

# Penny Gilbert, Partner, has a strong background in life sciences and specializes in advising pharmaceutical, biotechnology and medical device companies.



#### Contact details

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#### Qualifications

1991 Solicitor

2004 Mediator

2005 Solicitor Advocate

#### Education

MA (Biochemistry), Oxford University;

DPhil (Molecular Biology), Oxford University

Diploma in Intellectual Property Law and Practice, Bristol University

#### Cases include:

- Samsung Bioepis & Biogen v AbbVie (adalimumab)
- Merck v Royalty pharma; Teva v Royalty pharma (diabetes; SPC)
- Eli Lilly v Eisai (Alzheimer therapy)
- GlaxoSmithKline Biologicals SA v UCB Pharma Limited (vaccines)
- Icahn School of Medicine at Mt Sinai's SPC application (ERT /SPC)
- Regeneron v Kymab (antibodies / transgenic mice)
- Pharmaq v Intervet (SPC)
- Eli Lilly v HGS (SPC)
- Eli Lilly v Biogen (monoclonal antibody use)
- Synageva v CHRF/Shire (orphan drug / ERT)
- Hospira v Amgen (protein pegylation)
- Sandoz / ratiopharm v Napp (controlled release opioid)
- Eli Lilly v Human Genome Sciences (Neutrokine alpha)
- Roche v Chiron (Fuzeon; Herceptin)
- Oxford Gene Technology v Affymetrix (DNA microarrays)
- Pharmacia v Merck (COX 2 inhibitors)
- Inhale v Quadrant (protein stabilisation)
- Quadrant v Roser (protein stabilisation)
- Chiron v Evans Medical & others (pertussis antigens)
- Chiron v Murex & others (HCV)
- Genentech v Eli Lilly (HGH)
- Genentech v Wellcome (tPA)

Penny's strong scientific background has led to her specialisation in advising clients in the life sciences sector. She represents clients before the UK patent courts, Court of Appeal and Supreme Court and has represented clients in referrals to the CJEU and EFTA Court.

She has a wealth of experience in co-ordinating multi-jurisdictional patent litigation and has represented clients in European Patent Office opposition and appeal proceedings and in appeals from the UK IPO. Penny also represents clients in patent licence disputes before the UK courts and in arbitration. She is a qualified mediator and a solicitor advocate.

Penny also counsels on patent litigation strategy, including pharmaceutical lifecycle management, and is experienced in providing freedom to operate and due diligence advice.

Penny has been a partner at Powell Gilbert since 2007.

In 2011, Penny was Who's Who Legal's Life Sciences Lawyer of the Year. In 2012 and 2014 she received the Euromoney LMG Woman in Business Law (Patents) Award, in 2012 she was part of Legal Business TMT Team of the Year for which Powell Gilbert also received Managing IP's UK Patents (Contentious) Award. In 2013 she was ranked one of the top 100 business lawyers in the UK in "Chambers 100". In 2015, Penny was listed in the Super Lawyers top 100 in London and in the top 50 women Super Lawyers in London. In 2017 Penny received Who's Who Legal's Patent Lawyer of the Year award.

Penny is on the Editorial Board of BioScience Law Review and LSIPR. She is a member of AIPPI, LES, LSLA and IPLA and is a former President of the European Patent Lawyers Association (EPLAW) (2015-16) and now a member of its Advisory Board.. She is a tutor on the Oxford University Diploma in Intellectual Property Law and Practice course, teaching patent litigation and frequently lectures on aspects of IP law affecting the life sciences sector.

"invariably does a fantastic job for clients"

**IAM 1000 : The World's Leading Patent Practitioner 2016**

Penny Gilbert is a much respected patent litigator with impeccable scientific credentials, who oversees multi-jurisdictional patent disputes for leading companies in the sector.

"She is one of the best in the UK without a doubt,"

**Chambers UK 2016**

Penny Gilbert is universally regarded as being one of the finest patent litigators in the country... Sources say: "She has a very clear idea of what she's trying to achieve and how to achieve it," and rate her client management skills as "fantastic."

**Chambers UK 2016**

A number of sources cite her "impressive" handling of large, complex cases...

**Chambers UK 2015**

Penny Gilbert is listed in Top 100 2015 London and Top 50 Women London SuperLawyers 2015

Penny Gilbert is an "esteemed" lawyer known for her "unrivalled expertise" in the bio pharmaceutical sector, where she draws on her strong scientific background. Also renowned for her abilities as a patent litigation strategist, she is a "real favourite" among clients.

**Who's Who Legal, Patents 2015**