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**Practice Areas**

- Intellectual Property
- Litigation
- Pharmaceuticals
- Technology, Media & Telecommunications
- Complex Litigation
- Life Sciences
- Trade Secrets
- Pharmaceutical Industry
- Health Care

**Kristof Roox** is a Partner in the firm's Brussels office. He specializes in intellectual property litigation in a variety of technological and commercial fields, with a particular focus on complex patent litigation in the pharmaceutical and life sciences sector. He has been involved in a number of cases concerning parallel litigation in several jurisdictions and European cross-border issues. He further advises on many aspects of intellectual property portfolio management, including licensing, protection of trade and domain names, trade secrets, combating counterfeiting and piracy, broadcasting and cable retransmission, technology transfer and strategic IP planning. He has also extensive experience in a wide variety of media law issues.

In addition to traditional IP litigation and counseling, Kristof is also regarded as an expert in the regulatory aspects of life sciences. He advises clients on regulatory, IP and commercial issues, including launch and marketing strategies, food supplements, pharmaceutical marketing practices, pricing and reimbursement, distribution models, OTC-products, competition law aspects, etc. Kristof also litigated several high profile cases before the Belgian's highest Administrative Court (Raad van State) challenging/defending Government reforms of the healthcare system, parallel import authorizations, marketing authorizations, etc. He also assists clients in procedures before the European Agency for the Evaluation of Medicinal Products (EMA), the Ethical Healthplatform Mdeon and the Deontological and Pharmaceutical Ethics Committee. Furthermore, he advises and represents leading trade associations in the life sciences sector.

Kristof is a very experienced litigator in general commercial and civil matters, covering all aspects of dispute resolution including arbitration. As a specialist in private international law issues, he often deals with complex multi-jurisdictional questions. He is reputed for his knowledge of judicial and procedural law issues.

Kristof is a qualified lawyer in Belgium and received a law degree *cum laude* at the Free University of Brussels in 1994. He also obtained a Master of Laws (LL.M) in Intellectual Property Law at the University of London (Queen Mary and Westfield College) in 1996. Kristof is admitted at the Brussels bar since 1994. In 1998 he became an assistant professor private international law at the University of Gent. He also lectures on various IP topics in several educational institutions, such as Patent law at the University of Liège (LL.M in European Competition and IP Law).

He is a frequent speaker at professional and academic conferences and published several articles on intellectual property and private international law matters. He is on the editorial board of IRDI, a leading Belgian journal on intellectual property matters. He is also an active member of various national and international intellectual property associations.

In 2004 Kristof was named a "rising star with experience on the international side of IP" by the *Legal 500*. The growth and reputation of his IP practice has been confirmed in the next editions of the *EMEA Legal 500*: "Complex patent litigation in the pharmaceutical sector is the forte of Crowell & Moring, where the excellent Kristof Roox has been involved in a number of cases concerning parallel litigation in several jurisdictions" (2006 edition); "Kristof Roox has good knowledge of the pharma industry and is well connected" (2011 edition). "Kristof Roox and counsel Jan-Diederik Lindemans are highly regarded: 'their creative and bold tandem is an extremely efficient engine that drives a very capable practice'" (2012 edition). Also in *PLC Which lawyer? 2007, 2008, 2009, 2010 and 2011*, Kristof is named as a leading lawyer in IP matters and Life Sciences. Kristof is further one of the few Belgian lawyers nominated in *PLC's Life Sciences* multi-jurisdictional guide and in the patent section of the International Who's Who of *Business Lawyers 2007, 2008, 2009, 2010 and 2011*, as well as in the International Who's Who of *Life Sciences Lawyers 2008 and 2011*. In addition, Kristof was recognized as dynamic and service-minded in the area of Intellectual Property for Belgium in *Chambers Global: The World's Leading Lawyers Guide for 2007 and 2008*, and as a "pragmatic lawyer with a significant presence," who is "excellent: very hands-on and no-nonsense" (*Chambers Europe 2009*). He is also praised for "vigourously defending his clients interests," his "clear writing style and commercial approach" (*Chambers Europe 2010*) and is lauded by peers as a "superb lawyer, always practical and efficient. Clients also appreciate a superior level of customer service combined with great value for money" (*Chambers Europe 2011*). Kristof has further been recommended in *European Legal Experts* since 2007. Also in several editions of the *Guide to the World's Leading Patent Law Experts*, he has been nominated as a leading adviser and expert practitioner by clients, in-house counsel and peers. The IAM-publication *The World's Leading Life Sciences Patent Litigators 2010* described Kristof as "tenacious" and recognized his work in the biotechnology field. Also thanks to Kristof, Global Law Experts has chosen Crowell & Moring as the winner of the Pharmaceutical Law Firm of the Year in Belgium Award 2012.

### Education

- Free University of Brussels, J.D. (1994) *cum laude*
- University of London (Queen Mary and Westfield College), LL.M. Intellectual Property Law (1996)

### Affiliations

Admitted to practice: in Belgium and before the European Court

### Other Affiliations

Member of the Council for Intellectual Property, an advisory body to the Belgian Government  
Maître de conférences, Université de Liège

### Publications

- "Wear and damage do not constitute a patent infringement," *Kluwer Patent Blog* (October 17, 2011). Author: Kristof Roox and Christian Dekoninck.
- "Precipitation is no micronization, according to the Antwerp Court of Appeal," *Kluwer Patent Blog* (August 22, 2011). Author: Kristof Roox.
- "Belgium Chapter in Patents in Europe 2011/2012," (August 2011). Authors: Kristof Roox, Christian Dekoninck and Sarah Van den Brande.
- "First Belgian decision on SPC's coverage of combination products," *Kluwer Patent Blog* (June 17, 2011). Author: Kristof Roox and Christian Dekoninck.
- "Choose or lose: the importance of starting the right kind of proceedings without delay," *Kluwer Patent Blog* (April 12, 2011). Author: Kristof Roox and Christian Dekoninck.
- "Interesting decision on *prima facie* validity of European patents in Belgian PI proceedings: the respective claims of the parties have to be taken into consideration to assess the consequences of an affected *prima facie* validity," *Kluwer Patent Blog* (February 17, 2011). Author: Kristof Roox.
- "Belgian's popular bread spread not longer protected," *Kluwer Patent Blog* (February 2, 2011). Author: Kristof Roox.
- "Het vermoeden van overdracht van auteurs - en naburige rechten en de verhouding met de verplichte tussenkomst van beheersvennootschappen inzake kabeldoorgifrechten," *I.R.D.I.* (2011/2). Author: Kristof Roox.
- "Is rebranding merkwaardig?," *RABG* (January 2, 2011). Authors: Kristof Roox and Anke De Boeck.

- "Online offer for sale constitutes patent infringement," *Kluwer Patent Blog* (July 8, 2010). Author: Kristof Roox.
- "No access to confidential information gathered in Belgium through patent infringement proceedings in France," *Kluwer Patent Blog* (June 9, 2010). Author: Kristof Roox.
- "Belgium welcomes its first enantiomer decision," *Kluwer Patent Blog* (May 26, 2010). Author: Kristof Roox.
- "The Losartan Case in Belgium: One SPC Too Far?," *Kluwer Patent Blog* (April 28, 2010). Author: Kristof Roox.
- Chapter 5: "Belgium," *The International Comparative Legal Guide to Pharmaceutical Advertising 2009*, Global Legal Group (6th edition 2009). Co-Authors: Kristof Roox and Benito Boone.
- "Patents 2009: Belgium," *Getting the Deal Through - Global Competition Review* (2009). Co-Authors: Christoph De Preter and Kristof Roox.
- "Trademarks 2009: Belgium," *Getting the Deal Through - Global Competition Review* (2008). Co-Authors: Flip Petillion and Kristof Roox.
- "De interpretatie van octrooien aan de hand van het verleningsdossier en andere extrinsieke elementen. Mag wie A heeft gezegd naderhand nog B zeggen?" [Patent claim construction on the basis of the prosecution file history and other extrinsic elements], (2008/2). Co-Authors: Christoph De Preter and Kristof Roox.
- "De nieuwe bevoegdheidsregels in het intellectueel eigendomsrecht," [The new rules on jurisdiction in Belgian intellectual property law], *IRDI* (2007/4 and 2008/1). Author: Kristof Roox.
- "Jaarboek Handelspraktijken & Mededinging 2007," 291, noot K. ROOX, *NjW* 2008, 174, noot R. Steennot. (April 4, 2007). Author: Kristof Roox.
- "Outwitting the cybersquatter," *Trademark World*, Issue 196 (April 2007). Co-Authors: Kristof Roox and Olivier Vandroogenbroek.
- "Opnieuw een grensoverschrijdende beslissing in kort geding," [A new cross-border injunction in summary proceedings], *I.R.D.I.* (2007/3). Author: Kristof Roox.
- "Intellectuele Eigendomsrechten," [Overview of caselaw with respect to private international law and intellectual property law], *T.P.R.* (2007). Author: Kristof Roox.
- "Nanomedicines: Think Big!," *EURALex*, Issue 176 (November 2006). Co-Authors: Kristof Roox and Benito Boone.
- "Taking Soundings," *Patent World*, Issue 186 (October 2006). Author: Kristof Roox.
- "EU-octrooi in het slop," *Trends*, number 31/32 (August 2006). Author: Kristof Roox.
- "Onrechtstreekse octrooi-inbreuk naar belgisch recht na het Senseo-arrest: Koffiedik kijken of klare wijn?" [Case law annotation regarding indirect patent infringement after the Senseo decision of the Antwerp

- Court of Appeal], *I.R.D.I.* (2006). Co-Authors: Kristof Roox and Christoph De Preter.
- "De territoriale bevoegdheid in het kader van een beslag inzake namaak op basis van een octrooi: onduidelijkheid troef," [*Territorial competence in seizure matters on the basis of patents: complete uncertainty*], *I.R.D.I.* (2006/4). Co-Authors: Kristof Roox and Liesbeth Weynants.
  - "Actiemogelijkheden naar Belgisch recht op basis van een octrooiaanvraag : meer dan een recht op redelijke vergoeding?," [Legal actions under Belgian law on the basis of a patent application: more than a right for reasonable compensation], *I.R.D.I.* (2006). Author: Kristof Roox.
  - "The Bolar Provision: A safe harbour in Europe for biosimilars," *EURALex*, Issue 172 (2006). Author: Kristof Roox.
  - "De Altana Pharma-beschikking : een nieuwe Belgische grensoverschrijdende beslissing in kort geding," [The Altana Pharma-injunction; a new Belgian cross border decision in summary proceedings], *I.R.D.I.* (2005). Author: Kristof Roox.
  - "Intellectuele Eigendom In Het Nieuwe Wetboek I.P.R.," ["Intellectual Property Provision in the New Belgian Code for Private International Law"], *I.R.D.I.* (2004). Author: Kristof Roox.
  - "In één vonnis : internationale bevoegdheid en de tegenvordering uit een andere overeenkomst, plus de verjaring en interesten onder een CISG-Koop," *R.W.* (2001-2002). Author: Kristof Roox.
  - "Het merkenrecht : recente evoluties en problemen in de digitale wereld" [Trade Mark Law, recent evolutions and problems in the digital world] *XXVIIe Postuniversitaire Cyclus Willy Delva 2000-2001: "Privaatrecht in de reële en de virtuele wereld (2000-2001)*. Author: Kristof Roox.
  - "De vereenvoudiging van het Belgisch conflictenrecht inzake internationale koopovereenkomsten tengevolge van de opzegging van het Verdrag van Den Haag van 1955," [Private international law and the international sale of goods] *A.J.T.* (1999). Author: Kristof Roox.
  - "Book review: P. VLAS, Rechtspersonen," [Private international law aspects of legal entities] *R.W.* (1999). Author: Kristof Roox.
  - "De wijziging van de eenvormige Beneluxwetten inzake tekeningen, modellen en merken (Changes in Benelux Design Law)," *A.J.T.* (1998). Author: Kristof Roox.
  - "Overeenkomsten," [Overview of caselaw with respect to private international law and contracts], *T.P.R.* (1998). Co-Authors: Kristof Roox and Johan Erauw.
  - "Grensoverschrijdende maatregelen in octrooizaken : Overzicht van Belgische rechtspraak (1997 - 2002)," [Cross-border measures in patent litigation : Overview of Belgian case law (1997-2002)] *I.R.D.I.* (1997). Author: Kristof Roox.

- "The EU Directive on the Legal Protection of Databases," *I.R.D.I.* (1996). Author: Kristof Roox.
- "Forthcoming: De bestrijding van namaak in Europees perspectief," [Combating counterfeit and piracy in European perspective] (January 1, 1995). Author: Kristof Roox.
- "Forthcoming: Forumbedingen in internationale overeenkomsten," [Forumclauses in international contracts] (January 1, 1994). Author: Kristof Roox.

#### Alerts & Newsletters

- "This Month In International Trade - January 2012," (February 8, 2012). Contacts: Laurent Ruessmann, Kristof Roox, Michael J. Songer, John B. Brew, Alexander H. Schaefer, Cari N. Stinebower, Jini Koh, Elena Klonitskaya, Francesca Condello, David Wolff, Michael Larmoyeux.
- "Recent Guidance For The Protection of Intellectual Property Rights at The EU Border," *International Trade Bulletin* (January 20, 2012). Contacts: Laurent Ruessmann, Kristof Roox, Francesca Condello, Michael J. Songer, Alexander H. Schaefer.
- "Finally—A Regulatory Pathway for Biosimilars in the United States," *Life Sciences Alert* (March 26, 2010). Contacts: Keith J. Harrison, Kristof Roox.

#### Speaking Engagements

- "Update on the Unified Patent Court and the Unitary Patent and Implications for the Industry," 8th Legal EGA Affairs Forum (March 23, 2012). Presenter: Kristof Roox.
- "Basel Intellectual Property Lecture," Basel, Switzerland (November 29, 2011). Presenter: Kristof Roox.
- "Sancties en procedures inzake intellectuele rechten: beslag inzake namaak" [Sanctions and procedures in IP matters: saisie-contrefaçon?], BVA - BNVBIE - VSMR Seminar, Brussels (November 24, 2011). Presenter: Kristof Roox.
- "A review of key cases affecting generic companies," 7th EGA Legal Affairs Forum, Brussels (March 17-18, 2011). Speaker: Kristof Roox.
- "Recente ontwikkelingen," Actua Intellectuele eigendomsrechten, [Actua Intellectual Property], Kluwer, La Hulpe (February 24, 2011). Speaker: Kristof Roox.
- "Remedies at national level: Injunctions and damages actions," ERA Training of national judiciaries, Trier, Germany (February 18, 2011). Speaker: Kristof Roox.
- "Juridische actualiteiten voor de farma-industrie: Artikel 10 Geneesmiddelenwet?" [Legal up-date for the pharmaceutical industry:

article 10 Medicines Act], Antwerp (24 January, 2011). Presenter: Kristof Roox.

- "Astra Zeneca case of abuse of dominant position," 6th EGA Legal Affairs Forum, Munich (Germany) (March 10-11, 2010). Moderator: Kristof Roox; Panelist: Thomas De Meese.
- "IP and Enforceability of IP rights in Belgium," The Erasmus European Business & Innovation Center (EEBIC) Seminar, Brussels, Belgium (February 26, 2010). Presenter: Kristof Roox.
- "The pharmaceutical sector inquiry," Seminar De Clerq Brants & Partners "Patenting life sciences in 2009: A system in (di)stress or a time of opportunities," Sint-Martens-Latem, Belgium (November 27, 2009). Presenter: Kristof Roox.
- "Application of patent litigation strategies to biosimilars: is there a difference?," Informa Life Sciences' 6th Annual Biosimilars Conference, Berlin, Germany (November 18-19, 2009). Presenter: Kristof Roox.
- "Litigation Based on Patent Linkage in Different Member States," Drug Information Association (DIA) 21st Annual EuroMeeting, Berlin, Germany (March 23-25, 2009). Presenter: Kristof Roox.
- "Better Patents, Better Medicines," 5th European Generic Medicines Association (EGA) Legal Affairs Forum, Munich, Germany (March 12-13, 2009). Presenter: Kristof Roox.
- "Intellectual Property Related Barriers to Market Entry for Generic Medicines, an Evaluation for EU and Turkey," Pharmaceutical Manufacturers Associations of Turkey (iEiS) seminar, Ankara, Turkey (March 3, 2009). Presenter: Kristof Roox.
- IP/IT Update, IBJ-IJE Seminar, Brussels, Belgium (October 21, 2008). Co-Presenters: Kristof Roox and Thomas De Meese.
- "New legislative developments regarding IP in Belgium. How to deal with them?" Seminar The Patent Law Landscape In 2007: How to keep up with all developments? (9 November 2007). Presenter: Kristof Roox.
- "Biosimilars : Regulatory and legal issues – The lead From Europe," East Meets West Generics Summit, Dubai (October 22-23, 2007). Presenter: Kristof Roox.
- "Nieuwigheden in het intellectueel eigendomsrecht", Dag van de Advocaat, Brussels (23 August 2007). Presenter: Kristof Roox.
- "Pharmaceutical patent litigation: an overview," Legal Strategies for Developing Generic Medicines, Amsterdam (July 10-11, 2007). Presenter: Kristof Roox.
- "Parallel Import : A Legal Perspective," Veterinary Medicines: Generics, Patents and Parallel Trade Summit, Amsterdam (July 3-4, 2007). Presenter: Kristof Roox.
- "Time for a Bolar-type exemption to patent infringement in the agrochemical industry," Crop Protection: Generics, Patents and Parallel Trade Summit, Amsterdam (November 23-24, 2006). Presenter: Kristof Roox.

- "Biosimilars: Regulatory Pathways," Legal Strategies for Developing Generic Medicines, Amsterdam (July 10-11, 2006). Presenter: Kristof Roox.
- "The Bolar provision: A Safe Harbour in Europe," 4th EGA Symposium on Biosimilars: Biosimilar Medicinal Products: A Reality in Europe, London (May, 18-19, 2006). Presenter: Kristof Roox.
- "Patent Law Developments and the Future for Pharma and Biotech Industry: (Research) Exemptions in the US and Europe," [Speaking Engagement] (November 25, 2005). Presenter: Kristof Roox.
- "Beslag inzake namaak: gebruik of misbruik - Wat te doen in geval van een beslag inzake namaak?," [What to do when faced with a saisie-contrefaçon?], Federation of Belgian Enterprises, Brussels (June 3, 2004). Presenter: Kristof Roox.
- Workshop on "International Contracts," EU-China Legal and Judicial Co-operation Programme (November 7, 2001). Presenter: Kristof Roox.
- "Special considerations for pan-European injunctions" and "The role and form of discovery in European patent litigation," International Patent Litigation, New York (October 31 to November 2, 2001). Presenter: Kristof Roox.
- "Auteursrecht" [Copyright], Karel de Grote Hogeschool, Antwerpen (March 9, 2001). Presenter: Kristof Roox.
- "Belgian Torpedoes Under the Brussels Convention," Meeting of the Belgian Assistant Professors Private International Law, Brussels (2000). Presenter: Kristof Roox.
- "Internationale geschillenbeslechting: welke mogelijkheden," EFE-seminarie, "Hoe uw internationale contracten onderhandelen, opstellen en uitvoeren?," [International litigation: how to negotiate, draft and execute international contracts], Antwerpen (December 1, 1999). Presenter: Kristof Roox.
- "De ontwikkelingen in auteursrecht in Europa met het zicht op de 21ste eeuw," [The evolution of copyright in view of the 21st century], Europese Studiedag, Katholieke Hogeschool Limburg (May 14, 1998). Presenter: Kristof Roox.
- "Domeinnamen en Internet: een stand van zaken," [Domainnames and Internet], Lunchcauserie Intellectuele Rechten, O.S.B.-V.U.B, Brussels (October 24, 1997). Presenter: Kristof Roox.