

BORENIUS

Wilma Kivilä

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Wilma advises clients on a full range of matters in the fields of intellectual property and technology. Her expertise encompasses litigation and arbitration, regulatory compliance, commercial and contractual matters as well as various aspects of technology-related legal challenges.

Wilma is a distinguished expert in complex intellectual property litigation with extensive experience in high-profile cases across all judicial levels, including the Supreme Court and the Court of Justice of the European Union. Her extensive experience spans representing both domestic and international clients in a wide array of matters, from patent invalidity and infringement actions to preliminary injunction proceedings and damages claims involving patents, SPCs, trademarks, trade secrets and unfair business practices. She also has significant experience in representing clients before regulatory authorities and administrative courts.

Wilma helps clients in navigating complex regulatory environments with a focus on pharmaceuticals, medical devices and consumer goods. Having worked with some of the leading companies in the life sciences sector and in a listed pharmaceutical company, she has profound understanding of the pharmaceuticals and health care industries, enabling her to offer strategic advice on market-entry strategies, product launches, and innovative business models.

Beyond her litigation and regulatory expertise, Wilma regularly advises clients on commercial and contractual matters, as well as IP-intensive transactions, with a focus on intellectual property and technology-related issues.

Rankings

The Legal 500

- IP – Key Lawyer

Managing Intellectual Property: IP Stars

- Rising star

Selected references

- Represented Teva in a patent dispute before the CJEU concerning Merck's supplementary protection certificate ("SPC") for a diabetes treatment combining sitagliptin and metformin. The proceedings led to a landmark decision that clarified the interpretation of Art. 3(a) and 3(c) of the SPC Regulation, setting a precedent that will impact future SPC grants and validity assessments.
- Represented Teva in a patent dispute before the Finnish Market Court concerning BMS' patent and SPC for the blockbuster anticoagulant apixaban, marketed under the brand name Eliquis. The court ruled in favor of Teva, declaring BMS's patent and SPC invalid and dismissing infringement allegations.
- Represented Teva in a patent dispute before the Finnish Market Court concerning Gilead's SPC covering the HIV blockbuster drug Truvada. The Market Court accepted Teva's invalidity claim and declared Gilead's SPC invalid.
- Represented several companies in the pharmaceutical field in administrative proceedings before courts, challenging regulatory decisions and navigating under complex regulatory frameworks.
- Secured victories for several major global pharmaceutical companies in preliminary injunction proceedings related to alleged patent infringements before the Market Court, effectively protecting their market positions.
- Advised Netflix, Inc. on the IPR aspects of its takeover of the Finnish gaming company Next Games Corporation.
- Advised Fingrid Oyj on ICT procurement and data protection matters relating to setting up a national Datahub for the electricity market in Finland, including i.a. privacy structuring of the test and launch phases of the Datahub. The Datahub is a centralised information exchange system for the Finnish electricity retail market and contains the personal data of all electricity customers in Finland.

Career

- Senior Associate, Borenus 2021–
- Legal Counsel (Seconded), Nanoform Finland, 2024
- Associate, Borenus, 2016–2021

Education

- Bar Admission, 2020, Helsinki, Finland
- Master of Laws, 2016, University of Turku, Finland

Languages

- Finnish, English