

**BORENIUS**

## Ben Rapinoja

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Ben is a renowned litigator in patent, trademark and intellectual property matters in Finland and an expert in the field of intellectual property, technology law and Market Court proceedings. Ben advises on contractual and licensing arrangements, brands and marketing law related matters, commercial disputes, and corporate transactions in electronics and high-tech industries. His expertise also covers legal issues related to the pharmaceutical industry, health technology and life science sectors.

Ben has extensive experience in patent and intellectual property litigation as well as in contractual disputes and arbitration proceedings concerning ICT and high-tech companies. Various international publications (Chambers, The Legal 500, IAM 250, WTR 1000) regard him as one of the leading legal experts in Finland in the field of intellectual property and litigation.

Ben heads the firm's **Intellectual Property** (<http://www.borenius.com/services/intellectual-property/>) team.

## Rankings

### **Chambers Europe & Global**

- IP

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Chambers Europe & Global

*"He appreciates the wider strategy when running Finnish litigation and provides clear advice on what arguments are likely to sit well."*

*"He can provide concise, on-the-spot answers and a good picture of the strengths and weaknesses relating to the claims."*

*"Highly professional, very smart, a great litigator with great experience."*

*"Absolutely fantastic."*

## **The Legal 500**

- IP

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The Legal 500

"Practical advice, great expertise, ability to think of consequences on a larger scale. "

## **Who's Who Legal**

- Life Sciences – Patent Litigation
- Life Sciences – Regulatory
- Life Sciences – Transactional
- Patents
- Trademarks

## **IAM Patent 1000**

- Patent Litigation

## **WTR 1000**

- Trademarks: Enforcement and litigation

## **Best Lawyers**

- IP

## **Managing Intellectual Property: IP Stars**

- IP Star

## **WIPR Leaders**

- Patents, Trademarks

## **Selected References**

- Successfully advised and represented Vaisala, a global leader in the field of environmental and industrial measurement technology, in a patent dispute before the Market Court. The dispute concerned a European patent on a weather radar technology used in meteorological observations. Vaisala won the case and the patent-in-suit was revoked.
- Successfully advised and represented Orifarm, Denmark's largest supplier of pharmaceuticals, in a trademark dispute concerning the packaging of pharmaceutical products. The District Court of Helsinki rejected all claims of the counterparty Merck, Sharp & Dohme and awarded damages to Orifarm due to the unnecessary preliminary injunction granted in this matter. In the appeal proceedings, Helsinki Court of Appeal upheld the first instance judgement and held that Orifarm's packaging fulfilled the requirements for re-packaging of pharmaceutical products under the ECJ practice (the so-called BMS criterion).
- Successfully advised and represented Nordpeis, a Nordic manufacturer of fireplaces, in a dispute related to unfair business practices before the Finnish Market Court. The dispute also involved preliminary injunction proceedings in which the Market Court issued an ex parte injunction against the counterparty.
- Successfully advised and represented Hospira, the world's leading provider of injectable drugs and infusion technologies, in a complex patent litigation case regarding medicine docetaxel with a commercial value of several millions of euros. The district court revoked the adverse party's patent-in-suit and confirmed that Hospira's product is non-infringing.
- Successfully advised and represented a major Nordic insurance company in extensive arbitration proceedings against one of the largest Nordic IT system

suppliers in a dispute involving an interest of several millions of euros concerning the failed supply of an IT system.

## Career

- Partner, Borenus, 2006–
- Associate lawyer, Borenus, 2000–2005
- Governmental Secretary, Ministry of Trade and Industry, 1997–1999
- Notary, District Court of Helsinki 1996–1997
- Legal adviser, Governmental Secretary, Ministry of Trade and Industry, 1993–1996

## Education

- Bar Admission, 2002, Helsinki, Finland
- Trained on the bench, 1997, District court of Helsinki, Finland
- Master of Laws, 1993, University of Helsinki, Finland

## Languages

- Finnish, English, Swedish