

# EPO Opposition Trends in the Life Sciences Sector

Special Report Addendum 2020

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# The Most Opposed European Patents of 2019

Number of opponents	Patent No.	Patent Proprietor	Patent title
15	EP2962690	Amgen	(+)-2-[1-(3-ethoxy-4-methoxyphenyl)-2-methylsulfonyl-ethyl]-4-acetylaminoisoindoline-1,3-dione: methods of using and compositions thereof
11	EP3078667	US National Institutes of Health	Formulation of Boronic acid compounds
10	EP2971040	Momenta Pharmaceuticals	Methods of cell culture
9	EP3017811	Bristol-Myers Squibb, Pfizer	Apixaban formulations
9	EP2766040	F.Hoffmann-La Roche	Pertuzumab, Trastuzumab, Docetaxel and Carboplatin for the treatment of early-stage breast cancer
9	EP3138911	Sigma-Aldrich	CRISPR-based genome modification and regulation
9	EP2825558	F.Hoffmann-La Roche	Combination therapy for the treatment of ovarian cancer
8	EP2981271	Boehringer Ingelheim	Therapeutic uses of empagliflozin
7	EP3143995	Novartis	Rapamycin derivative for the treatment of lung cancer
7	EP3267722	Conversant Wireless	Fixed HS-DSCH or E-DSCH allocation for VOIP
7	EP3093005	Beiersdorf	Octocrylene-free sunscreen comprising diethyl hexyl butamido triazone
6	EP2598118	Allergan	Preservative free bimatoprost and timolol solutions
6	EP3138912	Sigma-Aldrich	CRISPR-based genome modification and regulation
6	EP2912175	Toolgen	Composition for cleaving a target DNA comprising a guide RNA specific for the target DNA and Cas protein-encoding nucleic acid or Cas protein, and use thereof
6	EP3292873	CureVac	Combination of vaccination and inhibition of the PD-1 pathway
6	EP2896628	Jennewein Biotechnologie	Process for efficient purification of neutral human milk oligosaccharides (HMOs) from microbial fermentation
6	EP2991671	Novo Nordisk	Oral dosing of GLP-1 compounds
6	EP3093008	Beiersdorf	Octocrylene-free sunscreen agent containing diethylaminohydroxybenzoylhexylbenzoate
5	EP3199172	Yeda Research and Development	Dosing regimen for multiple sclerosis
5	EP2630962	Yeda Research and Development	Low Frequency Glatiramer Acetate Therapy
5	EP2647707	Chugai Seiyaku Kabushiki Kaisha	Cytotoxicity-inducing therapeutic agent
5	EP2895631	Voestalpine Stahl	Method for producing steel with regenerative energy
5	EP2684744	Wiegand	Trim part for motor vehicles and method for its production
5	EP2827845	Novo Nordisk	Compositions comprising a delivery agent and preparation thereof
5	EP2774606	Synthon	Pharmaceutical composition comprising ivabradine hydrochloride polymorph IV
5	EP3173092	CureVac	RNA containing composition for treatment of tumor diseases
5	EP3093009	Beiersdorf	Octocrylene-free sunscreen agent with diethylaminohydroxybenzoylhexylbenzoate
5	EP2216056	Bayer	Medical device for dispensing medicaments
5	EP2797239	Nokia	A method and a telecommunication device for selecting a number of code channels and an associated spreading factor for a CDMA transmission
5	EP2337849	uniQure biopharma	Factor IX polypeptide mutant, its uses and a method for its production

Mewburn Ellis is representing the patent proprietor.

Mewburn Ellis is representing an opponent.

Patents not in the fields of life science or chemistry.

The four thousand or so European patents that are opposed every year represent only about [3% of all granted patents](#). And only a tiny fraction of this tiny minority have several oppositions filed against them. So, what's special about this group of patents and what can it tell us about trends in innovation?

If a particularly large number of oppositions is filed against a patent this usually means that at least one of the following is true: the core invention's commercial value is particularly high, the protection given by the patent is particularly broad, the field of technology is particularly crowded, or the patent proprietor's competitors are particularly aggressive. In some opposition cases all of these criteria seem to be met.

For the past few years, patents protecting the CRISPR/Cas technology platform have been some of the most opposed in Europe. 2019 was no exception - three patents in the table all relate to CRISPR/Cas – and this seems set to continue for years to come.

*This article is based on information as it appeared on the EPO Register on 10 January 2021 and from bulk data sets extracted on this date. It is an updated version of an earlier article based on older data. The table only includes patents for which the 9-month deadline for filing an opposition expired in 2019.*

Therapeutic treatments are the subject of many of the most opposed patents. Many of these patents protect the new application of known therapeutics, for example in new combinations or new dosing regimes - or in specific patient populations, reflecting innovation trends in [personalised medicine](#).

A quick scan through the titles of the most opposed patents for 2019 tells us that almost all of these large and complex opposition cases are for life science or chemistry technologies; the only exceptions are cases highlighted in green in the table. This contrasts with the landscape for numbers of application filed, where the top applicants are in the telecommunications, computing and electrical fields. These differences reflect the contrasting patent strategies of innovative companies in life sciences compared with engineering. Consistently, the most opposed patents at the EPO are in the life sciences field - [download](#) our detailed report on EPO Opposition Trends in the Life Sciences.

## Discuss your needs with Mewburn Ellis

The Mewburn Ellis team, including those responsible for compiling and analysing the data presented in our report, are available to discuss the findings and their implications for your business.

Our 30 plus-strong life sciences team of highly experienced patent attorneys has an enviable track record in patent oppositions and appeals, having successfully defended and attacked hundreds of patents.

Our expertise in life sciences is unrivalled. We defend more complex opposition cases in the life sciences space than any other UK IP firm and handled three of the top ten most opposed patent cases in 2018.

Mewburn Ellis has a wealth of experience in oppositions before the European Patent Office, visit our [website](#) for more information.

**Katherine Green**  
Partner, European Patent Attorney  
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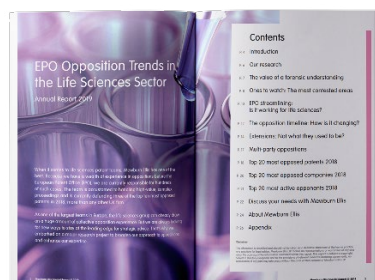
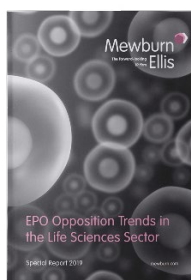
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## Special Report

### Opposition Trends in the Life Sciences Sector

We published the report to help tackle the key questions our clients ask regularly. In spring 2019, we undertook 350 hours of research, analysing more than 5,000 opposition cases filed at the European Patent Office over the last ten years, studying the timelines for hundreds of oppositions both before and after the EPO's opposition streamlining initiative.



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