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Dr. Dirk Bühler

Partner

German Patent Attorney

European Patent Attorney

Biochemist

Dirk specializes in the management of product-related patent portfolios worldwide as well as the associated opposition, nullity and infringement proceedings in the fields of pharmaceuticals, biotechnology and personalized therapy and diagnostics. He regularly advises clients on complex SPC matters and freedom-to-operate strategies in these areas. His extensive experience enables him to bring strategic IP consultancy and patent portfolio creation/management into alignment with the economic interests of his clients in a rapidly changing market environment. Clients value his interdisciplinary approach of combining questions relating to patent law with regulatory requirements for marketing authorization of medicinal products in order to achieve the fullest protection possible. Dirk has received numerous awards for his professional activities as patent attorney and regularly publishes articles on various aspects of patent law.

TESTIMONIALS

"Dirk Bühler has deep sector expertise and can prosecute patents across a spectrum of technological areas with medical applications. His commercial awareness routinely serves patrons on complex SPC matters and FTO strategies."

- IAM Patent 1000, 2023

"Dirk Bühler has an extremely good overview of the current case law and trends at the EPO and the German courts, which is of great value for filing strategies and opinion work."

- Legal 500 DE, 2022

CAREER

since 2007	Partner, shareholder and managing director at Maiwald
since 2004	Patent attorney at Maiwald
2001 - 2004	Patent attorney trainee at Maiwald

EDUCATION

2004	Admitted to practice as European patent attorney
2004	Admitted to practice as German patent attorney
2001 - 2004	Studied law for patent attorneys at the University of Hagen
1998 - 2001	Doctoral degree in the field of biochemistry from the Freie Universität Berlin (doctoral research at the Max Planck Institute for Biochemistry)
1992 - 1998	Studied biochemistry at the Freie Universität Berlin, the University of California, Berkeley and Heidelberg University

PRACTICE AREAS

- 製薬& バイオテクノロジー
- 食品& 農業
- 特許& 実用新案
- 補充的保護証明書
- IP戦略コンサルティング

SERVICES

- Complex patent portfolio management and patent prosecution
- Opposition, appeal and nullity proceedings
- Patent infringement proceedings
- Supplementary protection certificates proceedings
- Freedom-to-operate and validity analysis
- Strategic consulting for biotech start-up companies

RECOGNITIONS

- For many years listed in IAM Patent 1000 "World's Leading Patent Professionals"
- Recommended in Handelsblatt | Best Lawyers „Deutschlands Beste Anwälte" 2022, 2023
- Ranked as "Excellent" in the Leaders League Rankings Germany 2022 and 2023 in the category Patent Prosecution and recommended in the category Patent Litigation
- MIP IP Star 2017, 2018, 2019, 2020, 2021, 2022, 2023
- Recommended in Legal 500 EMEA 2019, 2020, 2021, 2022, 2023
- Recommended in Legal 500 Deutschland 2016, 2017, 2019, 2020, 2021, 2022, 2023
- "Highly recommended attorney" in JUVE Patent Rankings Germany 2021, 2022, 2023
- Listed in Managing IP's EMEA shortlist "Practitioner of the Year" 2022, 2023
- Listed in the WirtschaftsWoche "Die renomiertesten Patentrechtsanwälte" 2020
- „Frequently Recommended Attorney" in JUVE German Commercial Law Firms 2018/2019, 2019/2020, 2020/2021, 2021/2022, 2021/2022
- Doctoral scholarship of the Boehringer Ingelheim Fund

PUBLICATIONS

- Handbuch des Patentrechts, 2. Auflage, 2020
- CAR-T-Zelltherapien – Herausforderungen beim IP, 2019
- CJEU asked to clarify functional definition issue, 2018
- Supplementary Protection Certificates (SPC), C.H.BECK, Stief/Bühler (published together), 2016

- Patent Law – A Handbook on European and German Patent Law, 2014
- Federal Supreme Court endorses functional claim language, 2013
- Handbuch des Patentrechts, Haedicke/Timmann (Hrsg.), C.H.BECK, 2012 (together with Johannes W. Bukow et al.)

IMPORTANT CASES

- Representing patentee in opposition appeal proceedings leading to the BGH X ZB 8/12 Dipeptidyl-Peptidase-Inhibitors decision
- Representing patentee in SPC application proceedings before the European Court of Justice in case C-650/17 (Royalty Pharma/Sitagliptin)
- Representing defendant in nullity and opposition proceedings and litigation support concerning non-invasive prenatal diagnostics
- Representing opponent in opposition proceedings leading to revocation of basis patent for 2nd generation sequencing by synthesis
- Representing patentees in opposition proceedings relating to basic CRISPR/Cas9 patents of Nobel laureates Jennifer Doudna and Emmanuelle Charpentier

MEMBERSHIPS

- German Patent Attorney Association
- epi
- GBM
- GRUR

LANGUAGES

- German
- English