

# HGF IP in Healthcare Conference 2024

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Wednesday 19th June – Manchester, No.1 Circle Square

Wednesday 26th June – London, Barber Surgeons' Hall

**Breaking New Ground**  
Challenges on the Commercialisation Journey  
for Emerging Healthcare Technology



## Schedule

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9:00am	Registration and breakfast	
9:40am	Welcome	
9:45am	Spotting emerging tech and the challenges this brings	02
10:45am	IP strategy: Have you thought outside of patents?	
11:15am	Blurred technology lines: Where is the core IP in your product when it spans technologies?	04
11:45am	Break and refreshments	06
12:05pm	<i>Parallel seminar 1 (choose 1 or 2)</i>	
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	Session 2 – Brand protection strategies for emerging healthcare technology – a perspective for success	10
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## Welcome

# HGF's tenth annual IP in Healthcare Conference focuses on emerging technologies

Emerging technologies are typically based on new science, but can also be the result of a trend that sweeps a technology from obscurity to discussions everywhere. Often disruptive, developers of emerging technology, or those integrating such technology into their existing R&D activities, can reap significant rewards. This is however not without its challenges. Developing emerging technologies to commercialisation often means going on a journey without comparators or a tested roadmap, whilst also managing public and investor interest and understanding.

For our 10th annual HGF Healthcare conference, we bring together guests with various perspectives of the lessons learned from that journey: e.g. innovators, investors, the media. Looking at these issues through the lens of IP strategy are of course our experienced HGF attorney and solicitor teams; many of whom have had the privilege of working with innovators as they develop new fields of technology with applications within healthcare.

There can be no doubt that engaging with emerging technology to drive real progress in the healthcare field is important. Indeed, the World Health Organisation (WHO) has established a Global Health Foresight function with the aim of *“building futures-thinking and horizon-scanning into their strategic health planning frameworks so they can both better anticipate and prepare for a changing world and accelerate the gains from emerging technologies to address these changes”*. Please join us in a lively and varied discussion to understand how we can engage positively with this aim.



We hope you enjoy our conference.

We would appreciate if you could take two minutes to provide us with your feedback or share any topic suggestions for future events.

## Speakers



**Craig Thomson**  
Partner & Patent Attorney

Craig is recognised for providing pragmatic, commercially focused advice to clients in the biotechnological, pharmaceutical and MedTech sectors, and leads HGFs microbiome IP team. As well as patent drafting and prosecution, Craig advises on the development of company-wide IP strategies, funding/acquisition due-diligence, and aggressive/defensive strategies in relation to third-party IP. Craig has a proven track record of providing successful outcomes for clients, both in a wide-range of legal proceedings (including opposition, entitlement, and USPTO interviews) and in successful IP-license/assignment deals involving patents that he both drafted and prosecuted to grant.

### Manchester Conference



**Dr Nicola Wall**  
Founder and Chief Executive  
Officer of Afortiori Development

Dr Nicola Wall is the founder and Chief Executive Officer of Afortiori Development founded in 2016 to address the need for improved clinical trial design, planning and management to promote efficient and cost effective clinical trials. She has an exceptional background within the pharmaceutical, medical technology and healthcare sectors with over 20 years of diverse experience. She has managed multiple types of projects across a range of therapeutic areas for a number of large and small clients spanning all areas of clinical development including regulatory, data management, safety, quality and organisational effectiveness. Nicola has also managed global clinical trials in Oncology and Neurology with responsibility for 29 countries across the entire clinical trial process.



**Dr Colette Shortt**  
Regulatory & Nutrition Specialist,  
Visiting Professor University of  
Ulster; Regulatory consultant

Colette (MSc, PhD (National University of Ireland), MBA (University of Surrey, UK)) is an independent regulatory consultant and a registered public health nutritionist with over 30 years industry experience gained in European and Global scientific and regulatory leadership roles (SmithKline Beecham, Yakult, McNeil Nutritional and Johnson & Johnson). At J&J, she successfully coordinated one of the first disease risk reduction health claims in EU. She is active in scientific advisory boards focussed on innovation and health (NICHE, NNedPro Strategic Advisory Committee, and Innovate UK Business Connect Microbiome Advisory Group).



**Ania Lichtarowicz**  
Piesakowska, MD & Editor  
at Somewhere on Earth  
Production UK Ltd

Managing Director and Editor Somewhere on Earth Productions UK Ltd. - Ania is the MD and Editor at Somewhere on Earth Production UK Ltd. Their first podcast "Somewhere on Earth: The Global Tech Podcast" was launched in October 2023. Previously she was a Senior Broadcast Journalist at the BBC, where she produced Digital Planet, Science in Action, Health Matters and features for Radio 4. Ania has held many different roles at the BBC including Science Producer on the Today Programme, World Service Health Correspondent where she covered the SARS pandemic and Editor, BBC Ebola Regional Response Unit, where she went to Liberia twice during the Ebola pandemic 2015.



**Lotus Qui**  
Head of MedTech  
at Capital Enterprise

Lotus Qi is the Head of MedTech at Capital Enterprise where she leads the Cancer Tech Accelerator, focusing on transforming oncological research into marketable cancer tech solutions. This initiative accelerates the transition from lab to market, preparing projects for initial investment rounds and connecting them to a vast network of life science investors. The accelerator equips researchers to navigate the early stages of commercialisation, significantly speeding up the development process. Before joining Capital Enterprise she worked at Post Urban Ventures - a deep tech venture builder focused on incubating, incorporating and investing in AI-focused startups.

9:45am

## Spotting emerging tech and the challenges this brings

Articulating in a clear and understandable manner the details of emerging technology, and the commercial applications of that technology, is often a challenge. To be successful, developers of emerging technology must be able to do so when in discussion with investors, regulators, patent offices and the media. In this panel, an investor, a member of the media, a consultant in the regulatory space and a patent attorney provide their perspectives on the challenges for emerging technology and how to gain a positive response to discussions about such technology in their respective professional fields.





### Dr Lauris Kemp, Partner & Patent Attorney

Lauris has a strong science background with a degree in Immunology and Biochemistry; a PhD and 6 years of post-doctoral experience covering cell expression systems, protein purification, mass spectrometry, protein crystallography. With her computational biology background, increasingly her portfolio of drafting and prosecution work involves bioinformatics including bio AI. For example, AI cancer diagnostics and AI sequencing analyses. Lauris has also successfully defended key bioinformatics patents for her clients in EPO opposition proceedings. Lauris is particularly adept with difficult patent cases, both European and US, getting important grants with commercially useful claims for clients. This includes European opposition cases where her attention to detail and tenacity are core to her success.

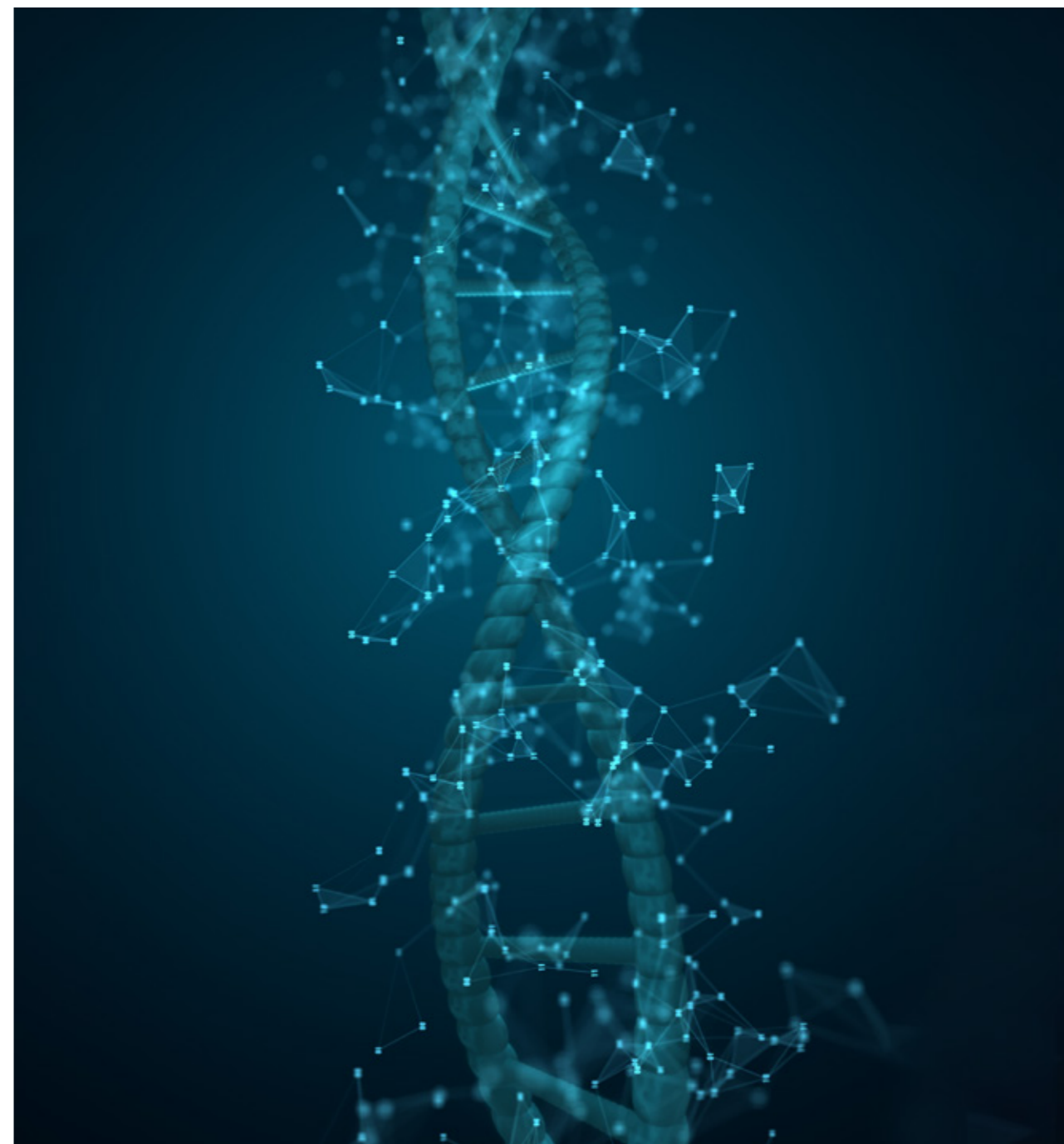


### Michelle Davies, Partner & IP Solicitor

Michelle is a highly experienced transactional IP specialist. Michelle provides strategic and transactional IP advice to clients in a wide range of sectors and has specific expertise within the pharmaceutical and life sciences sector having worked 12 years with AstraZeneca and with a BSc in Pharmacology & Physiology. Michelle is experienced in the drafting and negotiation of a whole range of agreements including licensing, co-development, clinical, manufacture, services, and supply contracts, and has provided IP advice on a number of major corporate licensing transactions, acquisitions, and business sales and works regularly with many educational institutions and their spin-out companies.

## IP strategy: Have you thought outside of patents?

Biotech companies are increasingly relying on AI and other bioinformatic software tools. Patents can help protect core ideas in the software. But trade secrets are also useful in your armoury and are often overlooked. Due to increasing digitisation and other factors, investors are far savvier due to trade secrets than they were previously. But how do you put adequate trade secret protection in place? And how do you decide which protection to use: trade secrets or patents, for the different IP you are generating? We will talk through these exact issues using case studies.



Speakers



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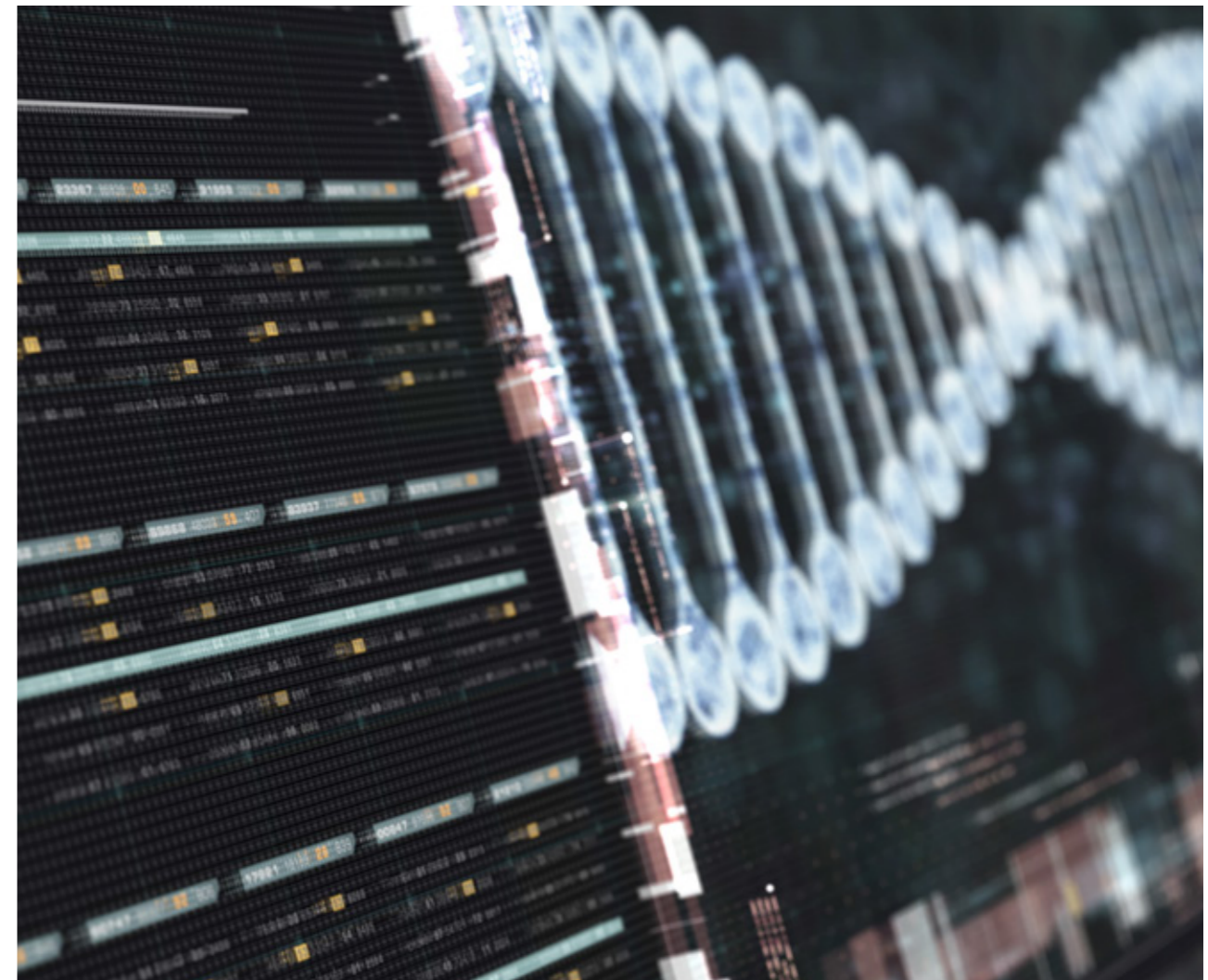


**Sarah McCrann,  
European Patent Attorney**

Sarah is a senior attorney within our Electronics group and has a strong background in computer, electronic, and telecommunications engineering. From the beginning of her career in IP, she has been focussed on providing commercially focussed advice to her clients. She works with a wide variety of clients from start-ups and universities to large multinationals, with the aim of providing strong, strategic, protection. She has a wealth of experience, across multiple jurisdictions, in relation to patent protection for computer-implemented inventions. Much of her work involves drafting and prosecuting patent applications in the areas of MedTech/ digital health, automotive technologies, and consumer electronics including mobile telecommunications, RFID tracking technology, image processing, and more.

**Blurred technology lines: What is the core IP in your product when it spans technologies?**

In a rapidly evolving technological landscape, it is crucial to pinpoint the IP that drives innovation and business value, even if it lies outside the company's traditional expertise. Emerging technologies in Health Tech often straddle different fields, making it essential to identify the most valuable IP to the company. Using examples from diverse industries, such as healthcare and DNA sequencing, the presentation delves into the multidisciplinary nature of IP. For example, in software-controlled MedTech devices, the IP might not only reside in the product's engineering but also in the software functionality. Similarly, in drug discovery, the IP can be distributed across software (electronics), bioinformatics (life sciences), and drug production (chemistry). As well as looking at the potential IP available, this presentation looks at case studies highlighting the importance of protecting the right IP in the right way and how crucial it is to have a truly multidisciplinary IP advisory team working with you to fully navigate the challenges in the rapidly developing healthcare technology landscape.





### Elliot Stephens, Senior Patent Attorney

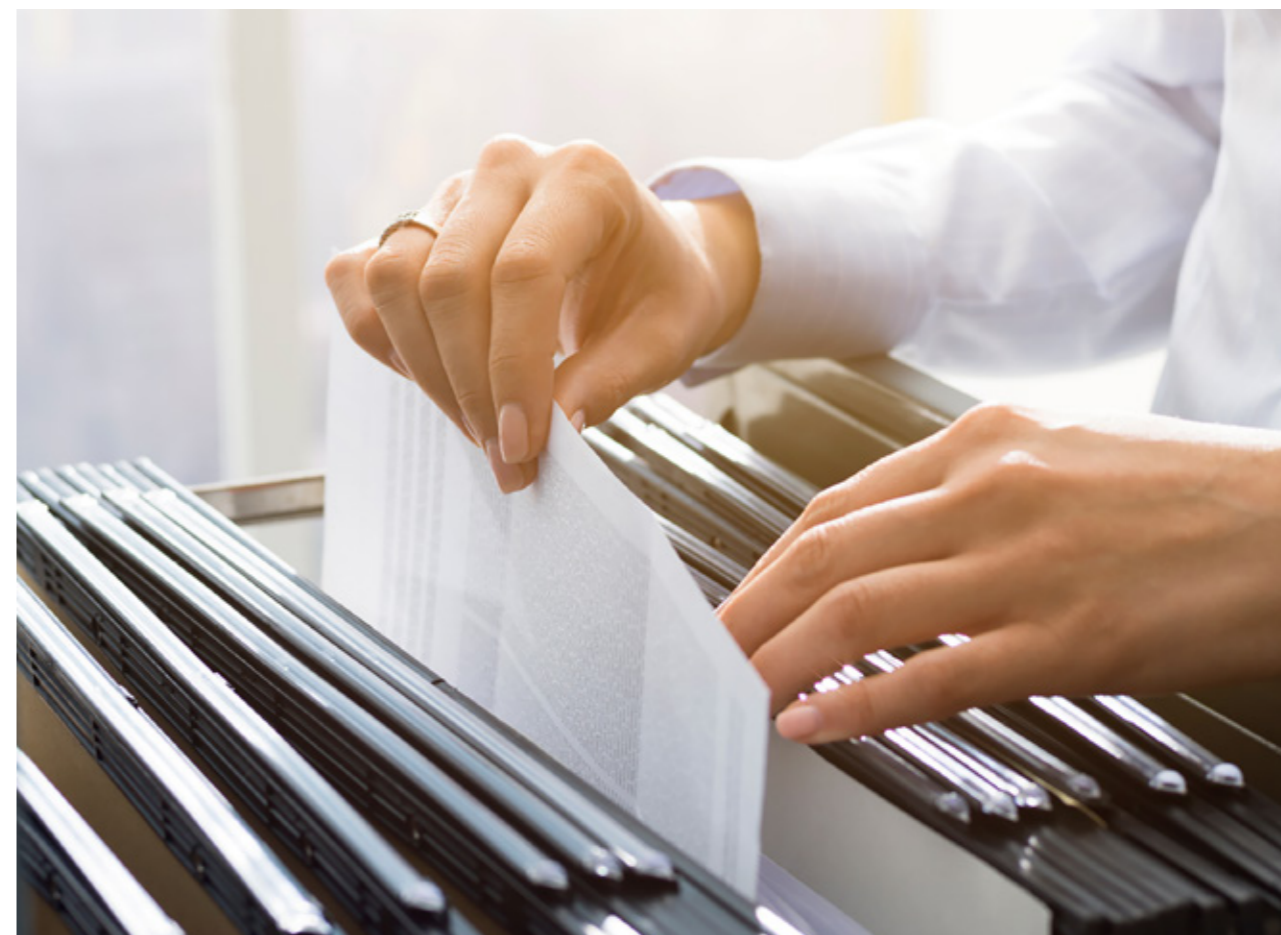
Elliot is a seasoned IP professional, boasting a diverse experience across a number of sectors including medical devices, automotive, bioengineering, and pharmaceuticals. Elliot utilises a collaborative approach across a broad spectrum of clients, with a particular focus on start-ups and SMEs, to best capture, protect, defend, and enforce their IP rights. Elliot has in-house IP management experience and understands the importance of IP to a business, particularly for emerging technology areas and for companies seeking investment. In his day-to-day practice, Elliot handles IP-related agreements, management of IP portfolios, freedom-to-operate reviews, IP due diligence, and opposition/appeal matters for his current clients.

## Breathing life into outdated IP portfolios

Intellectual property (IP) is a valuable asset for all innovative and creative businesses. However, what happens when once valuable technology is no longer relevant to the current commercial pathway? Does a business discontinue the pursuit of that IP, or simply maintain that IP in the hope that it will, one day, become useful again? Elliot will discuss strategies for adapting and recycling older IP portfolios to provide value to a business.

Recycling and reusing outdated IP is more than simply commercialising a formerly discarded device or technology; it requires a strategic mindset and a creative approach to adapting a business asset in view of emerging markets and technologies, whether within your own market or in an adjacent, or even remote, field. Through case studies, Elliot will demonstrate the value that comes from breathing new life into old IP.

The discussion will showcase how companies can leverage their current IP portfolio to gain a commercial advantage as new devices, technologies, and markets emerge. The discussion will also consider the need for well-drafted IP from the outset, the importance for a continuous review of an IP portfolio throughout its lifecycle, and the value of proactively seeking opportunities to monetise your IP portfolio.



Speakers



**Sean McDonagh,  
Trade Mark Director**

Sean is a Chartered Trade Mark Attorney, with more than 10 years of experience in the management, prosecution, and enforcement of global trade mark portfolios. Sean works with his clients in order to understand their commercial objectives and tailors his advice to provide the most commercially relevant service possible. He is particularly experienced in helping his clients identify their under-utilised brand assets and develop commercially appropriate strategies for their protection. Sean represents some of the world's largest and most innovative brands, with experience in the healthcare industry across medical devices, pharmaceuticals, and supplements.

12:05pm

Parallel seminar 1  
– Session 2

**Brand protection strategies for emerging healthcare technology – a perspective for success**

Many emerging healthcare technology businesses are striving to identify and develop new solutions that solve unmet clinical needs. Often operating at the intersection of several technologies and fostering growth in white space areas without comparators, innovative healthcare businesses face significant uncertainty on the journey to commercialisation, with numerous moving parts and unknowable factors such as sourcing investment and fundraising, clarifying clinical applications for underlying technology, navigating delays and realising acquisition plans. In the face of this ambiguity, an effective and flexible IP strategy is paramount. In practice, this understandably (and correctly) means focussing on protecting patentable innovations. However, the development of a coherent and fit-for-purpose brand strategy is an often overlooked component of the IP strategy. This can manifest in various forms such as failing to consider whether trade mark registrations are desirable bearing in mind acquisition strategy, failing to design a logical brand architecture, and/or choosing legally weak brand names that often mirror the nomenclature of the business's vertical. These can prove to be costly mistakes, potentially undermining a business's ability to realise its commercial objectives, even if a strong patent portfolio is in place. In this session, Sean McDonagh will discuss what a deliberate and successful brand strategy looks like for emerging healthcare technology companies and how the many pitfalls that appear on the path to commercialisation can be avoided.



## Speakers

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### Manchester Conference



**Dr Chris Jones,  
Innovate UK**

Chris trained as a Molecular Biologist and spent much of his career managing biotechnology at the MARS Corporation followed by establishing a bioincubator at Leicester University. Since joining Innovate UK in 2014 has led Synthetic Biology and Emerging Technologies programmes and latterly has been responsible for establishing and leading the UK Government ISCF Quantum Technologies Programme. The Quantum ISCF team have invested >£250m in industry-led projects, and have played a key role in nurturing the growing UK quantum industry sector. He retired from Innovate UK in March 2024.

### London Conference



**Dr Callum Stirling,  
Innovate UK**

Callum is an Innovation Lead in the Quantum Technologies team of Innovate UK. He works with industrial, research, and governmental stakeholders to develop the quantum industry in the UK, in which Innovate UK has invested over £200m since 2018. Prior to joining Innovate UK, Callum worked alongside clinicians to develop chip-scale, physics-based sensors for use in therapeutic settings. Callum's technical background originates from an MSci in Physics, and a PhD in Optoelectronics. He has experience in semiconductor and photonic technologies and in university technology transfer. He is also a Liveryman of the Worshipful Company of Scientific Instrument Makers.

12:35pm

Parallel seminar 2  
– Session 1

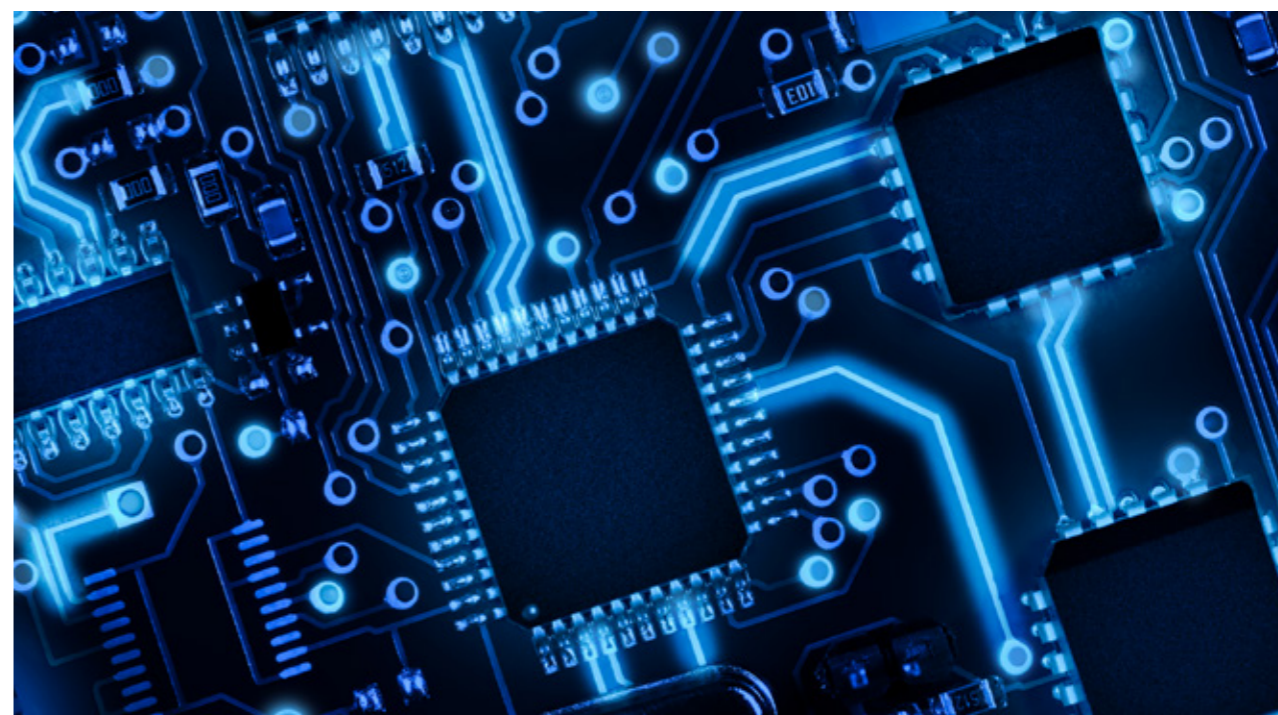
## Harnessing quantum technology for revolutionary healthcare solutions

Quantum technologies have been identified by the UK government as one of five priority “technologies of tomorrow”. Several branches of quantum technologies have the potential to deliver transformative change in a number of healthcare applications.

For example, quantum computers could soon be able to perform computational tasks which are beyond the reasonable roadmap of classical computers and this could exponentially speed up processes such as drug discovery. On the flip side, the power of quantum computers could pose a near-time risk to confidential patient data by enabling decryption of traditionally encrypted data.

Quantum technologies also have the potential to deliver advances in medical sensing and imaging. For example, quantum sensors have been shown to achieve precise detection of magnetic fields, enabling real-time sensing of brain function with small wearable devices. Meanwhile, quantum imaging offers the potential to image light through opaque objects, which could achieve the functionality of MRI and X-ray scanner with handheld devices.

In this session we will explore some of the potential applications and risks of quantum technologies in the healthcare field and touch upon the importance of IP in this early-stage emerging technology field. We will be joined by a guest speaker from Innovate UK for a discussion of their experiences of working with innovative business in the quantum sector.





## Speakers



### Dr Jennifer Uno, Partner & Head of Engineering

Jennifer Uno is a partner and head of the engineering group of HGF, having been with the firm for over 15 years. She has a wealth of experience as a patent attorney, spending time as a coordinator of global IP portfolios, strategic advisor, EPO opposition specialist, and drafter and prosecutor of patent applications in the engineering and physics fields. She is particularly strong in the fields of medical devices (e.g. infusion devices, wound dressings, vacuum therapy apparatus, retinal treatment devices, and waste disposal), and enjoys discussing commercial aims and developing IP strategies to suit.



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### Will Ellyatt, Senior Patent Attorney, ConvaTec

Will Ellyatt is a Senior Patent Attorney who has worked in-house for his entire career of over 20 years. Over the course of his career he has provided IP support to many well-known companies including Ciba Specialty Chemicals, Lubrizol, Walgreen Boots Alliance, Smith & Nephew, and for the last 6 years ConvaTec. The different business models and commercial environments he has worked in allows him to devise and execute IP strategies to meet the commercial needs of the business and is well placed to ensure the strategies can maximise the benefits for Corporate Tax teams.

12:35pm

## Parallel seminar 2 – Session 2

## When IP is guided by your accountants

It is well known that maximising value from your IP budget may require a careful consideration of which new IP projects are most vital to the commercial goals of the business, any milestones (e.g. investment rounds upcoming), and equally those that have fallen away from the commercial focus may need treating differently.

Another important aspect is to fit your IP strategy to your tax structure, whether you are an SME or multinational corporation. The accounts department has an input on IP budget available, but can also influence which projects can be allocated more spend and that budget spend is often determined based on whether a project is capitalizable.

In this session we shall explore the basics, and then look into IP strategies to work with your budgets and timelines, from the perspectives of a multinational corporation and an SME.





**Dr Andrew Wells,  
Partner & Head  
of Chemistry**

Andrew's patent practice is principally in the pharmaceutical and chemical fields. He has extensive experience in securing patent protection for pharmaceuticals and specialises in drafting and prosecuting patent applications covering new chemical entities, salts, polymorphs, formulations (including advanced drug delivery technologies), manufacturing processes, medical uses, and medical devices. Outside of the pharmaceutical field, Andrew's practice encompasses agrochemicals, polymer chemistry, petroleum additives, catalytic compositions, separation chemistry, adhesive technologies and biosensors. Andrew acts for a diverse range of clients, including international corporations, universities, start-up companies and associate patent attorney firms based outside of the UK.



**Dr Balvinder Matharu,  
Partner & Patent Attorney**

Bal is an experienced patent attorney and has worked within the pharmaceutical field for over 20 years. He has a strong technical background and has held senior roles within both the R&D and IP functions of global pharmaceutical and drug delivery companies. During his career he has built and defended patent portfolios protecting products at all stages of development, including a range of high-profile on-market medicines. Bal has a first degree in Pharmacy and a PhD in drug delivery and started his career with AstraZeneca as a senior product development scientist.

**From old molecules to emerging medicines**

With the increasing focus on drug re-purposing, the investment base case IP exclusivity position for many new medicines will not rely on molecule composition of matter patent protection. New therapeutic uses, combinations, molecule conjugates and complex drug delivery formulations are all examples of approaches used to transform existing molecules into new viable targeted therapies. However, these advances present their own challenges in respect to IP protection. Availability and timing of sufficient data and evidence to support claimed effects in patent applications, understanding of underlying mechanisms with line of sight from early innovation to final drug products, and publication and disclosure pressures from clinical trials and the need to raise third party commercial interest can all impact patent strategy. This presentation will provide an overview of some of the IP related challenges and opportunities that exist when developing existing known molecules into innovative new medicines.





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**How can we know we have FTO before launch?**

Understanding your competitors' IP position is important for establishing your FTO strategy, and providing early hints on your competitors' future commercial focus. For a start-up in the healthcare sector seeking investment, a good grasp of this issue is vital to be able to address investor's questions regarding IP risks. A strategy is needed to control the cost of this analysis; if not framed correctly FTO searching can simply reveal volumes of risk that cannot adequately be considered. This session will provide guidance and considerations for deciding a strategy for competitors' IP that is appropriate for your business.





### Rachel Fetches, Partner & Head of Law

Rachel is an IP/Patent Litigation Partner and advises on contentious intellectual property matters for clients across a broad range of sectors including, life sciences, pharmaceuticals, healthcare, chemicals, food and beverage, aviation, media, and telecommunications industries. She has extensive experience of litigating before the UK Patents Court, High Court, and Court of Appeal. She has also regularly advised in relation to pan-European IP litigation strategy for both patents and trade marks. Rachel is currently leading HGF's UPC team.



### Dr Simon Turberville, Partner & Patent Attorney

Simon began his patent career in private practice before joining the in-house department of a FTSE 100 multinational chemical company in 2012. As an in-house attorney, Simon was responsible for the patent portfolios of a contentious product area in the automotive catalysts sector. He has considerable experience in handling oppositions and appeals at the European Patent Office and providing advice on patent validity and freedom to operate.

Simon returned to private practice in 2018 when he joined the London office of HGF. He draws on both his private practice and in-house experience to provide commercially focused advice to his clients in relation to all patent matters.

## One year in, how has the Unified Patent Court altered your strategic options

The UPC provides an attractive new opportunity for litigating patents in Europe and, since it launched last year, Rachel has been involved in litigation at the court. Rachel and Simon will explore the strategic options for enforcing patents at the UPC and the potential interplay with oppositions and appeals at the EPO.



# About the HGF Healthcare team

HGF's Healthcare Team provides professional expertise and commercially focused advice to business leaders and decision makers in the healthcare fields of pharmaceuticals, life sciences and medical devices. HGF has in-depth knowledge of the sector, and the experience to provide you with high quality and commercially focused advice in relation to the protection of your IP rights.

The team offers the full range of IP services including:

- IP strategy and advice;
- Patent and trade mark procurement;
- IP portfolio management;
- Freedom-to-operate advice and opinions;
- IP due diligence assessments and opinions;
- Supplementary protection certificates and data exclusivity advice;
- IP licences and agreements;
- IP disputes management and litigation.

Visit [hgf.com](http://hgf.com) to find out more.

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We hope you enjoyed our conference.

We would appreciate if you could take two minutes to provide us with your feedback or share any topic suggestions for future events.

