

/ Introduction to the Noerr Patent Group

Our expertise in technology & innovation



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/ Thinking IP

We often experience that technology companies **neglect the IP landscape** when developing their business strategy. Likewise, the work of the IP department is often **detached from the business strategy**, so that respective patents have little or no value for the company and its business model.

We can change this by our integrated, business driven IP Services & Solutions, no matter whether it comes to patent prosecution, litigation, licensing, or transactions.

We think that IP is much more than just the result of successful research and development (R&D). We understand that IP management and business strategy may **exponentially accelerate economical success** if they are **integral and interactive** parts of the overall business management:

The IP portfolio should reflect the company's business strategy, i.e. IP generation, usage and enforcement have to be in tune with the company's strategy.

Likewise, the **company strategy should be inspired by the "IP landscape"**, i.e. third party rights and areas of technology not covered by third party rights ("white spots").

/ Our Integrated IP Services & Solutions (1/2)

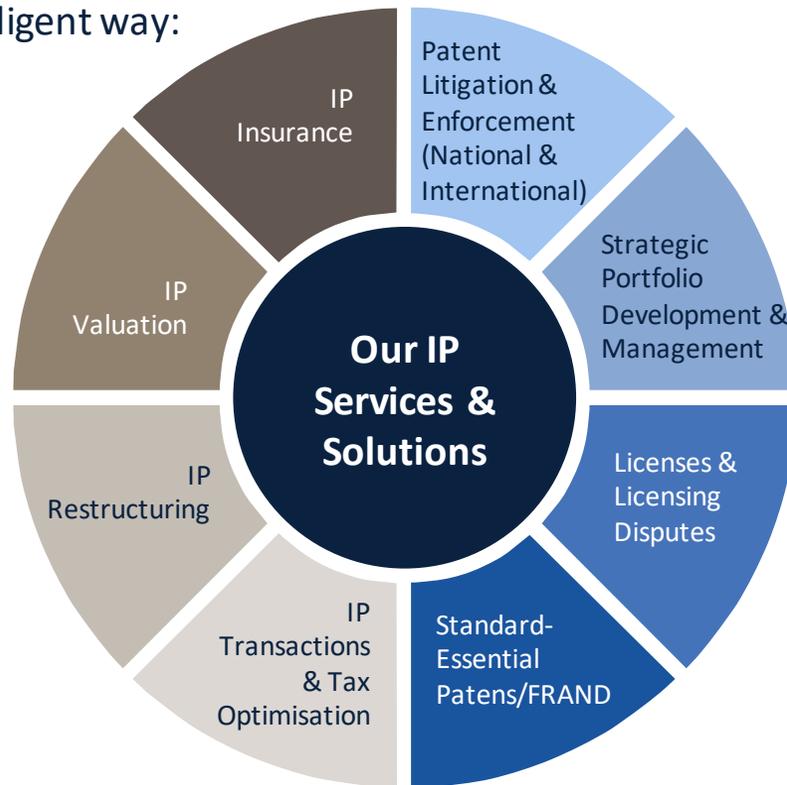
The **Noerr Patent team** comprises highly experienced attorneys handling **all litigious and non-litigious patent matters**. On a case-by case basis, we work with seasoned patent attorneys covering **all technological fields**, in particular, electrical and mechanical engineering, chemistry, medical, pharmaceutical and biotechnology.

The services of the Noerr Patent team are seamlessly integrated into the **outstanding competence of Noerr** in all areas of business law. Our lawyers are usually ranked top tier and considered **global leaders in their field**.

/ Our Integrated IP Services & Solutions (2/2)

The Noerr Patent team, our team of **legal and technical experts**, provides **seamless and integrated IP Services & Solutions around the globe**.

Together with our more **than 480 colleagues** working at Noerr worldwide, we handle all legal matters related to technology & innovation in the most professional and diligent way:



Your benefits

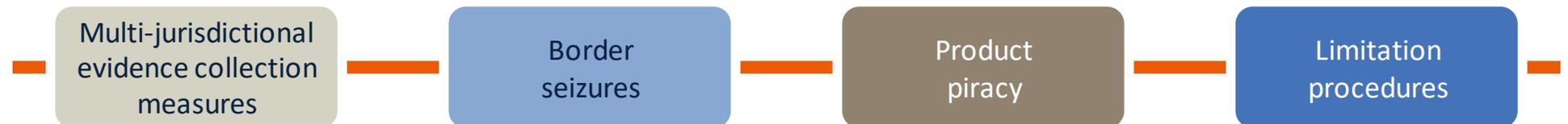
- ▶ International team across several of our offices and global network
- ▶ Close cooperation with our specialists in distribution and antitrust law, food law and restructuring, tax and auditing



/ Patent Litigation & Enforcement

National & International

- The members of the Noerr Patent team are the trial lawyers of choice for many **renowned high-tech companies**.
- We regularly argue complex **infringement cases** before **German patent courts**. We have longstanding experience in handling **international and multi-jurisdictional patent litigations**, based on our established and reliable network of offices and “best-friend” law firms.
- Likewise, our litigation services cover legal advice and representation in **nullification actions and opposition proceedings** before the **German and the European Patent Offices**.
- We have one of the most prolific practices in **alternative dispute resolution**. Our clients benefit from our experience in handling litigations before various arbitration tribunals, including ICC and WIPO.
- Moreover, our forensic advice covers the following in particular:



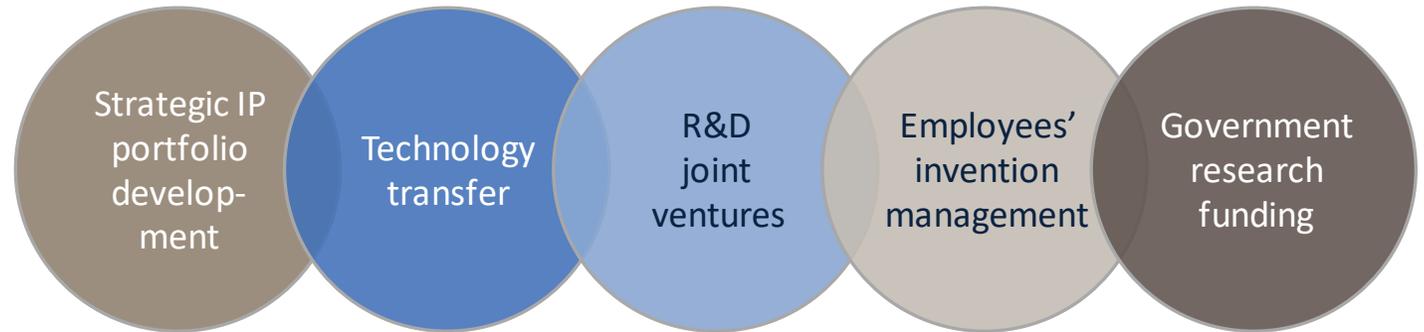
- Our clients’ business strategy is the **cornerstone of our litigation approach**. Whether our client finds itself as plaintiff or defendant, we will utilise litigation to client’s business advantage while keeping its priorities in place. For more detailed information on our patent litigation practice please consult our brochure “Patent Litigation – Infringement, Nullity, Opposition”.
- For more detailed information on our patent litigation practice please consult our brochure “Patent Litigation – Infringement, Nullity, Opposition”.

/ Strategic Innovation Management

We stay at the forefront of technology



- The phase between the genesis of an innovative idea and the grant of respective intellectual property rights is the **most important part of the IP lifecycle**. Every step the company takes during this phase has a paramount impact on the **future value of its IP rights**, in particular its strategic value, enforceability and scope of protection. Therefore, the Noerr Patent team developed a comprehensive and integrated **concept of IP services** for this phase:



- We provide intelligent coordination and active management of patent application prosecution in various jurisdictions. Our service comprises a very cost effective, reliable and transparent system **to establish, monitor and manage international patent portfolios around the globe**. Our lawyers are ranked as **leading German experts in technology transfer and R&D management**.

/ Licences & Licensing Disputes



We believe that technology licensing should be an integral part of the company strategy. Our **innovative and robust licensing concepts & management systems** leverage the value of our clients' technology portfolio. If it comes to **licensing disputes**, our clients benefit from our fully integrated practice, combining expertise in litigation, licensing, technology and antitrust.

We provide legal advice in the following areas in particular:

Developing licence programmes and strategies, integrating licence and distribution strategies, cross-licence agreements, and joint ventures.

Developing concepts and structures for joint technology development (R&D), build-operate-transfer (BOT) technology agreements, tool agreements.

EU antitrust & competition law, particularly distribution antitrust & competition law. Important issues here include: prohibition of price fixing, restrictions of clienteles and territories, prohibition of competition, and admissible agreement of purchase quantities.

Licensing disputes, including negotiations, court proceedings, alternative dispute resolution (ADR) and mediation, royalty declaration analysis.

/ Standard-Essential Patents/FRAND



Senior members of our team litigate FRAND cases **since the beginning of** the entire SEP/FRAND discussion back in 2005. We constantly handle **SEP / FRAND cases** before all major German patent infringement courts.

We know the “playbook” both from the offensive and defensive perspective.

We developed robust **approaches how to establish FRAND royalty rates**. We calculate and formulate FRAND offers in close cooperation with our integrated **team of economists** and certified accountants (Noerr AG).

Litigations concerning standard-essential patents require seamless cooperation between patent lawyers and antitrust & competition law experts. Our antitrust & competition law team is among the **leaders in the market, having many years of experience** in dealing with standard-essential patents. Our **practice** thus offers integrated solutions at the interface of patent law and antitrust & competition law.

/ IP Transactions & Tax Optimisation (1/2)



The commercial success of an IP transaction essentially depends on two factors:

Is the technology **sufficiently protected** by the targeted IP portfolio? Are the IP rights valid and enforceable, and do they cover the technology which is supposed to create the economic value of the transaction?

Does the targeted IP portfolio/company provide **freedom to operate**? Does the current or planned business of the target infringe any third party rights? Will existing licensing agreements survive the transaction?

Therefore, transactions in the technology sector require **expertise going far beyond conventional transaction know-how**. We handle technology transactions with a team consisting of **patent lawyers, transaction specialists, auditors and tax experts**. Our services & solutions include:

Comprehensive IP due diligence

Innovative corporate IP structures

IP based financing, sell & licence-back solutions for IP portfolios

/ IP Transactions & Tax Optimisation (2/2)



The tax structuring of transactions and the tax accounting of patents and licences has a direct impact on the commercial success of transactions. The tax-optimised allocation of patents and licences is an important issue for innovative companies. This applies particularly to cross-border tax structures.

We advise on:



Tax optimisation of IP transactions and IP accounting



Tax optimisation of licence agreements and intra-corporate licences



Selecting and assessing tax jurisdictions for portfolio management

/ IP Restructuring



- Successful restructurings and reorganisations of technology enterprises necessitate sustainable concepts for IP rights and know-how.
- Based on our **excellent understanding of technologies and markets** we are able to newly structure patent and licences portfolios. Realigning and strategically optimising existing and future IP portfolios is essential. We develop innovative solutions facilitating **sustainable exploitation** of our clients' IP portfolios.
- Our restructuring team is among the most successful and renowned practices in Europe. Over the past ten years Noerr has advised on seven of the ten largest insolvency cases, five of which concerned technology enterprises. Within short time frames we organise and support competitive bidder processes and develop refinancing solutions by involving international capital markets.
- We advise, both nationally and internationally, private undertakings and corporations, business managers and shareholders, banks and finance investors, as well as insolvency administrators, particularly on the following issues:





Together with our auditing and tax consulting firm, Noerr AG, we value individual property rights and portfolios.

Our valuation service is particularly required in the following cases:



Equity investments, corporate succession planning etc.



Licence granting and technology transfer



Liquidation, insolvency



Damage calculation in case of IP rights infringements

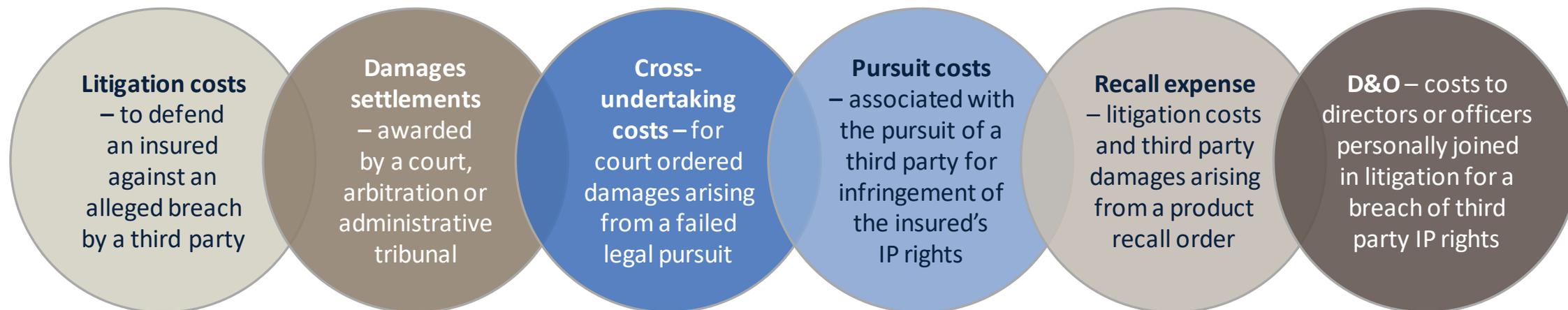


In-kind company formation with IP rights



R&D profitability analysis

- High quality IP management causes considerable costs, namely for small and medium-sized enterprises (SMEs). Especially legal defence costs, settlement payments and business interruption can damage a business' performance and reputation.
- In addition, the companies must also account for IP pursuit costs and the opportunity costs of not maximising returns from their IP portfolios.
- Intellectual Property Rights (IPR) insurance allows for effective management of these risks by providing cover for:



- Such insurance enables the companies to operate in a flexible manner and to utilise their IP as efficiently as possible.
- Working in concert with leading insurance brokers (Howden/Hendricks) and IPR insurers, upon clients request Noerr is able to provide advice concerning the coverage IPR insurance and the insurance premium costs.

/ Your contacts



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/ Noerr stands for excellence and an entrepreneurial approach.

With highly experienced teams of strong characters, Noerr devises and implements solutions for the most complex and sophisticated legal challenges. United by a set of shared values, the firm's 500+ professionals are driven by one goal: our client's success.

Listed groups and multinational companies, large and medium-sized family businesses as well as financial institutions and international investors all call on the firm.

As one of the leading European law firms, Noerr is also internationally renowned with offices in eleven countries and a global network of top-ranked "best friends" law firms. In addition, Noerr is the exclusive member firm in Germany for Lex Mundi, the world's leading network of independent law firms with in-depth experience in 100+ countries worldwide.



/ Expertise

➤ Antitrust & Competition

➤ Banking & Finance

➤ Capital Markets

➤ Commerce & Trade

➤ Corporate/Mergers & Acquisitions

➤ Data Privacy

➤ Employment & Pensions

➤ Intellectual Property

➤ IT & Outsourcing

➤ Litigation, Arbitration & ADR

➤ Regulatory & Governmental Affairs

➤ Restructuring & Insolvency

➤ Tax

➤ Automotive & New Mobility

➤ Compliance & Investigations

➤ Digital Business

➤ Energy

➤ Family-owned businesses and private clients

➤ Financial Services Regulation

➤ Healthcare

➤ Insurance & Reinsurance

➤ Media

➤ Private Equity

➤ Real Estate Investment Group

➤ Telecommunications

➤ Advisory

/ Legal Awards

European Law Firm of the Year
and Law Firm of the Year:
Germany



The Lawyer European Awards 2019

European Law Firm of the Year



British Legal Awards 2018

Law Firm of the Year:
Regulated Industries,
Distribution Trade and Logistics



Juve Awards 2018

Law Firm of the Year:
Banking & Finance



Juve Awards 2017

Transatlantic Equity Capital
Markets Team of the Year



Transatlantic Legal Awards 2017

European Law Firm of the Year



British Legal Awards 2016

Germany Law Firm of the Year



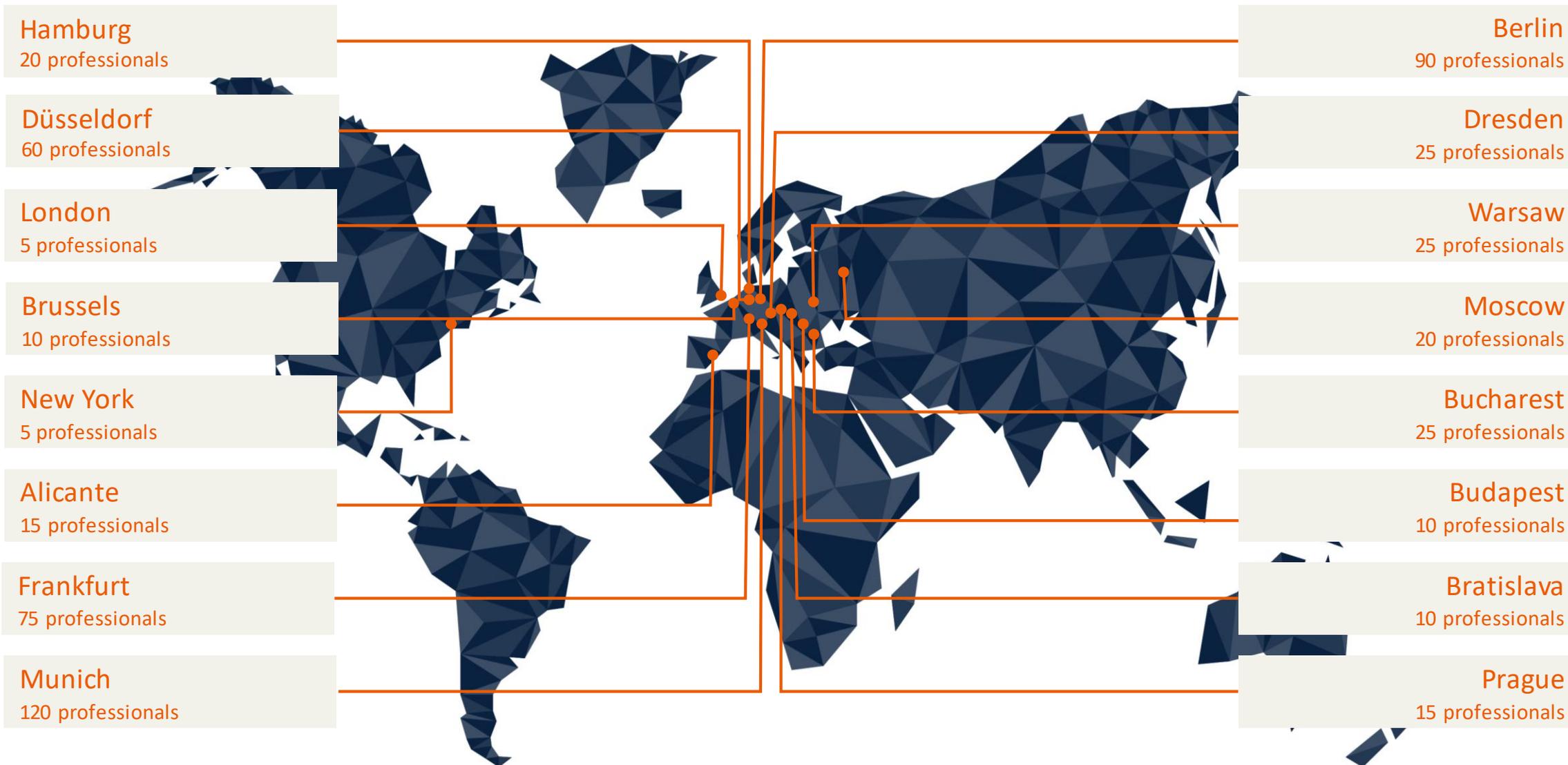
Chambers Europe Awards 2015

Global Dispute of the Year:
U.K. Litigation



The American Lawyer Global Legal
Awards 2015

/ Strong international presence



As of January 2019

/ About Lex Mundi

Noerr is the exclusive member firm in Germany for Lex Mundi – the world's leading network of independent law firms with in-depth experience in 100+ countries worldwide.

As part of the Lex Mundi global network, we can provide our clients with preferred access to more than 21,000 lawyers around the world – all from a single point of contact.



Individually, each Lex Mundi member firm is a leader in its local market. Collectively, Lex Mundi firms provide global legal resources with unmatched depth and breadth. Working with other Lex Mundi firms, we are able to seamlessly handle our clients' most challenging cross-border transactions and disputes.



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