

## Dr. Frederick Ch'en

Partner

Tokyo

### Biography

For over 15 years, Dr. Frederick Ch'en has combined his scientific training and cultural background to advise on a broad range of contentious and non-contentious IP matters, especially in the life sciences area. His particular focus is multijurisdictional patent litigation, which also allows him to assist more pragmatically on IP licensing and IP aspects of transactions (e.g., M&A, private equity, and corporate finance).

A former research scientist at Oxford University (with the top First Class Honours degree in Molecular and Cellular Biochemistry (Balliol College) and a doctorate in Medical Sciences (Merton College)), Frederick brings technical insight into clients' disputes or transactions coupled with cross-border perspectives that stem from having been raised in four different cultures.

Frederick is a solicitor (England & Wales), U.S. attorney (California), U.S. patent attorney, a registered foreign attorney in Japan, and a U.K. chartered biologist. He has been recognised as a leading practitioner by various publications, including *Chambers Asia*, *Legal 500*, and *MIP*. *Chambers Asia* calls him "an exceptional IP specialist" and "meticulous, responsive, and comfortable working on complex matters in multiple jurisdictions," and *Legal 500 Asia Pacific* an "excellent advisor," "responsive and experienced," "diligent and talented," and someone who "can easily understand



### Phone

+81 3 5157 8263

### Fax

+81 3 5157 8210

### Email

[frederick.chen@hoganlovells.com](mailto:frederick.chen@hoganlovells.com)

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### Languages

English  
Japanese

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### Practices

Intellectual Property

Patents

Pharmaceuticals and Biotechnology  
Regulatory

Trade Secrets and Confidential  
Know-how

Commercial

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### Industries

the technical issues and is very good at figuring out a solution."

Prior to joining Hogan Lovells, Frederick was head of IP in the Tokyo office of another top-tier law firm (2010-2013), having initially trained and worked for seven years in the London office of a top-tier "Magic Circle" international law firm. He is a member of AIPPI Japan, the Licensing Executive Society in Japan, and Pharma Delegates. Frederick speaks English and Japanese.

## Representative experience

Acting for various Japanese and non-Japanese companies with commercial disputes, most recently arbitration matters (ICC and LCIA) in the Life Sciences and Energy sectors, as well as civil litigation in conjunction with Japanese *bengoshi*

Acting for various global originator pharmaceutical companies in relation to numerous patent disputes in Japan, including patent invalidation actions before the Japanese Patent Office, appeals before the IP High Court and patent infringement proceedings (as claimant and defendant) before the Tokyo District Court in conjunction with Japanese *bengoshi* lawyers

Acting for a Japanese pharmaceutical company in relation to its European strategy for filing Supplementary Protection Certificates in 26 countries

Acting for a Japanese pharmaceutical company in relation to regulatory data exclusivity in Europe and the U.S.

Acting for a Japanese pharmaceutical company in relation to patent infringement proceedings against three generic companies in Hong Kong

Acting for a Japanese life sciences company in relation to contract negotiations with a U.S. counterparty

Acting for a Japanese life sciences company in relation

Life Sciences and Health Care

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## Areas of focus

IP Litigation, Arbitration, and Alternative Dispute Resolution

IP Rights in Transactions

IP Licensing, Commercialization, and Technology Transfer

Strategic Counseling and Portfolio Development

Technology Contracts

Pharmaceuticals and Biotechnology

Regulatory Exclusivities, Hatch-Waxman, and Similar Statutes

Cell, Tissue, and Gene Therapies

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## Education and admissions

### Education

Pg.D.I.P.L.P. (Intellectual Property Law & Practice), University of Bristol, 2006

Pg.D.L.P., Oxford Institute of Legal Practice, 2002

D.Phil., University of Oxford, Merton College, 2001

Pg.D.L., Oxford Brookes University, 2001

M.Biochem. (Molecular and Cellular Biochemistry), University of Oxford, Balliol College, First Class Honours, 1997

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to a patent licence from a U.S. counterparty

Acting for a Japanese engineering company in relation to its licensing negotiations with a European university in respect of joint research, development and exploitation

Acting for a Japanese electronics company in relation UK patent litigation proceedings

Acting for a Japanese technology company in relation to its global trademark and brand licensing

Acting for a European pharmaceutical company in relation to the assignment and licence-back of certain patents from a Japanese pharmaceutical company in the context of its multi-million US dollar acquisition by a U.S. pharmaceutical company

Acting for Merck & Co., Inc. in relation to defending patent revocation proceedings in relation to its enzyme inhibitor product (finasteride), a ground-breaking case that changed the English law on the patentability of dosing regimens and the rules of precedent in the UK Court of Appeal

## Awards and rankings

- Sole winner of Client Choice Award for Patents in Japan, *International Law Office*, 2017-2018
- Leading individual for Intellectual Property in Japan, *Chambers Asia-Pacific*, 2012-2019
- Leading individual for Life Sciences in Japan, *Chambers Asia-Pacific*, 2018-2019
- Leading individual in Intellectual Property, *Legal 500 Asia-Pacific*, 2019
- Leading individual for Intellectual Property in Japan, *Chambers Global*, 2014-2019
- Global IP Star, *Managing Intellectual Property IP Stars*, 2018
- IP Stars for Patents in Japan, *Managing Intellectual*

## Memberships

Member and Editorial Board  
Member, AIPPI (Japan)

Member, Licensing Executive  
Society (Japan)

Member, Pharma Delegates (Japan)

Member and Chartered Biologist,  
Royal Society of Biology (UK)

Member, Biochemical Society (UK)

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## Bar admissions and qualifications

Solicitor, England and Wales

California

U.S. Patent and Trademark Office

Japan - Daiichi Tokyo Bar  
Association (Gaikokuho Jimu  
Bengoshi)

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## Court admissions

Senior Courts of England and Wales

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## Accolades

extremely hardworking, friendly and  
brilliant

*Legal 500 Asia-Pacific 2019*

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Frederick Ch'en attracts widespread  
acknowledgement for his  
outstanding blend of 'strong  
knowledge about scientific areas'  
with his patent expertise. Dr Ch'en

*Property, 2014-2017*

- Leading individual for Patent Transaction and Patent Litigation in Japan, *IAM Patent 1000*, 2017
- The Best Lawyers in Japan, Intellectual Property, *Best Lawyers*, 2015-2020
- "The Lawyer of the Year" in Japan, Life Sciences Practice, *Best Lawyers*, 2020
- The Best Lawyers in Japan, Life Sciences Practice, *Best Lawyers*, 2020
- Leading individual in IP, *Who's Who Legal Japan*, 2017-2019
- Leading individual in Life Sciences, *Who's Who Legal Japan*, 2018-2019
- World IP Review Leader, 2017-2019
- Highly Recommended in Japan, *IAM Patent 1000*, 2019

## Latest thinking and events

- Hogan Lovells Events
  - Tokyo: Life Sciences and Health Care Horizons 2019
- Press Releases
  - Hogan Lovells Advises Recordati on agreement to acquire the rights of three Cushings disease treatments from Novartis
- Insights
  - Hogan Lovells' Standard Essential Patent Update – May 2019
- Hogan Lovells Publications
  - Hogan Lovells standard essential patent update – May 2019 *LimeGreen IP News*
- News
  - Life Sciences and Health Care Horizons 2019 publication: IP in the mix
- Insights

has impeccable science qualifications including a doctorate in medical sciences which he brings to bear when advising clients on areas of contentious and non-contentious IP, and regulatory regimes.

*Chambers Asia-Pacific 2018*

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Frederick Ch'en is admired for his depth of knowledge in the life sciences sector. Sources remark: 'He is a very talented lawyer with a very good background in pharmaceuticals and bioscience.'

*Chambers Asia-Pacific 2017*

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Newly featured life sciences sage Frederick Ch'en is the 'most practical of lawyers with a great business mind. He understands clients' needs very quickly and always gives prompt, valuable and clear advice on Japanese law and customs'.

*IAM Patent 1000 2017*

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■ Hogan Lovells' Standard Essential Patent Update – February 2019

Frederick Ch'en combines an expertise in patents with an impressive knowledge base in the medical sciences. For clients, 'his strengths and qualities are great diligence, rich knowledge in both the IP and science areas of the pharmaceutical field...'

*Chambers Asia-Pacific 2016*

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...armed with a background in medical sciences, Ch'en tackles his instructions in a "responsive and timely" manner, "cooperating seamlessly with both local and foreign peers."

*IAM Patent 1000, 2018*

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"He's never afraid to tell you if he thinks you're wrong" and combined with his "practical and prompt advice, and his experience in overseeing international arbitration, represents exceptional value for money".

*IAM Patent 1000, 2018*

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