

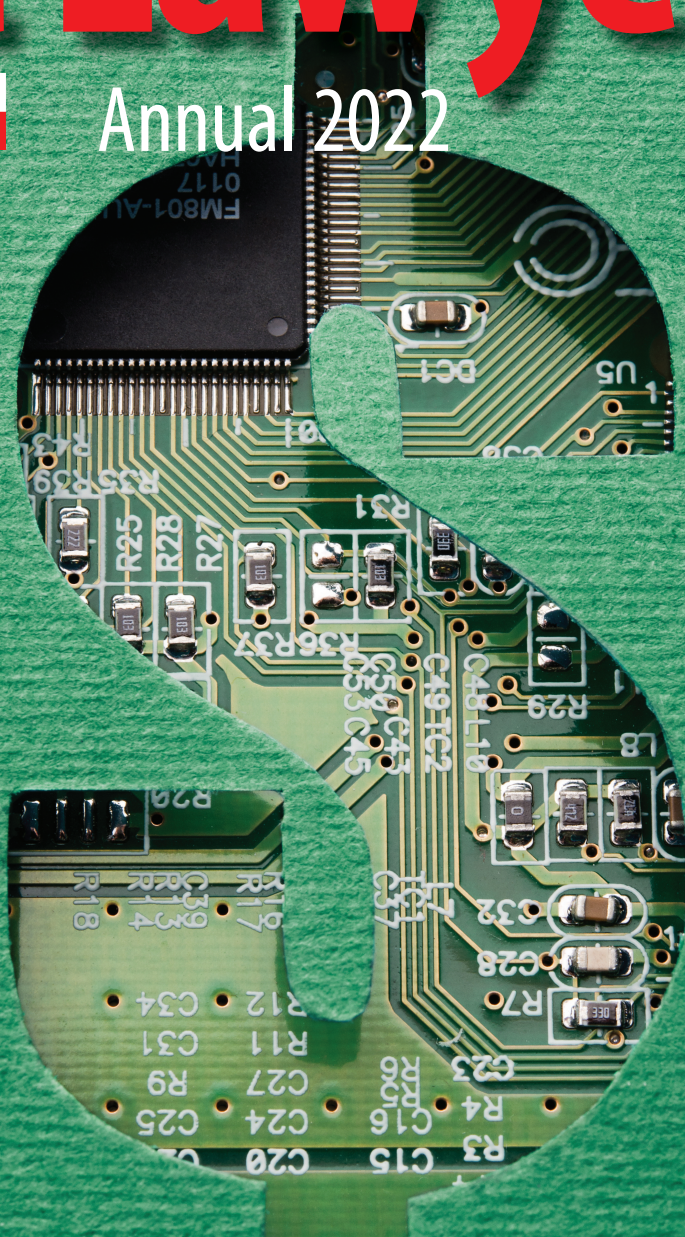
The Patent Lawyer

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Annual 2022

Keeping up with Fintech: patent filing strategy



Hui Li, Partner at Beijing Sanyou IP Agency Ltd., provides an informative update on the developments of Fintech and provides guidance for developing a successful strategy for patenting in this field.

Interview:
Robert Mino,
Cybin

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China: SEPs

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Drug patent linkage

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Women in IP Leadership

Celebrating achievements and continuing
the empowerment of women



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We give special thanks to Vera Abogados Asociados for their dedication and support
in continuing the empowerment of women in IP by facilitating this opportunity.

This segment is dedicated to women working in the IP industry, providing a platform to share real accounts from rising women around the globe. In these interviews we will be discussing experiences, celebrating milestones and achievements, and putting forward ideas for advancing equality and diversity.

By providing a platform to share personal experiences we aim to continue the empowerment of women in the world of IP.

This segment is sponsored by Vera Abogados Asociados, from Colombia, who, like *The Patent Lawyer*, are passionate to continue the empowerment of women. Vera Abogados Asociados' sponsorship enables us to remove the boundaries and offer this opportunity to all women in the sector. We give special thanks to Vera Abogados Asociados for supporting this project and creating the opportunity for women to share their experiences, allowing us to learn from each other, to take inspiration, and for continuing the liberation of women in IP.



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Intellectual property has a dual function: on the one hand, to stimulate creativity and on the other, to foment access to culture and knowledge. In this dual dimension, the participation of all social actors is crucial and even more so, with those who possess such a creative capacity to produce works and inventions susceptible to protection by this specific area of law.

Nevertheless, in accordance with WIPO figures, in the case of international patents, the participation of women and other groups described as diverse is scarce, largely because in many countries only the men have access to and receive sufficient education to prepare them for it, as well as them being the ones who are most easily able to raise capital, as for chauvinist reasons, they are perceived to generate more credibility.

It is therefore the duty of all concerned to bridge the gap and generate equal opportunity for men, women and diverse groups so that IP can rightly comply with its dual function.

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Natalia Vera Matiz, Partner at Vera Abogados Asociados

If you would like the opportunity to share your experiences with *Women in IP Leadership*, would like to nominate an individual to be involved, or would like to learn more about sponsorship, please contact our Editor.

Chantal Hoffelner: Patent Attorney, Smit & Van Wyk

An interview: inspirations, experiences, and ideas for equality.

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I studied hard, worked hard, and tried to learn as much as possible from my colleagues.

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Chantal is a director and admitted patent attorney at Smit & Van Wyk, specializing in biotechnology, medical, pharmaceutical and life sciences. Before joining Smit & Van Wyk in 2009, she worked as a researcher in the Microbial, Biochemical and Food Biotechnology Department at the University of the Free State.

Qualifications: B.Sc Biochemistry and Microbiology; B.Sc (Hons) Microbiology (Cum Laude) M.Sc Microbiology (Cum Laude); LLB; SAIPL (Qualified Patent Practitioner).

Areas of expertise:

- Drafting and prosecution of patent applications with a focus on life sciences.
- Conducting patent subject matter and novelty searches.
- Vetting and amending foreign patent applications to ensure compliance with South African law.
- Registered design filing, prosecution and enforcement.
- Plant breeder's right applications, prosecution and litigation.

What inspired your career?

Becoming a lawyer was never a career I even considered. I have always been very interested in science and biology and excelled in those subjects during my school years. I was less interested in languages and did not enjoy public speaking, in fact, I probably suffer from a level of performance anxiety or stage fright.

From a young age, I have always wanted to become a scientist and spent countless hours doing experiments in our backyard. It was thus an easy decision to go on to study microbiology and biochemistry at university. I ended up completing my Master's degree in Microbiology and thereafter worked as a research manager at the University.

In South Africa, the patent attorney field is very small and by that stage I had never met or even heard of a patent attorney. During my time working for the university, one of the employee

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The patent attorney field in South Africa is still very much male dominated and as a female we need to compete with them on an equal footing.
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benefits were that I could study at no cost. Although I enjoyed working in the laboratory, I wanted to do something more. At that stage South Africa didn't have a thriving Biotech sector and it was difficult to find a position with a private company. Most people in my situation decided to complete a PhD and stay in the academic field, however this was not a career path I had envisioned for myself. I then decided to study a law degree, mainly because I thought it was a good degree, in general, to have and hoped that I could somehow combine it with my science qualification.

I truly enjoyed everything about my legal studies, and during an intellectual property module discovered the patent law field. Becoming a patent attorney just perfectly matched my vision and would allow me to stay in the science field, but not be bound to a laboratory or academia.

Due to the small patent law field in South Africa, it was very difficult to find a position at an Intellectual Property law firm, but after many attempts I managed to find a position at a boutique IP law firm in Pretoria, at which I could complete my apprenticeship.

It was thus not a case of my career being inspired by anything specific, but rather a path which opened up due to various previous decisions I had made.

How have you found the pathway to your current position? And can you offer advice from your experience?

The best word to describe the path is “long”. Luckily, I initially didn't quite realize how long the path would be, and how much studying would be involved, otherwise I might have changed my mind.

I studied towards my MSc degree for five years, and thereafter worked at the University while studying law. By that time, most of my peers had started working and I was feeling rather behind in terms of my career. I then started working as a candidate patent attorney, while also completing the remainder of my four-year law degree. In addition to that, I had to complete the attorney board exams to qualify as an attorney in South Africa, and also complete the patent board exams to eventually qualify as a patent attorney. 10 years after finishing school I was finally qualified as a patent attorney. This was obviously only the first step of a career in patents.

I was lucky enough to start my legal career at an exceptional law firm, which made my path a lot easier than what it could have been. The firm is a boutique firm, and only specializes in intellectual property. The ethos of the firm is very much to work together as a team, to

support each other, and thereby ensuring that our clients are serviced to the best of our ability. The firm comprises of mainly women, and it is also women who occupy all of the management positions at the firm. The founding director of the firm is very progressive, and I have thankfully never experienced any differential treatment between male and female employees.

I studied hard, worked hard, and tried to learn as much as possible from my colleagues. I was promoted to associate level in 2014 and became a director of the firm in 2017.

I can honestly say that I absolutely love my work. Being part of a smaller firm exposes me to many different types of technological inventions, and you learn something new every day. It drives me to assist clients to the best of my ability, and to add value to their businesses. Patent law must be one of the most intellectually challenging but satisfying professions in the legal field. When people ask me now what I would have been if I could choose a career again, I cannot think of any other field I would rather be in.

What challenges have you faced? And how have you overcome them?

When I initially started working in the legal field, it was a major challenge for me to engage with clients. I am a scientist at heart, and public speaking doesn't come naturally to me. I still remember the first client consultation I had to lead, I had anxiety for two days before that and had to drink a beta blocker that morning. Eventually, as I became more experienced, consultations became easier and easier. Today it is not an issue at all, and I actually enjoy consulting with new clients, learning from them, and from my side positively contributing to their business. It is important to not be held back by something you think you are not good at; we can learn to do anything we set our minds too, it might not be comfortable, but it is usually worth it at the end.

As a woman, I have unfortunately experienced some male clients initially being skeptical of my ability. It seems, that in their eyes, a woman would not as easily understand a technical invention, and they would prefer to work with a male patent attorney. Usually, this skepticism is over after the first few minutes of the consultation.

The patent attorney field in South Africa is still very much male dominated and as a female we need to compete with them on an equal footing. I have always made sure that I learn as much as possible, put in the extra hours, and worked hard to ensure that I can do my job to the absolute best of my ability. Maybe it comes easier for males, I am not sure, but I think as women we at least perceive our career paths to be harder, which makes us put in the extra effort. This leads to exceptionally skilled female attorneys.

A further challenge is obviously balancing family life (specifically kids) and work life. I am in the fortunate position where I work flexible hours, and work at a firm who supports and understands the challenges that come with having small children. I still feel guilty when I have to work from home to look after a sick toddler, but I think with the right work ethic and the support of colleagues, there is no reason that a mom cannot contribute as effectively to their work as others.

What would you consider to be your greatest achievement in your career so far?

After studying and working for many years, and jumping through what felt like endless hoops, eventually qualifying as a patent attorney was a major achievement for me. Everything that happened thereafter was a consequence of that initial effort. Being promoted to a director of the firm was also a significant step, which allows me to now be involved with a whole set of other functions, such as financial management, training, business development, and human resource management.

What are your future career aspirations? And how will you work to achieve them?

On a personal level, I aspire to continue learning and improving my skills as a patent attorney. It is important to not stagnate or be satisfied with your knowledge, but to learn more and become better. "If you think you know everything, you will never learn anything".

My aspiration for our firm is that we will grow, while retaining the special culture that we have. Our employees are exceptionally important to us, and their career growth and happiness is paramount to the success of the firm.

What changes would you like to see in the IP industry regarding equality and diversity in the next five years?

I would like to see the IP industry becoming more involved with the education of younger people. Change has to start with the way we raise our kids and how we educate them. Girls and boys need to be exposed to the possibilities of a career in intellectual property, and we need to create the opportunities for them to enter the field. IP professionals, specifically women IP professionals, need to get more involved with education. When you ask a child what they would like to be when they grow up, the answer is always: a doctor, a fireman, a policeman or the like. Kids follow role models, and ultimately this influences the career choices they make later. If we want to diversify the IP industry, more needs to be done to provide early, equal exposure for young people of all backgrounds.



How do you think the empowerment of women can be continued and expanded in the IP sector?

I personally feel women empower themselves, but I think the IP sector can do more to alleviate some of the difficulties women experience during their careers. Things like equal pay, equal training, equal career promotion is non-negotiable.

With the recent lockdowns around the world, it has been shown that people can work just as effectively from home as they do from the office. Flexible working hours go a long way in assisting women to balance their home and work lives more effectively, and I think it is something that should be promoted.

Women in the field also need to be willing to mentor and train younger women. We need to support everyone equally, while having cognisance of the different difficulties males and females in the field face.

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