

THREE NEW SQUARE

INTELLECTUAL PROPERTY



JOE DELANEY

Year of Call: 2006

"He's very intelligent and knowledgeable and has really good strategic insight." "He excels at uncovering and identifying winning strategies that others on his side may have missed, much to the annoyance of his opponents."

Chambers & Partners, 2019

PRACTICE AREAS

The major part of Joe's practice relates to patent litigation, in particular in the pharma, biotech and telecoms fields.

Joe is also instructed in matters relating to international commercial arbitrations that involve issues of intellectual property law, in particular disputes arising out of technology, know-how, patent and trade mark transfer and licensing agreements.

Joe is consistently ranked by Chambers & Partners and Legal 500 as a leading junior in the fields of Intellectual Property and IT & Telecoms.

EDUCATION

2006-2007: 12 months pupillage with Colin Birss, Tom Hinchliffe, Tom Mitcheson, and Denise McFarland as pupil masters.

2005-2006: Bar Vocational Course, BPP Law School, London

2004-2005: Graduate Diploma in Law, BPP Law School, London.

2001-2004: Natural Sciences (First Class), Emmanuel College, Cambridge.

AWARDS & SCHOLARSHIPS

Middle Temple: JJ Powel Prize, Astbury Scholar

LEGAL DIRECTORY COMMENTS

"Joe is incredibly responsive, sharp, and works hard to support the team at all levels."
Chambers & Partners, 2023

"I have always been impressed with Joe as an adversary and co-worker. He thinks carefully and deeply about the issues and is an incisive thinker." Chambers & Partners, 2022

"He is really dedicated, decisive and smart." "Fantastically user-friendly and really 'gets' it." "He is very easy to work with, willing to work hard and communicative." Chambers & Partners, 2020

"He is known for patent disputes relating to telecoms and mobile phone technology." "A very strong junior for biotech patent litigation." Legal 500, 2019

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"He's very intelligent and knowledgeable and has really good strategic insight." "He excels at uncovering and identifying winning strategies that others on his side may have missed, much to the annoyance of his opponents." Chambers & Partners, 2019

'He has great ideas and his written work is excellent.' Legal 500, 2018

"He's very bright, gets stuck into the detail, very responsive and very much a team player." "He is always thoughtful, clear and persuasive." Chambers & Partners, 2018

"A very strong, clever and ultra-reliable junior." "He is very bright, personable and committed." Legal 500, 2017

"He is very bright and good at synthesising simple-looking arguments from complex facts and law." "He is very personable and has a good, practical sense of strategy." Chambers & Partners, 2017

"Great intellect and calm under pressure." Legal 500, 2016

"Joe Delaney has garnered praise for his "creative approach" and someone clients "wouldn't hesitate to recommend"". Who's Who Legal 2016

"Extremely bright and easy to work with as part of a large team." "Excellent on the details in technical cases, and very sound in his judgement when it comes to broader strategy issues." Chambers & Partners, 2016

"He is technically superb, has great commercial insight, and delivers on every level." Legal 500, 2015

"An old head on young shoulders" Legal 500, 2015

"Smart, efficient, capable and user-friendly." Chambers & Partners, 2015

"An exceptionally talented junior, who really gets on top of a case." Legal 500, 2014

"A real star of the future. He has all the technical side to him and his judgement seems very good for someone relatively junior. He's very impressive." Chambers & Partners, 2014

"A "rising star" is Joe Delaney, who in a relatively short time has become a battle-hardened veteran of the 'smartphone wars' between Apple and other mobile telecoms manufacturers. He wins much praise." Chambers & Partners, 2013

"Joe Delaney is a talented young barrister with a practice spanning the full range of IP law." Chambers & Partners, 2012

"stands out for being "capable beyond his years." Delaney is "very focused, excellent on the detail in complex patent cases and a pleasure to work with." Chambers & Partners, 2011

"strong technical skills" Chambers & Partners, 2010

"Natural Sciences graduate Joe Delaney was only called to the bar in 2006 but is already winning rave reviews as "a barrister who is mature beyond his years and who is destined to go all the way

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to the top". Intellectual Asset Management Life Sciences 250 – The World's Leading Life Sciences Patent Litigators, 2010

RECENT & ON-GOING CASES

- Teva v Bayer [2023]: Patent concerning testosterone undecanoate.
- Nokia v OnePlus [\[2023\] EWHC 23 \(Pat\)](#): SEPs relating to 3G, 4G and 5G technology.
- Teva & Sandoz v Astellas [\[2022\] EWHC 1316 \(Pat\)](#): indication and formulation patents for treating OAB.
- Optis v Apple [\[2022\] EWHC 561 \(Pat\)](#): SEP relating to LTE/4G technology.
- InterDigital v Lenovo [\[2021\] EWHC 2152 \(Pat\)](#), [\[2023\] EWCA Civ 34](#): SEPs relating to LTE/4G technology.
- Regeneron & Teva v Rinat [2020]: Patents concerning the use of anti-NGF antibodies for treating osteoarthritis pain and related conditions.
- Teva v Janssen [2021]: SPC concerning a salt ester prodrug of a previously approved anti-psychotic product.
- Akebia Therapeutics v Fibrogen [\[2020\] EWHC 866 \(Pat\)](#), [\[2021\] EWCA Civ 1279](#): Patents concerning the use of HIF-PH inhibitors for treating various types of anaemia and related conditions.
- Teva & Ors v Gilead [\[2017\] EWHC 13 \(Pat\)](#), [\[2018\] EWHC 2416 \(Pat\)](#), [\[2019\] EWCA Civ 2272](#): SPCs for anti-retroviral medications.
- Takeda v Roche [\[2019\] EWHC 1911 \(Pat\)](#): Patents concerning fucosylation of recombinant antibodies.
- Illumina v TDL & Ariosa [\[2017\] EWHC 2930 \(Pat\)](#), [\[2018\] EWHC 615 \(Pat\)](#), [\[2019\] EWHC 1497 \(Pat\)](#): Patents concerning non-invasive prenatal diagnosis and genetic testing.
- Philips v ASUS & HTC [\[2016\] EWHC 867 \(Pat\)](#), [\[2016\] EWHC 2220 \(Pat\)](#), [\[2018\] EWHC 1224 \(Pat\)](#), [\[2018\] EWHC 1826 \(Pat\)](#): SEPs relating to HSPA mobile phone technology.
- Regeneron v Kymab [\[2016\] EWHC 87 \(Pat\)](#), [\[2018\] EWCA Civ 671](#), [\[2018\] EWCA Civ 1186](#): Patents concerning transgenic mice for use as platforms for therapeutic antibody discovery.
- Lilly v Teva [2018]: Patents concerning anti-CGRP antibodies.
- Accord v Cellegene [2018]: Patents concerning thalidomide analogues having anti-TNF alpha activity.

PREVIOUS CASES

- TQ Delta v ZyXEL [2017]: SEPs involving ADSL technology.
- Teva & Ors v Merck [\[2017\] EWHC 539 \(Pat\)](#): SPCs for anti-retroviral medications.
- Actavis & Ors v Lilly [\[2016\] EWHC 1955 \(Pat\)](#): Patents for tadalafil dosing and formulation.
- Thoratec v AIS [\[2016\] EWHC 2637 \(Pat\)](#): Patents concerning catheter based heart pumps.
- MRC v Celltech [2016]: Royalty dispute arising from patents concerning humanized antibodies.
- Actavis v Lilly [\[2016\] EWHC 234 \(Pat\)](#): Patent concerning pemetrexed as a chemotherapeutic treatment for lung cancer.
- Adaptive Spectrum & Signal Alignment v BT [\[2013\] EWHC 3768 \(Pat\)](#), [\[2014\] EWCA Civ 1462](#), [\[2014\] EWHC 4194 \(Pat\)](#): Telecoms dispute involving ADSL patents.
- Teva v Leo [\[2014\] EWHC 3096 \(Pat\)](#): Patent for a combination product for the treatment of psoriasis.
- Fage v Chobani [2012] EWHC 3097 (Ch), [2013] E.T.M.R. 28, [\[2013\] EWHC 630 \(Ch\)](#), [\[2014\] EWCA Civ 5](#), [2014] E.T.M.R. 26, [2014] F.S.R. 29: Extended form passing-off claim concerning the right to use the description 'Greek Yoghurt'.

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- HTC Europe v Apple [\[2012\] EWHC 1789](#), [\[2013\] EWCA Civ 451](#), [2013] R.P.C. 30: "Smartphone" patents and software-implemented inventions.
- ICom v HTC; Nokia v ICom [\[2013\] EWHC 52 \(Pat\)](#): Inspection of confidential licensing documents for the purposes of determining a FRAND licence.
- An ICC arbitration [2013] between two major telecom companies arising out of a patent licence agreement.
- MedImmune v Novartis Pharmaceuticals [2012] F.S.R. 23, [\[2011\] EWHC 1669 \(Pat\)](#), [\[2012\] EWHC 181 \(Pat\)](#), [\[2012\] EWCA Civ 1234](#): Patents and SPC concerning recombinant antibody phage display technology.
- Samsung Electronics v Apple [2013] F.S.R. 7, [\[2012\] EWHC 889 \(Ch\)](#): Registered Community Design for the iPad.
- Enercon GmbH v Enercon (India) Ltd [2012] 1 Lloyd's Rep. 519, [\[2012\] EWHC 689 \(Comm\)](#): Section 18 Arbitration Act 1996 application, and issues of interim anti-suit and freezing relief.
- Gedeon Richter v Bayer [\[2011\] EWHC 583 \(Pat\)](#), [2013] Bus. L.R. D17, [\[2012\] EWCA Civ 235](#): Patent concerning pharmaceutical formulations of contraceptive pills.
- H. Lundbeck A/S v TDP Healthcare [2012]: SPC for the antidepressant escitalopram, and Community Trade Mark for CIPRALEX.
- Fresenius v CareFusion [2011] EWHC 2052 (Pat), [\[2011\] EWHC 2663 \(Ch\)](#), [\[2011\] EWCA Civ 1288](#), [2012] 1 All E.R. 794, [2011] EWHC 2959 (Pat): Patents concerning infusion syringe pumps.
- Warner-Lambert v Teva [2011] F.S.R. 44, [2011] EWHC 1691 (Pat), [\[2011\] EWHC 2018 \(Ch\)](#): Patent for Pfizer's blockbuster drug Lipitor.
- Apple v Nokia [2011]: Wide-ranging mobile phone related litigation.
- An LCIA Arbitration [2011]: Instructed to assist commercial counsel in relation to intellectual property issues arising out of a patent and know-how licensing agreement concerning neurotoxins.
- Albert Packaging v Nampak Cartons [\[2011\] EWPC 015](#), [2011] F.S.R. 32: Patents County Court trial for infringement of unregistered design right in sandwich-wrap packaging.
- Datacard Corporation v Eagle Technologies Ltd [2011] R.P.C. 17; [\[2011\] EWHC 244 \(Pat\)](#): Patents concerning RFID technology in printer consumables, as well as trademark infringement via the use of signs on "click-through" links on websites.
- Fosroc v W.R. Grace [\[2010\] EWHC 1702 \(Pat\)](#): Patents concerning cement admixtures.
- Diageo v Intercontinental Brands [\[2010\] EWCA Civ 920](#); [2011] 1 All E.R. 242; [2010] E.T.M.R. 57; [2011] R.P.C. 2 (Court of Appeal) [\[2010\] EWHC 17 \(Ch\)](#); [2010] 3 All E.R. 147; [2010] E.T.M.R. 17; [2010] R.P.C. 12 (High Court): Extended form passing-off involving the 'VODKAT' range of products.
- TIP v Motorola [2010]: SEP relating to GPRS mobile phone technology.
- RIM v Motorola [\[2010\] EWHC 118 \(Pat\)](#): Patents concerning mobile email systems.
- Ratiopharm v ALZA; ALZA v Sandoz [\[2009\] EWHC 213 \(Pat\)](#): Patent concerning transdermal fentanyl patches.
- InterDigital v Nokia & NSN [2008]; Nokia Corporation v InterDigital [\[2007\] EWHC 3077](#): Wide-ranging patent actions concerning 3G and GSM mobile phone technology, and the determination of 'essentiality' to the ETSI standards.

PUBLICATIONS

- S. Wheelwright, S. Baron-Cohen, N. Goldenfeld, J. Delaney, D. Fine, R. Smith, L. Weil and A. Wakabayashi, (2006). "Predicting Autism Spectrum Quotient (AQ) from the Systemizing Quotient-Revised (SQ-R) and Empathy Quotient (EQ)", Brain Research 1079:47-56

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PROFESSIONAL MEMBERSHIPS

Chancery Bar Association; COMBAR; IP Bar Association

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