

Managing IP Awards interview: Prof Dr Tilman Müller-Stoy and Dr Tilman Müller

The Bardehle Pagenberg attorneys-at-law discuss the firm's Managing IP EMEA Awards 2026 success, Unified Patent Court litigation strategy, and evolving European patent trends

Awards success

Please tell us more about Bardehle Pagenberg (BP).

Bardehle Pagenberg is an 'IP only' law firm combining both patent attorneys and attorneys-at-law. This does not seem so special nowadays, but at least in Germany we were the first firm that integrated both professions, in fact even before the law expressly allowed us to do so. To this day, around 50% of our attorneys are patent attorneys while the other half are attorneys-at-law, meaning that both professions are equally represented and have grown together. This sets us apart from many other firms which also include both professions but are dominated either by patent attorneys or by attorneys-at-law. Nearly all of them are full-blown litigators handling about 1,000 contentious patent cases a year (in different stages and at various courts and offices). Patent work accounts for about 90% of our business.

All in all, after almost 50 years, Bardehle Pagenberg brings together over 240 specialists from more than 15 countries across three continents, offering clients truly international expertise.

With around 100 attorneys, we are one of the strongest IP teams in Europe, even when compared to large international law firms.



How would you describe BP's strategy in the patents space, and how has this changed over the past few years?

During the last three years, the UPC has of course been a priority. We have always been convinced that the UPC would become a reality and a success story – long before the system started. We started to prepare and adjust our firm early, actually more than ten years ago. And right before June 2023, we expanded our capacities significantly by adding lateral equity partners and hiring new lawyers. This strategy and our investment paid off: we filed 30% of all cases on June 1 2026, and our team is still involved in about 25% of all UPC cases filed since then. This makes us one of – if not the – leading firm in

Managing IP EMEA Awards 2026

Germany UPC Firm of the Year (Patent & Trademark Attorney Firms)

Impact Case of the Year: Philips v Belkin

Impact Case of the Year: Amgen v Sanofi

Rising Star: Marius Fischer

the new system and enabled us to quickly build a proven track record as well as comprehensive expertise.

We are still expanding our team and deepening our expertise in UPC litigation. But we have certainly not forgotten, much less given up on, national patent litigation. To the contrary, we believe that complex cross-border litigation, particularly broader multi-jurisdictional campaigns, often require a ‘hybrid’ strategy and that combining both national and UPC cases will remain and probably become ever more important.

While our practice regularly comprises high-profile, high-stakes cases that make the headlines, we likewise value smaller cases that often are just as complex or interesting as the few landmark cases that are widely known in our industry. We strive to solve problems on all levels and for all clients.

Another important pillar of our practice is patent prosecution. The work done in this field hardly ever gets any attention from people who are not directly involved in these cases. While less ‘shiny’, patent prosecution is no less complex than litigation and often even more important for clients to create value for their business in the form of exclusivity as well as actually enforceable or licensable IP rights. We are pretty much agnostic to cost pressure because we focus on high-quality work, which simply has its price. We are convinced that the demand for excellent, high-end patent prosecution will continue despite the impact that AI specifically has on prosecution work.

What do you consider the biggest successes of BP’s recent work in this area, and how did you achieve it? Are there any particular cases you would like to note.

To be honest, there are quite a few and the biggest successes are often not the ‘big’ cases that make headlines. But, of course, the *10x v NanoString* litigation

made history at the UPC, as did *Philips v Belkin*. *Amgen v Sanofi* is certainly another milestone, and all these cases earned us ‘impact case’ awards from Managing IP as well as other awards and recognition in the market.

Yet, we should not forget national highlights such as successfully defending BMW against a long-arm infringement assertion of US patents by Onesta and winning the first European SEP preliminary injunction in *Dolby v Roku*, both before the Munich Regional Court. Another landmark decision we won was the *Polsterumarbeitungsmaschine* (a very catchy case name...) judgment of the German Federal Court of Justice relating to springboard damages for patent infringement.

Our not-so-secret recipe is that we provide both technical and legal expertise at the highest level and collaborate seamlessly and in a well-coordinated way across both fields. Further, we truly team up with the client: the client is part of the ‘family’.

What distinguishes BP from other companies? You deal with a range of clients – from big multinationals to cutting-edge startups – how do you tailor your practice to provide the best possible service to them?

The structure of our firm and the combination of a large litigation team as well as a large prosecution team allows us to cover all dimensions of patent law and we do it all the time. This means that we do not only occasionally handle large cross-border SEP litigation or multinational life sciences disputes – we do it daily. Our teams are constantly active in all the different battlegrounds of patent litigation, prosecution, counselling, strategy, policy, and transactions.

This means that we can offer in-depth knowledge and long-standing experience in each and every corner of IP law that might be relevant for our clients. But they also profit from the experience we have in other fields that may not be directly related to their problems. For

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example, we constantly feed back lessons learnt from litigation to prosecution or from defensive to offensive cases and vice versa. This allows our attorneys to always think one step ahead and ensures that we remain at the forefront of any legal and technological developments.

Strategy

Looking back, how would you describe the firm's growth over the past five years?

The UPC was certainly a game-changer and contributed enormously to our recent growth. Our firm realised this opportunity long before the start of the new system and bolstered its practice at the right moment with the right people.

The most visible indicator of our growth is probably our Hamburg office that we opened in March 2023 with five professionals, and which has more than tripled in a little over three years' time. But, of course, our offices in Munich and Düsseldorf are also growing and we welcome a bunch of new people literally every month.

We take great pride in our share in UPC cases and are determined to defend our position. What is probably even more remarkable, though often less visible, is that our prosecution and trademark, design, and copyright practices have grown at a similar pace. The start of the UPC has not shifted the internal balance between our different practice groups.

What are the biggest challenges facing international clients looking to enforce their patents in global patent litigation campaigns?

The interferences between different courts and jurisdictions create a lot of uncertainty, procedural and tactical games, and do not improve what every case must ultimately be about: justice. This trend started some years ago with anti-suit injunctions and respective countermeasures and while these are less prevalent now, interim licences and global rate-setting cases are another side of the same coin, as are long-arm jurisdictional cases.

The situation in which courts interfere in each other's jurisdictions is the result of the contrast between a global economy and geographically limited competence of the courts. Neither is going to change, we are afraid, so this may well be a continuing trend.

How has BP shaped the case law?

It is the cases with which our clients entrusted us and the judges who made the decisions that ultimately shaped the

case law. It is the facts and circumstances of those cases that sometimes create important or even fundamental legal questions. And we are proud to have contributed a little by fleshing these issues out and by offering solutions which are helpful to our clients.

What makes BP special when it comes to litigation cases?

It is beyond doubt the people of our firm that make the difference. Their experience, expertise, dedication, creativity, and hard work make us special and enable us to achieve great results as a team.

The structure of our firm is helpful as it sets the right incentives and makes sure that our people truly collaborate. For example, the size of our team enables us to staff large litigation campaigns with dozens of parallel assertions across several jurisdictions on short notice. The diversity of the team also means that we can put the right technical or legal expert to the specific problem a case may bring, regardless of how special or remote it may seem.

And we have a lot of fun when we work together.

How does BP attract young talents and support their career advancement?

Our success makes us quite attractive these days. Yet, there are so many important factors. We value our diversity and people beyond paycheques. We train, motivate, help, and cultivate a true team spirit. Our culture is open, inclusive, and modern. Our people can and should learn from each other, 360 degrees. This allows them to build their own profile according to their individual phase in life, interests, and expertise. We make sure that people get together frequently to share ideas, experiences, and ask questions. Internal workshops and programmes such as our IP Academy provide additional input and we also have a mentoring system to accompany people on their path in the firm.

Trends

What have been the key patent-related trends in the German and European markets? How has this impacted your strategic approach?

It is no news that the UPC has reshaped the market and continues to do so, but we think that the German market will remain key in European patent litigation. This has been criticised recently by colleagues from other member states, but the reasons for this focus run deep. Germany has been at the centre of patent litigation in Europe for decades, with the vast majority of patent cases being

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litigated in German courts. German judges and attorneys are therefore very experienced in patent litigation and long-standing client relationships have developed. This does not simply change overnight.

We see that German national patent litigation still remains an important piece of the puzzle. German courts still have a lot to offer, particularly with respect to legal certainty, due to a body of case law that has grown over decades and clarified many issues that the UPC has simply not yet had the chance to decide. Speed and costs are other important factors and while the number of cases in Germany has overall decreased, the filings at the Regional Court Munich I continue to increase year by year.

For us this means that we will maintain a strong foothold in both the UPC and German national courts. Other firms apparently want to do the same and we see that, in particular, US- and UK-based firms are trying to push into the German market, with varying degrees of success.

Overall, we see that the distance between about a dozen market-leading firms and 'the rest' is increasing. The complexity, speed, and work intensity of UPC proceedings mean that many firms are simply not able to handle more than the occasional UPC case. This is different for firms with experienced, sufficiently large yet agile and dedicated patent litigation teams; and it is a self-reinforcing system: more cases lead to more experience and thus to more work.

AI has continued to be a defining topic on the area of patents over the past five years. What impact do you feel it will have on your practice?

We are convinced that AI will become very important in the coming years and redefine the way we work in

the patent world. It will enable us to work even more efficiently than today, to focus on added value, and it will ultimately make us better and faster. There will be developments and opportunities brought about by AI in the near future that we cannot even think of today. But in all this frenzy, it is key to never lose sight of the actual and ultimate goal: provide better solutions for our clients.

In order to provide our clients with the benefits AI brings, we have actively embraced AI in our daily practice based on the following principles:

- No use of publicly available tools – we do not use publicly available AI tools, like ChatGPT. Instead, we rely on frontier reasoning models (e.g., Claude Opus 4.5, Gemini 2.5 Pro, etc.) that are hosted on secure servers in Europe and excel in legal/IP work benchmarks.
- Purpose-driven usage – AI is utilised only where it adds value. Specifically, we use AI to enhance the quality of our work and to automate repetitive or trivial tasks, allowing our professionals to focus on more complex and strategic matters.
- Comprehensive training – all legal professionals and employees undergo training to ensure they are well versed in the secure and compliant use of AI tools. To ensure legal precision and technical accuracy and to avoid AI slop, our legal professionals are trained in prompt, workflow, and context engineering.
- Focus on compliance – training emphasises adherence to IT security, data protection regulations, and the rules stipulated by professional law. Clear internal guidelines are in place to govern the appropriate use of AI in legal work.