

EIP



JIPLP: CJEU's effect on SPC jurisprudence

Partner Darren Smyth has had a guest editorial published in the Journal of Intellectual Property Law and Practice (JIPLP) on the subject of referrals to the Court of Justice of the European Union (CJEU) concerning the Supplementary Protection Certificate (SPC) Regulation.

Darren bemoans the situation which has been created whereby a national judge makes a referral to the CJEU because there is a particular area of uncertainty in SPC law, a judgement from the CJEU follows that fails to clarify the original uncertainty, and creates a new one.

In 2013 Darren became a member of the editorial board of the JIPLP for a second time, and continues to be a regular contributor to the peer-reviewed journal, which is published by Oxford University Press.