

Programme

Getting the deal

9.30 – 11.00

Preparing the deal

- Diligence Standards and Obligations
- Treatment of Know-How and Confidential Information

Speaker: Kevin Nachtrab, Johnson & Johnson, Brussels (B)

11.00 – 11.30

Coffee break

11.30 – 12.30

A session on:

- Choice of law: roman vs common laws
- ADR
- How to deal with the applicable law of the contract vs the law attached to the intellectual property rights
- Recent case law on decision not to pay royalties if the patent is revoked / in the absence of infringement

Speakers: Dean Gordon, ASML, Veldhoven (NL)
Carmen Correa Martin, Erasmus MC, Rotterdam (NL)

12.30 -13.30

Lunch

Hindsight is a Wonderful Thing

13.30 – 15.00

A session on Financing

- Net sales definition / reality check
- Business case on royalties, splitting upfront payment and royalties
- Auditing

Speakers: Guillemette Vital-Durand, Nutricia Research BV, Utrecht (NL)
Bart Van Oosterhout, Deloitte Contract Risk & Compliance, Brussels (B)

Bart van Oosterhout is a director in the Deloitte Risk Advisory department. He started with Deloitte 12 years ago, after his Commercial Engineering studies at the University of Antwerp. As part of the Extended Enterprise Risk Management team, he is helping clients with third-party contract reviews throughout the value chain covering contractual terms and conditions of software license agreements, licensing deals, shared development contracts, profit sharing contracts, supplier agreements and distributor agreements. Bart has extensive experience in executing and coordinating licensing audits throughout EMEA and Asia, validating the accuracy and completeness of royalties reported by licensees

15.00 – 15.30

Coffee break

15.30 – 16.15

Session on

- Exclusivity
- Sublicensing
- Cross-licensing

Speaker: Reini van Leeuwen, IP consultant, The Hague (NL)

16.15 – 17.00

Session on Term and Termination

Perpetual / voidable

- Bankruptcy
- M&A
- Change of control

