugs

- Risk management and transparency in pre-clinical research and
early clinical trials: lessons learnt from TGN 1412 (Article) 4 151

COMPANIES

Filings

- Companies targeted via false companies house filings (News) 4 168

COMPETITION LAW

Pharmaceuticals

- Delaying generic drug entry and the restriction of parallel trade
(European Commission) 1 47

Technology licences

- EC competition law on technology licensing (Book Review) 5 213

CONFIDENTIAL INFORMATION

Employees

- Protecting your confidential information *Utopia v Wright* (United
Kingdom) 6 247

CONTRACTS

Entire agreement clauses

- William David Lloyd and MGL (Rugby) Ltd v Andrew Michael
Sutcliffe* (United Kingdom) 6 245

DATA PROTECTION

Genetics

- Keeping yourself to yourself: genetic privacy in the United Kingdom
(Article) 6 239

Medical research

- ABPI guidelines for the secondary use of data for medical research
purposes (United Kingdom) 6 248

EMBRYOLOGY

Legislation

- Human Fertilisation and Embryology Act 1990: still fit for purpose
in the 21st century? (Article) 6 223

GM CROPS

Approval

- BASF prepare to cultivate GM potato in EU (European Council)
6 255

Trade barriers

- EU moratorium an unfair trade barrier (WTO) 1 51
WTO rules in favour of US over EU GM crop moratorium (WTO) 3 139

GMOS

Movement

- Transboundary movement of genetically modified organisms
Regulation (EC) 1946/2003: a review (Article) 1 14

INTELLECTUAL PROPERTY

Guidelines

- Commission's Seventh Research Framework (European
Commission) 6 254

INTELLECTUAL PROPERTY RIGHTS

Agriculture

- A European professional view on intellectual property for plant-
related innovations (Article) 2 97
History and portents for intellectual property rights in agricultural
innovation (Article) 2 56

Bioscience

Gowers' Review: implications for the bioscience industry (Editorial)
4 143

Clinical data

Intellectual property rights in clinical data (Article) 5 193

Ownership

Universities and intellectual property: ownership and exploitation
(Book Review) 3 140

Research

Bolar provisions in the United Kingdom (Article) 5 188

LICENSING

Guidelines

Levelling the genetic field? OECD guidelines for the licensing of
genetic inventions (Article) 4 147

PATENTS

Animal varieties

Death of the oncomouse (Article) 3 120

Biotechnology

Recent developments in biotechnology patents (European News)
6 256

Community patent right

Talking seriously about patents (Editorial) 5 177

Diagnostic methods

European patents on diagnostic methods: what are the
requirements and perspectives for applicants (Article) 3 126

Disclosure

Last stop of the Peruvian Guano train: disclosure in patent cases –
where less can be more (Opinion) 6 217

Enforcement

Enforcement Directive in the UK and damages in patent actions
(United Kingdom) 1 41

European patents

European stent wars validity and infringement *Angiotech
Pharmaceuticals and another v Conor Medsystems Inc*
(United Kingdom) 4 170

Gene patents

Industrial application of gene-based inventions in the United
Kingdom clarified by UK Patent Office (News) 1 38

Infringement

Infringement and enforcement of patents: a primer (Article) 2 80

Joint patentees

Joint patentees and entitlement to grant of a patent *University of
British Columbia and Angiotech Pharmaceuticals Inc v Conor
Medsystems Inc* (Australia) 5 202

Legislation

Terrell on the Law of Patents (Book Review) 1 52

Licences

MedImmune v Genentech (United States) 6 250

Patent claims

Conor Medsystems Inc v Angiotech Pharmaceuticals (Netherlands)
4 166

Examples of disputed patent claims (Article) 2 75

Swiss-type claims – a recent development in New Zealand law
Re Genentech Inc and Washington University (New Zealand) 5 204

Patentability

Patentability of human embryonic stem cells (Germany) 4 164

Pharmaceuticals

Angiotech: a tale of two jurisdictions (Article) 5 180

Plant breeding

A US professional view on patents for plant-related innovations
(Article) 2 93

Access to germplasm for further breeding in the case of patents
and after-sale conditions (Article) 2 87

Effects of patents on enabling technologies and plant breeding
(Article) 2 60

Plant varieties

Evolution of plant variety protection and patent claims in the
United States (Article) 2 64

Patent protection of plant-related innovations: facts and issues
(concluding remarks) (Article) 2 103

Patent protection of plant-related innovations: facts and issues
(introduction) (Article) 2 55

Patents and plant variety rights in the EU (Article) 5 199

Protections available for plants under United States federal and
state laws (Article) 2 70

Protein products

Seeking approval of follow-on protein products: a perspective from
the United States (Article) 3 107

Registration

Relaxation of patent certificate requirements for registration of
therapeutic goods (Australia) 1 37

Stem cells

Embryonic stem cell technology: a crisis point for European patent
law? (Article) 3 113

University inventions

Patently too far? (Opinion) 1 3

Validity

UK enantiomeric form patent held insufficient *Generics (UK) Ltd v
V H Lundbeck A/S* (United Kingdom) 5 206

PENALTIES

Regulation

Penalties Regulation (Article) 6 220

PHARMACEUTICALS

Biopharmaceuticals

Biosimilar warfare: the arrival of generic biopharmaceuticals – the
Omnitrope decision (Article) 1 9

Biosimilars and Bolar clauses – implementation of Directive
2004/27/EC (France) 5 203

Biosimilars: the way forward in Europe (EMEA) 1 44

Parallel trade

Glaxo claims victory in Greek parallel trade dispute (Greece) 3 134

PLANT BREEDERS' RIGHTS

Enforcement

Review of enforcement of plant breeders' rights (Australia) 6 243

PLANT VARIETY RIGHTS

Regulation

A guide to UK and EU plant variety rights (Book Review) 4 172

Plant variety protection in Egypt (Article) 1 25

PROCEDURE

Disclosure

CPR change: access for non-parties to documents filed at court
(United Kingdom) 3 136

RESEARCH

Hybrids

Hybrids and chimeras: what's all the fuss? (United Kingdom) 5 208

THERAPEUTIC CLONING**Legislation**

Proposed amendment of laws concerning therapeutic cloning and human embryo research (News) 4 163

TRADITIONAL KNOWLEDGE**Intellectual property rights**

Indigenous flora and fauna claim reactivated (New Zealand) 3 135

WASTE MANAGEMENT**Electrical equipment**

UK WEEE Regulations (United Kingdom) 5 209

Countries and Institutions**AUSTRALIA****Patents**

Joint patentees and entitlement to grant of a patent *University of British Columbia and Angiotech Pharmaceuticals Inc v Conor Medsystems Inc* (News) 5 202

Relaxation of patent certificate requirements for registration of therapeutic goods (News) 1 37

Plant breeders' rights

Review of enforcement of plant breeders' rights (News) 6 243

Therapeutic cloning

Proposed amendment of laws concerning therapeutic cloning and human embryo research (News) 4 163

EGYPT**Plant variety rights**

Plant variety protection in Egypt (Article) 1 25

EMEA**Pharmaceuticals**

Biosimilars: the way forward in Europe (News) 1 44

EUROPEAN COMMISSION**Clinical practice**

Implementation of Good Clinical Practice Directive (News) 3 137

Competition law

Delaying generic drug entry and the restriction of parallel trade (News) 1 47

Intellectual property

Commission's Seventh Research Framework (News) 6 254

Penalties

Penalties Regulation (Article) 6 220

EUROPEAN COUNCIL**GM crops**

BASF prepare to cultivate GM potato in EU (News) 6 255

EUROPEAN PATENT OFFICE**Animal varieties**

Death of the oncomouse (Article) 3 120

Community patent right

Talking seriously about patents (Editorial) 5 177

Diagnostic methods

European patents on diagnostic methods: what are the requirements and perspectives for applicants (Article) 3 126

EUROPEAN UNION**Clinical data**

Intellectual property rights in clinical data (Article) 5 193

Clinical trials

Risk management and transparency in pre-clinical research and early clinical trials: lessons learnt from TGN 1412 (Article) 4 151

GMOs

Regulation of the use of genetically modified organisms in the EU (Article) 4 157

Transboundary movement of genetically modified organisms Regulation (EC) 1946/2003: a review (Article) 1 14

Intellectual property

A European professional view on intellectual property for plant-related innovations (Article) 2 97

Patents

Embryonic stem cell technology: a crisis point for European patent law? (Article) 3 113

Patents and plant variety rights in the EU (Article) 5 199

FRANCE**Medicinal products**

Biosimilars and Bolar clauses – implementation of Directive 2004/27/EC (News) 5 203

GERMANY**Biotechnology**

Is German utility model protection available for biotechnology inventions? (Article) 3 123

Mergers

Reverse mergers between German and US biotech firms (Article) 3 131

Patents

Patentability of human embryonic stem cells (News) 4 164

GREECE**Pharmaceuticals**

Glaxo claims victory in Greek parallel trade dispute (Greece) 3 134

INTERNATIONAL**Patents**

Access to germplasm for further breeding in the case of patents and after-sale conditions (Article) 2 87

Examples of disputed patent claims (Article) 2 75

Infringement and enforcement of patents: a primer (Article) 2 80

Recent developments in biotechnology patents (European News) 6 256

Pharmaceuticals

Biosimilar warfare: the arrival of generic biopharmaceuticals – the *Omnitrope* decision (Article) 1 9

INTERNATIONAL SEED FEDERATION**Intellectual property rights**

History and portents for intellectual property rights in agricultural innovation (Article) 2 56

Patents

Effects of patents on enabling technologies and plant breeding (Article) 2 60

Patent protection of plant-related innovations: facts and issues (concluding remarks) (Article) 2 103

Patent protection of plant-related innovations: facts and issues (introduction) (Article) 2 55

NETHERLANDS

Patent claims

Conor Medsystems Inc v Angiotech Pharmaceuticals (News) 4 166

Patents

Angiotech: a tale of two jurisdictions (Article) 5 180

NEW ZEALAND

Patents

Swiss-type claims – a recent development in New Zealand law
Re Genentech Inc and Washington University (News) 5 204

Traditional knowledge

Indigenous flora and fauna claim reactivated (News) 3 135

OECD

Licensing

Levelling the genetic field? OECD guidelines for the licensing of genetic inventions (Article) 4 147

UNITED KINGDOM

Chemicals

New European REACH Regulation (News) 5 211

Clinical trials

New DOH/ABPI model clinical trial agreement (News) 4 168

Companies

Companies targeted via false companies house filings (News) 4 168

Confidential information

Protecting your confidential information *Utopia v Wright* (News) 6 247

Contracts

Entire agreement clauses *William David Lloyd and MGL (Rugby) Ltd v Andrew Michael Sutcliffe* (News) 6 245

Data protection

ABPI guidelines for the secondary use of data for medical research purposes (News) 6 248

Keeping yourself to yourself: genetic privacy in the United Kingdom (Article) 6 239

Embryology

Human Fertilisation and Embryology Act 1990: still fit for purpose in the 21st century? (Article) 6 223

Intellectual property rights

Bolar provisions in the United Kingdom (Article) 5 188

Gowers' Review: implications for the bioscience industry (Editorial) 4 143

Patents

Angiotech: a tale of two jurisdictions (Article) 5 180

Enforcement Directive in the UK and damages in patent actions (News) 1 41

European stent wars validity and infringement *Angiotech Pharmaceuticals and another v Conor Medsystems Inc* (News) 4 170

Industrial application of gene-based inventions in the United Kingdom clarified by UK Patent Office (News) 1 38

Last stop of the Peruvian Guano train: disclosure in patent cases – where less can be more (Opinion) 6 217

Patently too far? (Opinion) 1 3

UK enantiomeric form patent held insufficient *Generics (UK) Ltd v V H Lundbeck A/S* (News) 5 206

Procedure

CPR change: access for non-parties to documents filed at court (News) 3 136

Research

Hybrids and chimeras: what's all the fuss? (News) 5 208

Waste management

UK WEEE Regulations (News) 5 209

UNITED STATES

Mergers

Reverse mergers between German and US biotech firms (Article) 3 131

Patents

A US professional view on patents for plant-related innovations (Article) 2 93

Evolution of plant variety protection and patent claims in the United States (Article) 2 64

Licences *MedImmune v Genentech* (News) 6 250

Protections available for plants under United States federal and state laws (Article) 2 70

Seeking approval of follow-on protein products: a perspective from the United States (Article) 3 107

WORLD TRADE ORGANISATION

GM crops

EU moratorium an unfair trade barrier (News) 1 51

WTO rules in favour of US over EU GM crop moratorium (News) 3 139

Contributors

Atton, Corinne (Article) 6 239

Baker, Martin (News) 1 47, 3 134

Ball, Jonathan (Article) 4 147

Bent, Stephen A. (Article) 2 56

Blythe, Shelley (Article) 5 180

Clark, Vicky (Book Review) 5 213

Clements, Susan Jane (Article) 6 220

Coleman, Allison (Book Review) 3 140

Cosgrove, Daniel J. (Article) 2 93

Crespi, R. Stephen (Article) 3 113; (News) 5 206

Curley, Duncan (Article) 3 120; (News) 4 170

Dabell, Fiona (Article) 6 223

Dashore, Dipti (News) 1 44, 5 208

De Ponti, Orlando (Article) 2 55

Farmer, Stacey J. (Article) 3 123 (News) 4 164

Fenton, Rachel Ann (Article) 6 223

Fox Murphy, Kathleen (News) 3 136

Ghijsen, Huib (Article) 2 87

Gohen, Simon (News) 1 44

Grand, Claude (Article) 2 103

Grund, Martin (Article) 3 123; (News) 4 164

Harrop, Sarah (Article) 6 239

Hauda, Karen (Article) 2 64

Herbreteau, Olivier (News) 5 203

Hopkins, Gary (News) 5 209, 5 211

Hsu Min Chung (Article) 5 188

Jones, Bronwen (Article) 1 25

Jones, Nigel (Editorial) 4 143; (Book Review) 1 52

Keller, Christian (Article) 3 126

Kircher, Wolfgang (Article) 3 131

Kock, Michael A. (Article) 2 60

Kohl, Peter (Article) 3 131

Kuipers, Gertjan (News) 4 166

Love, Jane M. (Article) 3 107

Ma, Saufung (News) 6 247

Mchaffie, Kate (News) 5 204

Mennenoeh, Henning (Article) 3 131

Middleton, Gaye (News) 1 37, 4 164, 5 202, 6 243

Morgan, Gareth (Editorial) 5 177; (Opinion) 6 217; (Articles) 4 157, 5 199; (News) 1 38, 1 41, 1 51, 3 137, 3 139, 4 168, 6 255

Plomley, Jane (News) 6 250

Poore, Alasdair (Opinion) 1 3

Puran, Sangeeta (Article) 5 193

Rasheed, Farheena (News) 6 250

Richly, Erik (Article) 3 123; (News) 4 164
 Roberts, Tim (Article) 2 75; (Book Review) 4 172
 Roger, Pierre (Article) 2 97
 Roth, Michael (Article) 2 80
 Sampson, Tim (Article) 1 14
 Schoonderbeek, Carla (Article) 4 151
 Sease, Edmond J. (Article) 2 70
 Sharples, Andrew (Article) 3 120; (News) 5 206
 Skudder, Andrew (Article) 4 147
 Smith, Camilla (Article) 5 180
 Teare, Isabel (Article) 1 9
 Tuffery, Lynell (News) 3 135
 Vickers, Edward (News) 6 245
 Williams, Gareth (News) 6 256
 Worden, Tim (News) 4 168, 6 248, 6 254
 Wright, Elisabethann (Article) 6 220

Contributions

EDITORIALS

Gowers' Review: implications for the bioscience industry
Nigel Jones 4 143
 Talking seriously about patents *Gareth Morgan* 5 177

OPINIONS

Last stop of the Peruvian Guano train: disclosure in patent cases –
 where less can be more *Gareth Morgan* 6 217
 Patently too far? *Alasdair Poore* 1 3

ARTICLES

A European professional view on intellectual property for plant-related innovations *Pierre Roger* 2 97
 A US professional view on patents for plant-related innovations
Daniel J. Cosgrove 2 93
 Access to germplasm for further breeding in the case of patents
 and after-sale conditions *Huib Ghijsen* 2 87
 Angiotech: a tale of two jurisdictions *Camilla Smith and Shelley
 Blythe* 5 180
 Biosimilar warfare: the arrival of generic biopharmaceuticals –
 the Omnitrope decision *Isabel Teare* 1 9
 Bolar provisions in the United Kingdom *Hsu Min Chung* 5 188
 Death of the oncomouse *Andrew Sharples and Duncan Curley* 3 120
 Effects of patents on enabling technologies and plant breeding
Michael A. Kock 2 60
 Embryonic stem cell technology: a crisis point for European patent
 law? *R. Stephen Crespi* 3 113
 European patents on diagnostic methods: what are the
 requirements and perspectives for applicants *Dr Christian Keller*
 3 126
 Evolution of plant variety protection and patent claims in the
 United States *Karen Hauda* 2 64
 Examples of disputed patent claims *Tim Roberts* 2 75
 History and portents for intellectual property rights in agricultural
 innovation *Stephen A. Bent* 2 56
 Human Fertilisation and Embryology Act 1990: still fit for purpose
 in the 21st century? *Rachel Ann Fenton and Fiona Dabell* 6 223
 Infringement and enforcement of patents: a primer *Michael Roth*
 2 80
 Intellectual property rights in clinical data *Sangeeta Puran* 5 193
 Is German utility model protection available for biotechnology
 inventions? *Dr Martin Grund, Dr Rik Richly and Dr Stacey J.
 Farmer* 3 123
 Keeping yourself to yourself: genetic privacy in the United Kingdom
Sarah Harrop and Corinne Atton 6 239

Levelling the genetic field? OECD guidelines for the licensing of
 genetic inventions *Jonathan Ball and Andrew Skudder* 4 147
 Patent protection of plant-related innovations: facts and issues
 (introduction) *Orlando de Ponti* 2 55
 Patent protection of plant-related innovations: facts and issues
 (concluding remarks) *Claude Grand* 2 103
 Patents and plant variety rights in the EU *Dr Gareth Morgan* 5 199
 Penalties Regulation *Elisabethann Wright and Susan Jane Clements*
 6 220
 Plant variety protection in Egypt *Bronwen Jones* 1 25
 Protections available for plants under United States federal and
 state laws *Edmond J. Sease* 2 70
 Regulation of the use of genetically modified organisms in the EU
Dr Gareth Morgan 4 157
 Reverse mergers between German and US biotech firms *Henning
 Mennenoeh, Peter Kohl and Wolfgang Kircher* 3 131
 Risk management and transparency in pre-clinical research
 and early clinical trials: lessons learnt from TGN 1412
Carla Schoonderbeek 4 151
 Seeking approval of follow-on protein products: a perspective from
 the United States *Jane M. Love* 3 107
 Transboundary movement of genetically modified organisms
 Regulation (EC) 1946/2003: a review *Dr Tim Simpson* 1 14

BOOK REVIEWS

EC Competition Law on Technology Licensing (Frank L. Fine)
Vicky Clark 5 213
 Guide to UK and EU Plant Variety Rights (Sean C. Butler)
Tim Roberts 4 172
 Terrell on the Law on Patents (16th edition) (Simon Thorley QC,
 Richard Miller QC, Guy Birkill QC and Colin Birss) *Nigel Jones*
 1 52
 Universities and Intellectual Property: Ownership and Exploitation
 (Ann Monotti and Sam Ricketson) *Allison Coleman* 3 140

Case List

Angiotech Pharmaceuticals and another v Conor Medsystems Inc
 (United Kingdom) [2007] EWCA Civ 5 4 170, 5 180
 Conor Medsystems Inc v Angiotech Pharmaceuticals (Netherlands)
 District Court of The Hague, 17 January 2007 4 166, 5 180
 Generics (UK) Ltd v VH Lundbeck A/S (United Kingdom) [2007]
 EWHC 1040 (Pat) 5 206
 Greenpeace v Germany Patent DE 197 56 864 (Germany) German
 Federal Patent Court, 5 December 2006 4 164
 MedImmune v Genentech (United States) Supreme Court 9 January
 2007 6 250
 Nichia Corp v Argos (United Kingdom) [2007] EWCA Civ 741 6 217
 Re Genentech Inc and Washington University (New Zealand) Patent
 application no 539505, P1/2007, 23 January 2007 5 204
 University of British Columbia and Angiotech Pharmaceuticals Inc v
 Conor Medsystems Inc (Australia) [2006] FCAFC 154 5 202
 Utopia v Wright (United Kingdom) High Court 6 247
 William David Lloyd and MGL (Rugby) Ltd v Andrew Michael
 Sutcliffe (United Kingdom) [2007] EWCA Civ 193 6 245

Bio-Science Law Review is published by Lawtext Publishing Limited
www.lawtext.com

© 2007 Lawtext Publishing Limited
 Published by Lawtext Publishing Ltd. Office G18, Spinners Court,
 55 West End, Witney, Oxon OX28 1NH

Typeset by SHW Associates Ltd, Maidstone, Kent
 Printed by Information Press, Eynsham, Oxon

