

de clercq & partners

We build your
intellectual
property

WWW.DCP-IP.COM

Our mission

De Clercq & Partners is your partner for personalized intellectual property services.

We collaborate closely with you to safeguard your innovations and unlock their full potential. With our personalized approach, you can trust us to deliver tailored protection strategies that both maximize your company's competitive advantage as well as ensure optimal use of your intellectual property assets. Our multidisciplinary experience, expertise and dedication sets us apart from the rest. At our core, we aim to deliver work of utmost precision and care, helping you to reach your goals and driving your success forward.



Who we are

De Clercq & Partners is a full service intellectual property firm at the leading edge of protection. We are unique in the market for our top-tier patent and trademark prosecution, patent opposition, appeal and litigation services, as well as for our IP strategy and IP law advice.

We consistently achieve a top-tier ranking in the independent legal directories, both as a firm and for our individual experts. Clients testify to our exceptional quality, technical knowledge, and efficiency.



INTERNATIONAL

We have 3 offices across Belgium (Sint-Martens-Latem, Leuven and Hasselt). Through our international network, we serve clients in most of the world. We work primarily in English, and our office has native speakers in English, Dutch, French and several other languages. Our company comprises members from various countries. We prioritize diversity and gender equality in our company.



OUR TECHNICAL PROFICIENCY

We have an extensive team of professionals with high level degrees in a broad range of technical areas. Our patent attorneys are mostly PhDs and engineers with several years of research experience. Many of them also have a background in industry.

Several have been examiners at the EPO. While we have grown, there has been little turnover in personnel, such that the many years of experience have remained within the team and are shared with our more recent colleagues.

Due to the diversity in scientific background of our patent attorneys they can easily team up to tackle multi-disciplinary inventions. This is a great asset in an era where inventions evolve at the cross-sections of different fields.



STRONG LEGAL EXPERTISE OF OUR PATENT ATTORNEYS

Apart from our technical proficiency, we possess strong legal expertise resulting from our extensive experience in prosecution, oppositions and appeal procedures as well as involvement in Court proceedings. This combined scientific and legal background allows us to create and successfully pursue high quality patent applications that take into account the complexity of patent systems worldwide. Many of our European patent attorneys are entitled to represent parties before the Unified Patent Court as European Patent Litigators. Due to our extensive experience in European Patent Office (EPO) opposition and appeal proceedings, we pride ourselves on our ability to deliver a first-class service to clients in contentious proceedings, leaving no stone unturned in pursuit of our clients' best interests. We are highly skilled written advocates and our enviable track record in the conduct of oral proceedings makes us a formidable litigation partner.

TRADEMARK & DESIGN

Our trademark and design team possesses exceptional expertise in developing and executing registration strategies that effectively safeguard your trademark. Their expertise is indispensable in conducting and analyzing clearance searches, as well as guiding you through every stage of the trademark life cycle. In addition, their extensive knowledge of design law makes them the ideal partner for both national and international design registrations. Leveraging years of experience, our attorneys offer expert guidance on the most effective strategies to protect new designs and assess potential threats posed by competitors' designs.

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Who we serve

We provide our IP services to some of the world's leading companies, universities and research institutions. We operate both domestically in Belgium and across Europe, as well as in numerous countries worldwide, providing services to start-ups, venture capitalists, small and medium-sized enterprises, large international corporations, and individual inventors.

Our goals are to:

- Develop an appropriate strategy and IP portfolio, tailored to the product and market
- Manage IP portfolios with a clear view on the costs involved, including advising on Unitary Patents (UP) and the Unified Patent Court (UPC)
- Advise on tax benefits related to innovation income in Belgium in collaboration with fiscal experts
- Provide strategic advice on the acquisition, maintenance, exploitation and enforcement of IP
- Provide IP due diligence as part of an overall business strategy

Our services

When you reach out to us, our first step is to listen carefully to understand your needs—whether it's protecting an invention or a trademark, a design, or providing sound advice.



CUSTOMIZED IP PROTECTION AND ADVICE

Our attorneys use their industry, legal, scientific and technical knowledge to provide a tailor-made service for your company. This service might include opinions on IP strategy and filings, competitive work-arounds, or on other issues such as tax benefits, priority entitlement, and ownership.

PATENTS

The safeguarding of technological advancements heavily relies on patents. Regardless of your product, service or size, we make sure you are paired with a committed team of patent attorneys who possess specialized knowledge in your field.

We listen to the context and background of the invention or new idea and ask you about your competitors and strategy. Once we have listened to your needs, we can act and advise you in the best possible way.

TRADEMARKS

At De Clercq & Partners, we firmly believe that your trademarks lie at the core of your commercial success. Our team of seasoned trademark and design attorneys offers a full spectrum of services dedicated to the protection, management, and enforcement of your marks across international markets. Whether you aim to register a new trademark, defend your existing rights, or navigate complex opposition, cancellation and infringement proceedings, we deliver bespoke legal strategies that align precisely with your business objectives.



DESIGNS

In a marketplace where aesthetic appearance increasingly drives commercial value, the legal protection of your designs holds comparable importance to safeguarding your company's identity.

Our trademark and design attorneys provide expert guidance to ensure that your designs are meticulously registered, robustly enforced, and vigorously defended across jurisdictions, both domestically and internationally.

DOMAIN NAMES

Through our secure and user-friendly platform, IPR Manager, we offer a streamlined solution for domain name registration, portfolio management, and renewal tracking, supported by a team of experienced professionals. From the acquisition of key domain names to the implementation of robust security features, our goal is to help clients align their domain name strategy with broader branding and intellectual property objectives.

COPYRIGHT

As digital assets are increasingly shared, distributed, and monetised online, the effective management of copyright is essential to safeguarding both economic value and creative integrity. At De Clercq & Partners, we support clients in navigating the legal and practical complexities of copyright protection. From identifying copyrightable works and securing rights in original creations to advising on ownership, licensing, enforcement, and digital rights management, we provide comprehensive guidance tailored to your creative and commercial objectives.



Our services include the fields of patents, trademarks, designs, copyrights and domain names:

- Drafting and filing of patent, trademark and designs applications
- Prior art searches
- Handling prosecution in examination, opposition and appeals of patent applications and patents before the European Patent Office (EPO) and the Belgian Patent Office, and of patent applications before the World Intellectual Property Organization (WIPO), the French National Institute for Intellectual Property (INPI), and the UK Intellectual Property Office
- Coordination of worldwide patent protection (e.g. in the US, Canada, Australia, Japan, China, India, ...)
- Patent validations in Belgium, The Netherlands, and via the Unitary Patent System (UP)
- PCT entries into regional and national phases
- Filing for Supplementary Protection Certificates in Belgium
- Drafting and filing third-party observations before the EPO
- Representation before the Unified Patent Court (UPC)
- Handling prosecution (examination, opposition, cancellation, ...) of trademarks before the Benelux Office for Intellectual Property, the EUIPO, and the UK Intellectual Property Office
- Maintenance of patents, trademarks and designs



EXPERT ADVICE

To provide valuable advice on IP, it's important to start with an effective search. Our team works with specialized searchers who have the expertise to find the most suitable resources for a given technical area or budget. We handle reviews of patents, trademarks, and designs at domestic, regional and international levels, and seek targeted advice from foreign counsels where necessary.

Our services truly excel in the post-search analysis phase, where we provide valuable insights and guidance to our clients.

Our goal is to provide strategic advice, founded on our extensive experience in defence and assertion of intellectual property, that aligns with our clients' commercial objectives.

Our services include:

- Prior art searching
- Patentability opinions
- Assessing distinctiveness and availability of trademarks
- Determining novelty and individual character of designs
- Freedom-to-operate analysis
- IP landscaping report
- Inventorship determination
- Experimental use exemption opinions
- Due diligence reports
- Patent, trademark or design status monitoring



CONTENTIOUS PROCEEDINGS

We offer comprehensive support throughout the patent, trademark & design dispute process, be it in third-party observations, opposition, appeal, cancellation, or litigation proceedings. Our team of skilled attorneys has extensive experience in handling intellectual property cases and is well-versed in opposition and appeal proceedings. Our deep technical and legal expertise in representation before the Opposition Divisions and Technical Boards of Appeal at the EPO, before the different divisions of the BOIP and the EUIPO, and before the Benelux Court of Justice, enable us to provide our clients with the best chance of achieving their desired results.

Our services include:

- Advising on validity, infringement and enforcement of patents, trademarks and designs
- Representation before the EPO in appeal procedures against decisions of the EPO
- Representation before the EUIPO, and the Benelux Court of Justice in appeal procedures against decisions rendered by the Examination Division, Opposition Division and Cancellation Division of the EUIPO and BOIP
- Representation in third-party observations/oppositions before the EPO, the EUIPO and the national offices
- Representation in limitation, revocation and invalidation procedures before the EPO, the EUIPO and the BOIP
- Assisting in revocation of patents/nullity or validation procedures before the courts
- Assisting in descriptive seizure procedures
- Assisting in international litigations
- Advising on anti-counterfeiting through customs measures
- Acting as court-appointed or party-appointed expert in IP (patents, trademarks and designs) matters in litigation before different European courts, in particular the Belgian courts
- Unified Patent Court (UPC) representation via our European Patent Litigators



IP DUE DILLIGENCE & CONTRACTS

Our legal team has extensive experience in drafting and negotiating intellectual property clauses and ancillary documentation. They work in close collaboration with our patent and trademark attorneys to ensure that any potential risks or concerns that arise during negotiations are fully addressed in the resulting deal documentation.

Our services include:

- Any aspect of IP due diligence
- Drafting and negotiating of technology transfer, licensing, confidentiality and related agreements
- Drafting and negotiating of settlement and coexistence agreements
- Licensing advice

“ De Clercq & Partners is widely recognized as a leader in the domestic intellectual property market, particularly for our exceptional prosecution and opposition practice. What sets us apart is our fully integrated team of patent/trademark attorneys and legal counsels who work together in the same office, resulting in a cohesive and collaborative approach to our work.



IP MANAGEMENT ONLINE

We offer our clients entry into a protected patent client zone where clients can view all communications with our office and their patent files. The client zone is tailored to each client's needs.

Trademark and design clients can also access the IPR Manager platform through our website. This platform is a unique online user interface, custom-made for De Clercq & Partners. It enables our clients to manage their trademarks and designs portfolio and to provide our attorneys with instructions related to the filing, prosecution, and maintenance of such rights themselves.

This electronic platform is user-protected and visualizes previously performed and forthcoming actions so that clients can conveniently identify those cases requiring their attention. If needed, clients' prior intellectual property rights and other cases can be uploaded. The electronic system sends reminders of forthcoming due dates and next actions by email.

Our clients can use the IPR Manager to:

- Administer their trademarks and designs
- Determine budget for next year's renewals
- Gather copies of all their registration certificates

This way, trademark and design registrations may be managed in real time and in a reliable, transparent and affordable manner. Intelligent automation reduces overhead costs.



IP EDUCATION

De Clercq & Partners is convinced of the importance of creating IP awareness among scientists, foreign associates, as well as business managers.

For this reason, we spend a significant amount of time and effort organizing regular seminars on IP topics and lecturing at universities and public events.

Our firm also offers in-house assistance to companies in the form of custom training sessions.

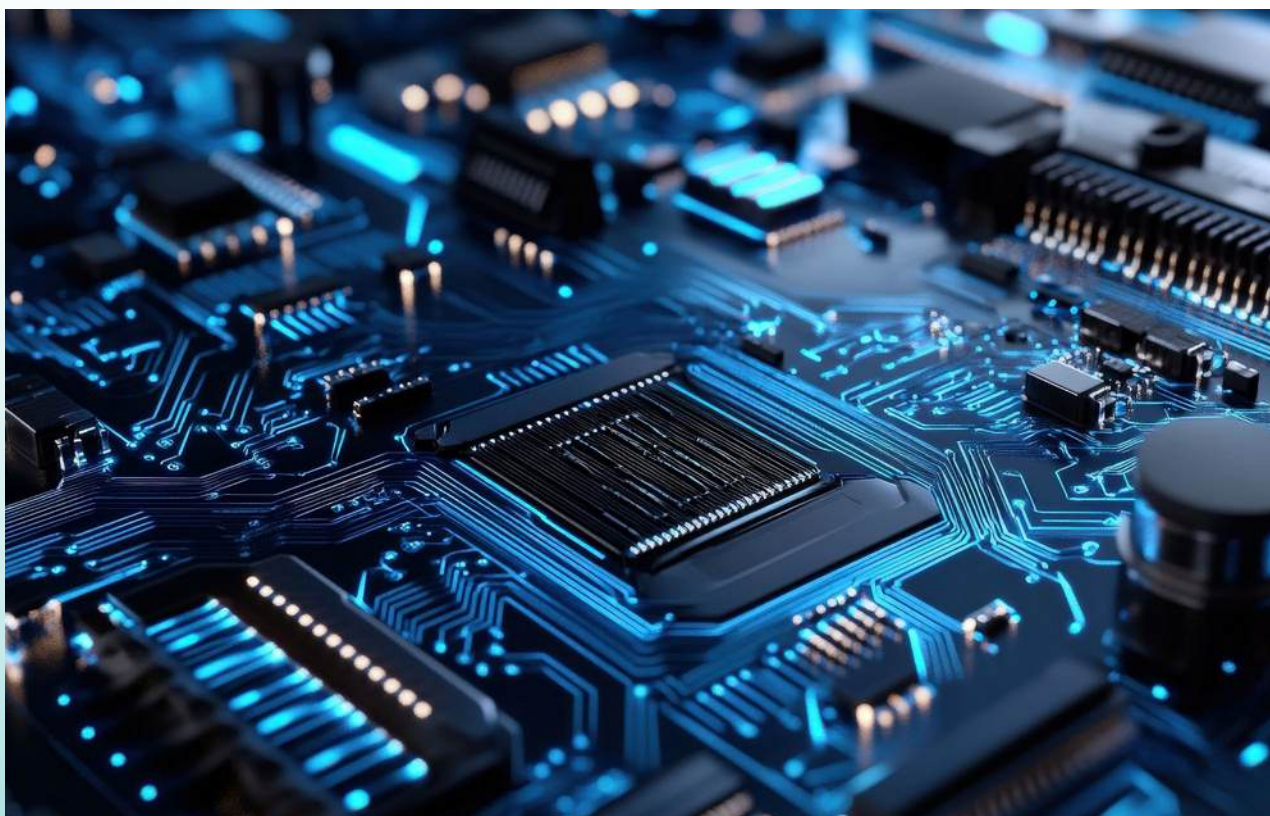
Technology sectors

De Clercq & Partners provides intellectual property services in all areas of technology.

To obtain adequate patent protection for technological developments made in different specialized fields, it is important to know how to bring out aspects of the invention which can be protected and to stay informed of recent developments on these issues.

Through its extensive experience in specific areas of patent protection, De Clercq & Partners can provide guidance to clients on how to obtain optimal protection for inventions in all fields, as our patent attorneys closely follow both national and international case law.

We are also involved at a high level in the Institute of Professional Representatives before the European Patent Office (epi) in their technical sectors and policymaking instruments.



Sectors served include technical inventions in the following domains:



LIFE SCIENCES

Biotechnology, Pharmaceuticals, Diagnostics, Medical devices, SPCs & regulatory, Bioinformatics & digital health, Plant protection, Consumer products, Food supplements, Animal feed



ENGINEERING & SOFTWARE

Robotics, Automotive, Mechanical devices, Medical devices, Optical, Energy, ICT, Semiconductor devices, Software, Artificial intelligence (AI), Digital health, Medtech, Cookware, Batteries, Automotive, Energy





CHEMISTRY

Pharmaceuticals, Specialty Chemicals, Medicinal Chemistry, Agrochemicals, Polymer chemistry, Material Science, Food technology, Green & Sustainable Chemistry, Electronics & Semiconductors, Construction & Water Purification, Chemical & Process engineering, Consumer products



BRANDS & DESIGNS

Consumables such as food & beverages, homeware like cookware & small domestic appliances, furniture, decoration & art, ICT & multimedia including metaverse, pharmaceuticals & healthcare, sports & leisure

Most modern inventions, however, do not relate to a single field; instead, technological advancements often result from the combination of various technologies. This further highlights the advantages of De Clercq & partners which provides a multi-disciplinary team which can provide full support for any type of invention or other IP challenge.



LIFE SCIENCES

In the field of life sciences, the EPO has imposed a number of additional limitations on the patentability of inventions, such as:

- New medical uses of known compounds
- Stem cell technology inventions
- Gene sequence inventions
- New dosage regimens
- Diagnostic and surgical methods
- Plant and animal breeding methods
- Bred plants and animals

In the development of inventions—whether for pharmaceutical, food, feed or other applications—the scope of the claims is of major importance for the value of the patent and is often a topic of debate within national patent offices. It is therefore important to draft patent applications that contain the necessary basis to ensure appropriate protection.

In biotechnology, the **claim scope allowable by the EPO based on a model system** is often a critical issue, especially when the commercial product is not yet fully envisaged at the time the invention is made. To optimize the scope of patent protection, it is essential to consider all aspects of the invention and carefully develop the **patent drafting strategy** considering available data.



The high level of expertise offered by De Clercq & Partners ensures that these issues are addressed from the very first moment the invention is considered, allowing for the proper drafting of priority documents.

De Clercq & Partners has an extensive team of patent attorneys and advisers with in-depth experience in life sciences. We advise our clients on the acceptable claim scope and best protection strategy within the current legal frameworks. Our experts in this field all have strong scientific backgrounds and are actively involved in monitoring developments in case law.

Our prominence in biotechnological patenting is reflected by the long-standing appointment of our founding partner, Dr. Ann De Clercq, as chair of the epi's Biotechnology Committee for a 20-year term. Since 2023, Koen Vanhalst has taken over the Belgian position in this committee.



Protection of inventions in the plant-related sector can be sought through:

- The breeder's rights system (plant variety rights), or
- Patent protection, e.g. for transgenic or gene-edited plants

Both Dr. Liesbet Paemen and Dr. Ann De Clercq began their academic careers in the transgenic plant field and worked at the pioneering company Plant Genetics Systems before becoming patent attorneys.

The team also includes:

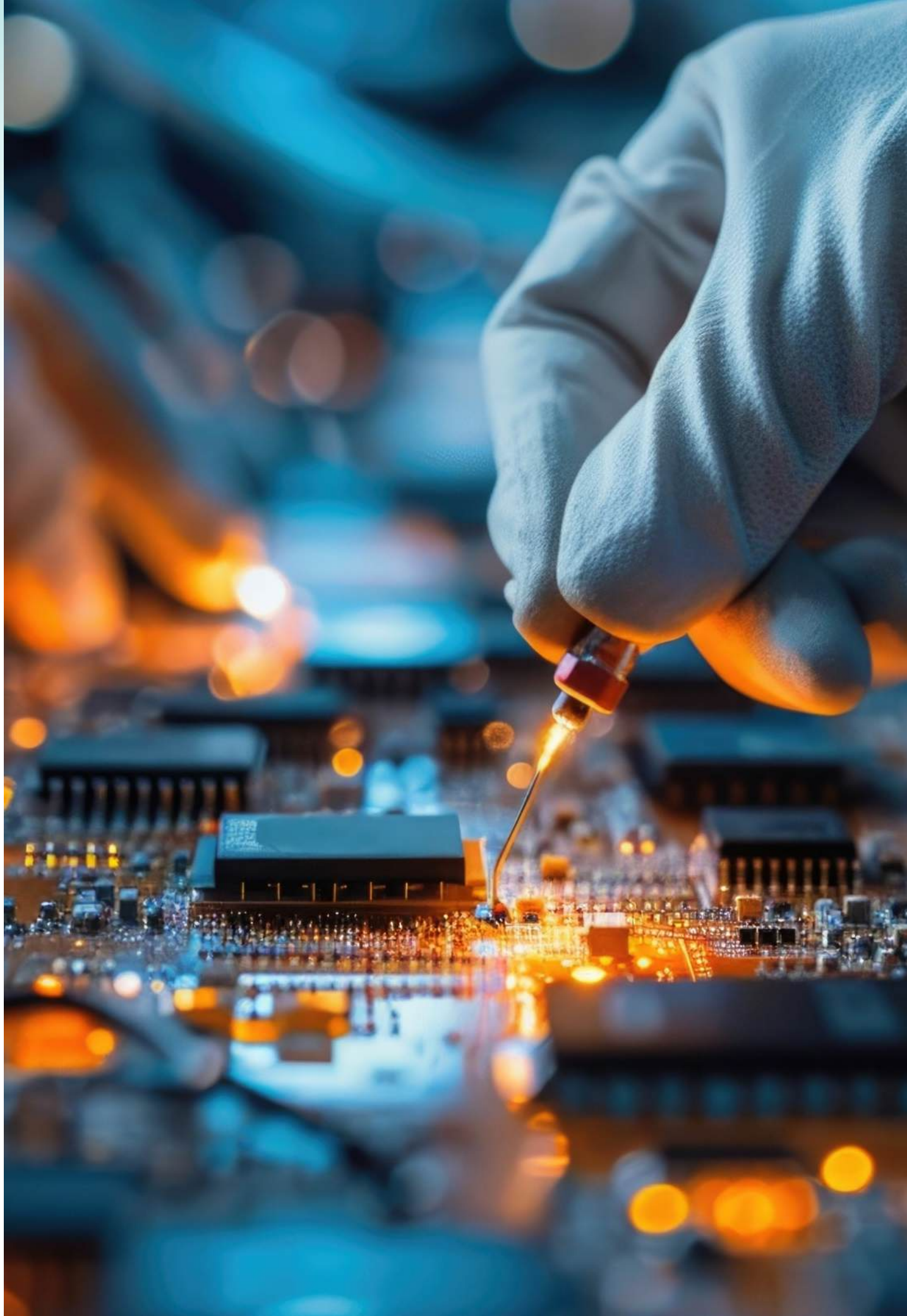
- Dr. ir. Caroline Henin, former head of IP at Cropdesign (later BASF Plant Science)
- Dr. Annelies De Clercq, PhD from the Department of Plant Biotechnology at the VIB
- Dr. Ann Viaene, former head of the IP Department of Devgen (later Syngenta)

Ann De Clercq and Koen Vanhalst have both served as EPO examiners in the fields of Biotechnology and Protein Chemistry.

De Clercq & Partners has been recognized as a top firm for its consistent delivery of strategic advice and high-quality patent drafting.

With notable attorneys like Ann De Clercq, described as a “tour de force” in IP, and a team celebrated for their diligence and technical insight, we offer unparalleled expertise in chemistry and related fields.

Our firm is the go-to partner for businesses seeking reliable, forward-thinking solutions in patent protection.





ENGINEERING & SOFTWARE

At De Clercq & Partners, our Engineering team of patent attorneys excels in providing seamless, high-quality services tailored to various sectors within the engineering industry.

Our team's unique combination of advanced academic qualifications, hands-on industrial experience, and extensive patent expertise positions us to handle even the most complex challenges.

We specialize in a variety of sectors, including:

- Digital communication
- Medical technology
- Artificial intelligence
- Software
- IT
- Electronics
- Automation
- Energy solutions
- Automotive and aerospace technologies
- Manufacturing and textiles

With a diverse portfolio of clients—from SMEs and universities to major industry leaders—our experience in navigating the technical and legal intricacies of the engineering sector is unmatched.

Patentability in engineering can be a complex matter, particularly in areas like software, AI, and medical applications, where strict legal frameworks apply. To maximize the value of your invention, we emphasize drafting patent applications that achieve appropriate and enforceable protection. This involves close collaboration with inventors and stakeholders to identify key aspects of the invention and strategically expand its scope.

Our expertise spans the entire patent lifecycle—from drafting priority documents to managing EPO opposition and appeal procedures.

Our attorneys are deeply knowledgeable in engineering-specific case law and evolving legal frameworks, ensuring every claim is meticulously structured for optimal protection.

A key focus of our work lies in software and AI-related patents, which are rapidly shaping modern goods and services.

We have significant expertise in areas such as:

- Internet-based technologies
- Gamification
- Communication platforms
- Medical diagnostics

Our team is adept at drafting high-quality software patents and providing legal advice on infringement issues, collaborating closely with industry innovators and research institutes.

Building strong client relationships is at the heart of our philosophy. Through open communication and a deep understanding of client needs, we deliver tailored strategies and actionable advice.

Additionally, we offer comprehensive IP services by collaborating with our design, trademark, and transaction teams—ensuring seamless protection across all domains. Our goal is to provide clients with a partner they can trust—one that combines technical prowess with legal expertise to deliver reliable and forward-thinking solutions in the field of engineering patents.



CHEMISTRY

De Clercq & Partners' Chemistry team offers specialized patent services across a wide range of chemical technologies—from pharmaceutical compositions and polymers to food products and agrochemicals.

Our team combines advanced academic backgrounds, industrial expertise, and extensive patent knowledge, delivering tailored solutions for even the most intricate challenges.

We have an established history of working with leading players in the chemistry, food, and life sciences industries, as well as SMEs, research institutes, and universities.

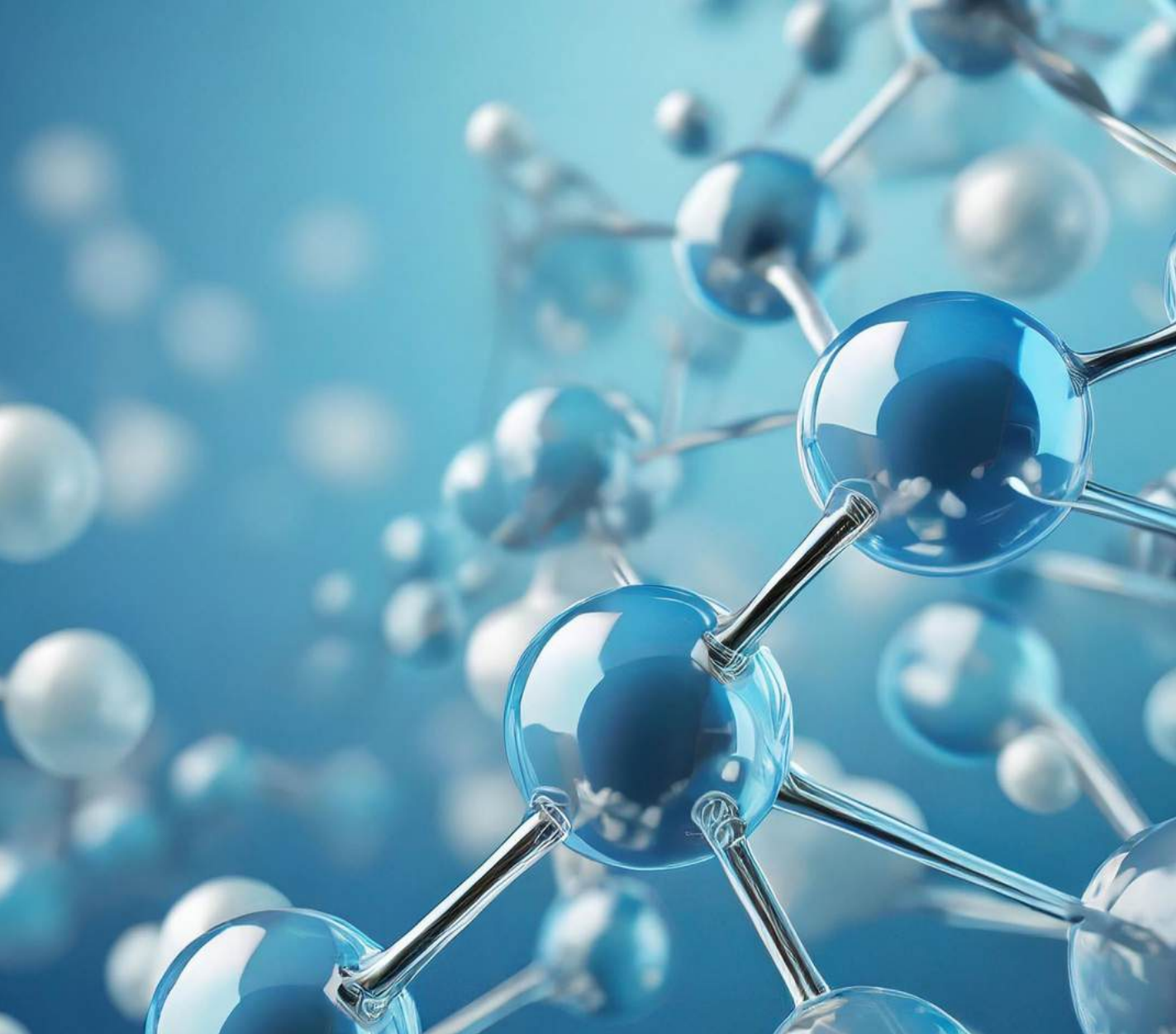
Our team excels in drafting and prosecution of robust patent applications for innovations across key chemical sectors including for instance:

- pharmaceutical compounds and small molecules,
- organic, inorganic, and physical chemistry
- agrochemicals,
- food and feed technology
- polymer and catalyst technology,
- materials science,
- chemical & process engineering.

By closely collaborating with inventors, we ensure that claims are carefully structured for proper protection and optimal value. Our approach emphasizes early-stage involvement to draft precise priority documents and establish a strong foundation. We are also recognized leaders in securing Supplementary Protection Certificates (SPCs)—extending the lifespan of patents in areas like medical and plant protection products. This additional protection is crucial for maximizing the commercial potential of innovative technologies.

“ They are the best at what they do, with reasonable rates. They are very responsive and have a very high level of expertise in all areas of intellectual property.

IP STARS



Our attorneys have extensive experience in European Patent Office (EPO) procedures, including oppositions and appeals. Staying ahead of legal developments and leveraging insights from team collaboration enables us to develop innovative strategies for searching, prosecution and litigation.

This proactive approach, combined with our comprehensive IP services—spanning patents, trademarks, and designs—ensures seamless support for clients' intellectual property needs.

By fostering trust through clear communication and tailored strategies, we prioritize client relationships while staying at the forefront of legal and technological advancements.

Whether you need support in patent prosecution and granting, litigation and enforcement, SPCs, or comprehensive IP management, De Clercq & Partners is your trusted partner for success.



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