

Curriculum vitae

Professor Bengt Domeij, 30 09 1967

Appointments, etc

- December 2022 elected member of the Royal Swedish Academy of Engineering Sciences (ledamotskap i Kungl. Ingenjörsvetenskapsakademien, IVA)
- Member of the Board of EIT at Uppsala University, 2022-2025. EIT Health is EU funded and Europe's largest life science collaboration organisation, and one of the largest life science initiatives world-wide. EIT Health is active across three fields: business creation, education, and multidisciplinary healthcare innovation initiatives.
- Elected Head of the Law department ("prefekt") at Uppsala University, from 1 July 2019 and for three years thereafter.
- 2016-2018 researcher in the EU research project Driving reinvestment in the R&D for antibiotics and advocating their responsible use (<http://drive-ab.eu>), Work Package 2: Creation and testing of new economic models.
- Appointed by the Swedish Government to be an expert in the governmental committee formed to implement into Swedish law the EU Trade Secret Directive (Utredningen om skyddet för företagshemligheter (Ju 2016:13))
- Chief examiner 2011 to 2019 for the annual authorization of Swedish patent attorneys ("Patentombudsnämndens auktorisation av svenska patentombud")
- October 2012 to April 2015 – Expert in the committee formed to propose a new Swedish Patent Act and the adaptations necessary in Swedish patent law for introduction of a European unitary patent (Ju 2012:12).
- Member of the Board of the Institute for Intellectual Property Law and Market Law (IFIM), Stockholm University, since 2011
- Chief organizer on behalf of the Nordic Associations for Industrial Property, of the international conference *Nordic and European Trade Mark Law – Present Challenges and Tomorrow's Solutions*, at Arlanda conference center 1 February 2011

- Secretary General of the Cooperation Committee of the Nordic Associations for Industrial Property, from 2010 to 2015
- Member of the Board and Treasurer, of the Swedish Association for Intellectual Property, from 2011
- 1 April 2010 Appointed Professor of Private Law at Uppsala University, Law faculty
- 1999 to 2010 Associate Professor of Industrial Property Law, Royal Institute of Technology (KTH), Stockholm
- August 2006 to August 2007 – Associate Professor at Riga Graduate School of Law, responsible for teaching in EU Institutional Law and Intellectual Property law (on leave from the Royal Institute of Technology)
- February 2006 to March 2006: Visiting scholar Edinburgh University Law Faculty
- January 2006 to February 2006: Visiting scholar Boalt School of Law, Berkley University, California, USA
- 2005 – Appointed by the Swedish Ministry of Justice to be an expert in the committee formed to evaluate consequences from biotech patents on the Swedish health care system (Ju 2005:22).
- 2004 – Appointed by the Swedish Ministry of Commerce to be an expert in the committee formed to evaluate the training and informational needs of Swedish industry in the patent field and economic consequences of patenting in Sweden (N 2004:55)
- 2004 – Appointed by the Swedish Ministry of Justice to be an expert in the evaluation of the EC Commission's proposal for a directive on computer-implemented inventions
- 2002 – Guest professor at the Swedish Business School in Helsinki
- 2000-2004 – Head of intellectual property education in the SOCWARE-program (www.socware.com), a joint initiative by Swedish technical universities
- 31 May 1999 – Appointed “Docent” (“Readership”) in civil law at the Law Faculty of Stockholm university
- 15 March 1999 to 5 July 1999 – Worked at the World Trade Organization, Intellectual Property Division, Geneva

- 1 December 1998 to 26 February 1999 – Worked at the European Patent Office, Patent Law-department, Munich
- 9 October 1998 – Defense of doctoral thesis “Läkemedelspatent” (“Pharmaceutical patents”) at the Law Faculty of Stockholm university
- 1 February 1996 – 1 May 1996 – Researcher at the Max Planck Institute for Foreign and International Patent, Copyright and Competition Law, Munich
- 1 June 1994 to 9 October 1998 – Doctoral candidate at the Law Faculty of Stockholm university
- Spring –94 – Period of clerk service in the Stockholm District Court

Selected publications by Bengt Domeij

Books, etc

- “Patent och företagshemligheter” (“Patents and trade secrets”), second edition, iUSTUS förlag 233 sidor, 2019.
- “Från anställd till konkurrent – lojalitetsplikt, företagshemligheter och konkurrensklausuler” (“From employee to competitor – duty of loyalty, trade secrets and covenants not to compete”), analyzing rules applicable to the process by which an employee takes up a position with a competitor, Wolters Kluwer 2016.
- From 2016 to the present, responsible for drafting and commenting on the patent and know-how licensing contract, in the widely used JUNO database Avtalsguiden
- Second edition of “Patentavtalsrätt” (“The Law of Patent Contracts”), Norstedts Juridik, 2010. Reviewed by Inger B. Ørstavik in Tidsskrift for Rettsvitenskap, Nr 04 – 2012 p. 546-550.
- “Patenträtt – svensk och internationell patenträtt, avtal om patent samt skyddet för växtsorter och företagshemligheter” (Patent law – Swedish and international patent law, contracts concerning patents and the protection for plant varieties and trade secrets), iUSTUS förlag 2007.
- Responsible 2004-2009 for the commentaries in KARNOV pertaining to the Swedish Patent Act (except chapter 9) and the implementing regulations to the Swedish Patent Act, totaling 62 p. KARNOV is the comprehensive commentary to Swedish legislation and the authors are leading experts in their fields, being selected by the publisher on this basis.

- "Patentavtalsrätt" ("The Law of Patent Contracts"), Norstedts Juridik, 2003, 350 p., ISBN 91-39-00993-9. Reviewed by Professor Mads Bryde Andersen in the Danish journal Ugeskrift for Retsvæsen, Vol. 138, no. 12 (2004) p. 113, by Professor Niklas Bruun in the Finnish journal IPR Info, Vol. 1/2004 p. 20, by Swedish Appellate Judge Mikael Mellqvist, in the Swedish journal SvJT Vol. 89 no. 4 2004 p. 430, and by Professor Rainer Oesch in the Finnish journal JFT (Tidskrift utgiven av Juridiska föreningen i Finland) 2004 p. 648.
- "Pharmaceutical Patents in Europe", Kluwer Law International 2000, 344 p., ISBN 90-411-1348-7. Reviewed by English Barrister Brian C. Reid in Bio-Science Law Review 2000/2001, Vol. 4 Issue 1, p. 35, with the words: "It is indeed a formidable monograph. An idea of its depth and comprehensiveness can be gained by recitation of a few of its vital statistics: 344 pages plus 744 footnotes (often containing substantial judgment extracts) and 213 references to EPO Technical Board of Appeal cases (including 135 unpublished, running up to T 941/98 of 30 April 1999) and 58 national cases from 12 separate jurisdictions, as well as a bibliography consisting of 27 books and 108 articles."
- "Läkemedelspatent", 566 p. ISBN 91-7223-037-1, 1998 (doctoral thesis). Reviewed by Professor Mogens Koktvedgaard, Copenhagen University, in Nordic Intellectual Property Review 1998 p. 689 ff and by Professor Ulf Bernitz, Stockholm University, in the Swedish journal Juridisk Tidskrift 1999-2000 p. 467 ff.
- "Fokus på patenträtten" ("Focus on patent law") Stockholm 1997, 93 pages, ISBN 91-630-6049-3. Textbook in patent law used at Swedish and Finnish universities. Reviewed by Catarina Holtz, Member of the Boards of Appeal, European Patent Office, Nordic Intellectual Property Review 1998 p. 72 ff.
- "Patent på 2:a medicinska indikationen och förbudet mot patent på medicinska förfaranden", ("Patents on second medical uses of pharmaceuticals and the prohibition against patents on medical processes"), Stockholm 1994, 90 p. A publication by the Institute for Intellectual Property Law and Marketing Law at Stockholm University.

Articles, etc.

- "Svensk implementering av EU-direktivet om företagshemligheter, särskilt ifråga om anställda" ("Swedish implementation of the EU-directive on Trade Secrets, in particular for employees"), Vänbok till Marianne Levin 2022 s. 43-57.
- "Krav på att få nyttja andras industriella data (som inte är personuppgifter) för att kunna utveckla AI-tjänster – en översikt" ("Rights to use industrial data (non-personal data) held by others for developing AI-services – an overview"), Nordiskt immateriellt rättsskydd (Nordic Intellectual Property Review) 2021 s. 430-441 och DeLege 2021

s. 141-155.

- "Immaterialrätten i den digitala eran – svenska dataspelsbranschen som exempel" ("Intellectual Property Law in the Digital Age – the Swedish Gaming Industry as an Example", Vicky Long, Martin Björklund & Bengt Domeij, Ekonomisk Debatt, Nr. 2 2020 (årgång 48) s. 32-38
- "The Trade Secret Directive and Employees" p. 149-170 in the book The Harmonization and Protection of Trade Secrets in the EU – An Appraisal of the EU Directive, ed. by J. Schovsbo, T. Minssen, and T. Riis, Professor, 2020.
- "Att försvara sin IP — Överklaganden mot patent, varumärken och design" ("To defend your IP – Appeals in Patent, Trademark and Design Cases"), MGMT of Innovation nr 1, 2020 s. 2-5, David Anderson, Marianne Dahlén, Bengt Domeij & Fredrik Tell
- "Trademarks and Appropriability in the Digital Era: Evidences from Swedish Video Games Industry", V. Long och B. Domeij, 2019, Ratio Working papers no 318, available at <http://ratio.se/publikationer/ratio-working-paper-no-318-trademarks-and-appropriability-in-the-digital-era-evidences-from-swedish-video-games-industry/>
- "Recension av Anders Fernlund, Franchising – friktion mellan transnationella affärsmodeller och nationell särreglering" ("Review of Anders Fernlund, Franchising – Frictions between Transnational Business Models and National Specialized Regulation"), JT nr 4 2018-19 s. 946-949
- Den nya svenska lagen om företagshemligheter (The new Swedish Act on the protection of trade secrets), Nordiskt immateriellt rättsskydd (Nordic Intellectual Property Review) 2017 no 2 p. 234-248.
- Swedish Patent Litigation Survey of Small and Medium-sized Enterprises, Nordic Intellectual Property Review 2017 no 2 p. 234-248, together with professor Per-Olof Bjuggren and doctoral candidate Anna Horn
- Non-compete clauses in sales of companies and the Alfa Quality Moving-case ("Konkurrensförbud vid företagsöverlåtelser och Alfa Quality Moving-målet"), in the book Festskrift to Lars Pehrson (2016)
- Signatory to Amicus brief with 10 other law professors, submitted to the US Supreme Court in biotech patent case *Amicus v. Sequenom* with title: Why the U.S. Supreme Court should grant the petition for a writ of certiorari
- Swedish patent litigation in European comparison, Nordic Intellectual Property Review 2015 no 5 p. 504-522, article together with Per-Olof Bjuggren and Anna Horn, describing data concerning patent cases decided in Sweden and comparing

them to litigation in Germany, UK, the Netherlands and France

- Databasskydd och företagshemligheter (Database protection and trade secrets), Festskrift till Jan Rosén p. 241-268 (2016).
- Förhandlade konkurrensklausuler i anställningsavtal ("Negotiated covenants not to compete in employment contracts"), JT 2013-14 issue 2, pages 272-304.
- Review of the book "Patentlagskommentaren" (Commentary to the Swedish Patent Act) by Bengt G. Nilsson and Catarina Holtz, to be published in Nordic Intellectual Property Review (NIR) issue 5/2013 pages 527-531.
- "Recension av Peter Strömgren, Tillbehör och Accession" ("Review of Peter Strömgren, Accessories and Accession", JT 2012/13 s. 457-469.
- Anställda teknikers konkurrensklausuler, article reporting on a survey performed in 2011 and 2012 concerning covenants not to compete in employment contracts for technically educated employees in Sweden, published in Uppsala Faculty of Law, Working Paper 2012:3, available at <http://uu.diva-portal.org>.
- Anticompetitive Marketing in a Pharmaceutical Switching Context, p. 273-289 in Pharmaceutical Innovation, Competition and Patent Law – A Trilateral Perspective, (eds) Josef Drexl and Nari Lee, also published in p. 129-144 in Nordic Perspective on Competition in Innovation Markets, (ed. H.-H. Lidgard), Lund 2013.
- Patent och innovationsprocessens avtal s. 59-75 i Ett innovationspolitiskt ramverk - ett steg vidare, (red. P. Braunerhjelm), Entreprenörskapsforum, 2011. The article is also published in the Nordic Intellectual Property Review (NIR) 2012 p. 122-140.
- Hävning av immaterialrättsöverlåtelse när köparen är insolvent, Rättsfall, Juridisk tidskrift Nr 1 2011/12 s. 129-135. The article is also published in the Nordic Intellectual Property Review (NIR) 4/2011 p. 410-413.
- Global Pharmaceutical Linkage Regulations: A Consortium Framework, Minnesota Journal of Law, Science & Technology. 12(2): 1-30. 2011, Bouchard, R.A. Cahoy, D., Domeij, B., Dutfeld, G., Faunce, T., Hollis, A., Jones, P., Ali Khader, F., Lexchin, J., Nam, H., & Serrano, J.L.
- The Swedish Doctrine of Equivalence, forthcoming article 2011, in Scandinavian Studies in Law (Intellectual Property Issue) and ATRIP conference proceedings 2010
- Review of the doctoral thesis "Misligholdelse af immaterialretsaftaler" ("Breach of intellectual property contracts") by Birgit Liin, Tidsskrift for Rettsvitenskap 2010 p. 393-398

- Review of the doctoral thesis “Licensavtalet och konkurrensrätten” (“The license and competition law) submitted by Carl-Martin Gölstam to Uppsala university, JT 2008-09 p. 153-164
- Comments to the Lely v DeLaval judgment by The Svea Court of Appeal, published in Nordiskt Immateriellt Rättsskydd (Nordic Intellectual Property Review), 2008 p. 414 ff
- “Know-howlicenser efter ett offentliggörande” (Know-how licenses after the information is made publicly available), Festskrift till Marianne Levin p. 231 ff, 2008
- “Validering och patentprocesser i Sverige efter Londonöverenskommelsen” (Validation and patent litigation in Sweden after the London-protocol), Patenteye, nummer 6, 2007 s. 18-29 (together with Joakim Landzelius).
- ”Förfaranden med kirurgisk, terapeutisk eller diagnostisk effekt” (bilaga 12.1 till SOU 2006:80, Patent och innovationer för tillväxt och välfärd, Näringsdepartementets utredning om en översyn av de ekonomiska aspekterna av patentering för företags tillväxt)”, Procedures with surgical, therapeutic and diagnostic effect (appendix 12.1 to the Swedish Government Study: Review of the economic aspects of patenting for company growth 2006:80)
- ”Nämnd för bedömning av svenska patentfrågor” (bilaga 12.2 till SOU 2006:80, Patent och innovationer för tillväxt och välfärd, Näringsdepartementets utredning om en översyn av de ekonomiska aspekterna av patentering för företags tillväxt), (appendix 12.1 to the Swedish Government Study: Review of the economic aspects of patenting for company growth 2006:80)
- ”Teknikreglering i forsknings- och utvecklingsavtal” – särskilt vid stamcells forskning (“Regulating technology in research and development agreements – in particular in stemcell research”), Nordic Intellectual Property Review 2004 p. 231-248 (2004).
- “The Doctrine of Equivalence in Swedish Patent Law”, p. 13-22 in the anthology “Swedish High Technology Law”, 2004, a book published by the Invest in Sweden Agency (a part of the Swedish Foreign Office responsible for marketing Sweden as a business location).
- “Initial and Follow-on Pharmaceutical Inventions in Europe” p. 177-198 in the anthology "The Economics and Law of Intellectual Property" (ed. Ove Granstrand) published by Kluwer Law International, The Netherlands, in 2003.
- Comment to the judgment by The Swedish Patents Appeal Tribunal from 31.05.2001 in Nordiskt Immateriellt Rättsskydd (Nordic Intellectual Property Review), Issue 5, Vol. 72, 2003 p. 510-517.
- Review of the doctoral thesis “Beskyttelseomfanget i dansk patentret” (“The scope of protection in Danish patent law”) by Bjørn Ryberg, Nordiskt Immateriellt Rättsskydd

(Nordic Intellectual Property Review), Issue 5, Vol. 72 2003 p. 450-452.

- Review of the doctoral thesis “How to Leverage Intellectual Property Rights” by Ilka Rahnasto, Nordiskt Immateriellt Rättsskydd (Nordic Intellectual Property Review), Issue 5, Vol. 72, 2003 p. 452-456.
- ”Ekvivalensfaktorer i svensk rätt” (Factors in Determining Equivalence in Swedish Patent Law”), Festskrift till Mogens Koktvedgaard s. 155-172, Copenhagen 2003.
- Comment to the decision by the Swedish Supreme Court from 17.10.2000 *Eli Lilly v. ratiopharma*, entitled ”Förhållandet mellan patentkrav och beskrivning vid tolkning av patent” (“The relationship between the claims and the description in interpreting patents”), Nordiskt Immateriellt Rättsskydd (Nordic Intellectual Property Review), Issue 2, 2001 p. 290 ff.
- Review of the book “Immaterialretsavtal” (“Intellectual Property Contracts”) by Professor Jens Schovsbo, in the Norwegian journal Tidsskrift for rettsvitenskap 3-5/2002 p. 838-845.
- “Technical Warranties in Patent Licenses”, Nordiskt Immateriellt Rättsskydd (Nordic Intellectual Property Review) 2002 Issue 1, p. 23-38 and Scandinavian Studies in Law, Vol. 42, 2002, p. 49-64.
- “Patent Claim Scope: Initial and Follow-on Pharmaceutical Inventions in Europe”, European Intellectual Property Review (EIPR) Vol. 23, Issue 7, July 2001, p. 326-332. (This EIPR-article is referred to in a footnote in the well-known textbook on intellectual property law, W. Cornish, Intellectual Property : Patents, Copyright, Trade Marks and Allied Rights, 2003 p. 171).
- “Coase, externa effekter och omsättningens intresse” (“Coase, External Effects and the Value of Transactions”), Festskrift till Ulf Bernitz, Juridisk Tidskrift, p. 5-20, 2001.
- ”Humanbiologiskt material och vinningsförbud” (“Human Biological Material and the Prohibition Against Economic Gain”), Juridisk tidskrift, 2000-01, no. 4, p. 773-789.
- ”The Doctrine of Equivalence and Pharmaceutical Patents”, Nordiskt Immateriellt Rättsskydd (Nordic Intellectual Property Review) 1999 Issue 3 p. 503.
- ”Ett europeiskt tillvägagångssätt vid prövning av uppfinningshöjd”, (“A European Approach to Inventive Step”), Juridisk tidskrift 1999-2000 no. 1, p. 149-151.
- ”Forumfrågor i europeisk patenträtt” (“The Choice of Forum in European Patent Law”) PATENTEYE 1998 no. 1 p. 22-25.

- "Följder av oriktiga uppgifter vid patentering i USA" (Consequences of Incorrect Information in US Patent Applications), PATENTEYE 1998 no. 7, p. 18 ff.
- "Tolkning av skyddsomfång" ("Interpreting the Scope of Protection") PATENTEYE 1997 no. 7 p. 24-26.
- "Översikt över EPO-praxis beträffande nyhet, uppfinningshöjd och medicinska förfaranden.", ("Overview of Case Law from the EPO regarding Novelty, Inventive Step and Medical Processes") Nordiskt Immateriellt Rättsskydd (Nordic Intellectual Property Review) 1997 p. 145-157.
- "Är det hälsosamt med förbud mot patent på medicinska förfaranden?" ("Is It Healthy to Ban the Patenting of Medical Processes?"), Nordiskt Immateriellt Rättsskydd (Nordic Intellectual Property Review) 1995 p. 33-54.