

Nora Keßler



Contact

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Languages: German, English, Italian

Nora Keßler is a partner of the firm. Nora specializes in all areas of intellectual property and in particular in patent law. Amongst her clients are well-known companies from a wide range of industries such as pharmaceutical, medical devices, automotive, construction, life sciences, cosmetics and luxury goods. She advises and represents clients both in and out of court.

WTR 1000 (2020) praises Nora as “superb on pharmaceutical and medical technology matters. Her energy, pragmatism and theoretical knowledge make her a great business partner to any company.” WTR (2019) describes Nora as „an enthusiastic, pragmatic lawyer with great IP knowledge who becomes a true business partner for clients.” According to IAM Patent 1000 (2020) Nora “impresses for her ‘sharp strategic thinking and excellent language skills’; “She not only provides thorough legal advice on the procedural law practice, but also crafts creative arguments and success-oriented suggestions for defence strategy. Nora is smart, very knowledgeable and pleasant to work with. She can present complex ideas in a clear and understandable manner and is quick to respond to enquiries.”

Being fluent in Italian, Nora both regularly co-ordinates court actions in Italy and represents Italian companies in Germany in matters of intellectual property. Nora teaches patent law in the study programme “Master of Pharma Business Administration (MBA)” offered by Goethe University in Frankfurt am Main.

Nora is the firm’s contact for matters relating to life sciences and luxury goods.

Specializations

- Advice and litigation in matters of patent law with emphasis on pharmaceuticals, medical devices, chemistry, biochemistry, mechanics, automotive, construction and cosmetics;
- Advice and litigation in matters of competition law focussing on cases with technical background;
- Advice and litigation in matters of pharmaceutical and medical device law, including drug advertising and regulatory issues;
- Advice and litigation in matters of competition law, in particular on pharmaceuticals, medical devices and cosmetics;
- Anti-counterfeiting;
- Advice and litigation with regard to the protection of business secrets and know-how.

Selected Mandates and Projects

- Advising a global cosmetics company on patents and designs, digitalization and commercial law;
- Advising a global pharmaceutical company in a patent litigation concerning monoclonal antibodies
- Representation of automotive suppliers in patent litigations
- Advising a world-leading manufacturer of stationery on trademarks, IP, social media, advertising and commercial law;
- Advising and legal representation of multinational manufacturers of medical devices in the fields of IP, parallel imports and competition law;
- Advising a German pharmaceutical company on digital marketing;
- Advising a multiple Grammy award winner and a Country and Bluegrass record label on trademark law;
- Advising and representing Italian fashion manufacturers and a British luxury shoe label in trademark law
- Advising and supporting a German company in Italy with their patent litigation in the field of precious metal paints for decoration;
- Advising several US pharmaceutical company on IP

Publications and Lectures

- „Unterlassungsanspruch gegen irreführendes Werbeanschreiben“, Comment on OLG Hamm, Judgement of 17.05.2022 – I-4 U 62/22, together with Christoph Palzer, in: Medizin Produkte Recht (MPR), 2022, 200-202.

- „Die (vermeintliche) deutsche Gerichtspraxis der patentrechtlichen Unterlassungsverfügung auf dem Prüfstand des EuGH – Luxemburg locuta, causa finita? – Zugleich Bespr. von EuGH 28.4.2022 – Phoenix Contact (C-44/21), EuZW 2022, 581“, together with Christoph Palzer, Europäische Zeitschrift für Wirtschaftsrecht (EuZW) 2022, 562-566;
- „Anmerkung zu OLG Frankfurt, Urt. v. 18.11.2021 - 6 U 173/20 – URGO“, together with Christoph Palzer, Gewerblicher Rechtsschutz und Urheberrecht (GRUR) 2022, 389-391;
- „Vorbeugende Anti-Anti-Suit Injunction“, Comment on LG Düsseldorf, Judgement of 15.07.2021 – 4c O 73/20, together with Christoph Palzer, Mitteilungen der deutschen Patentanwälte (Mitt.) 2022, 27-29.;
- „Angriff auf das Patentsystem“, together with Christoph Palzer, Cicero Online – Magazin für politische Kultur, February 04, 2021;
- „Von Mäusen und Antikörpern – Zur Ausführbarkeit von biotechnologischen Erfindungen – Zugleich Besprechung von UK Supreme Court [2020] UKSC 27 – Regeneron Pharmaceuticals Inc v Kymab Ltd“, together with Christoph Palzer, Gewerblicher Rechtsschutz und Urheberrecht (GRUR) 2020, 1017-1025;
- „Kommentar zu BGH, Urteil vom 5.5.2020 – KZR 36/17 – FRAND-Einwand“, together with Christoph Palzer, Wettbewerb in Recht und Praxis (WRP) 2020, 1205-1207;
- „Anti-anti-suit injunction“, Comment on OLG München, Judgement of 12.12.2019 – 6 U 5042/19, together with Christoph Palzer, Mitteilungen der deutschen Patentanwälte (Mitt.) 2020, 169-171;
- „Aktuelle patentrechtliche Rechtsprechung zu Medizinprodukten“ 2019/2020 – together with Philipp Ess, MPR 2020, p. 222;
- „Benutzung einer Arzneimittelmarke während einer klinischer Studie (Wortmarke Boswelan), together with Christoph Palzer, PharmR 2019, 516
- „Aktuelle patentrechtliche Rechtsprechung zu Medizinprodukten“ 2018/2019 – together with Philipp Ess, MPR 2019, p. 109;
- „Aktuelle patentrechtliche Rechtsprechung zu Medizinprodukten“ 2016/2017 – together with Philipp Ess, MPR 5/2017, p. 145;
- „Aktuelle patentrechtliche Rechtsprechung zu Medizinprodukten“ 2015/2016 – together with Philipp Ess, MPR 2016, p. 115;
- Comment on Urt. KG Berlin v. 12.06.2015 – 5 U 167/13 – Zur Behandlung von Entzündung und Schmerz, MPR 2016, p. 134;
- „Parallelimport von Medizinprodukten“, GesundheitsRecht, August 20, 2016, p. 479;
- „Gefährliche Plagiate aus dem 3-D-Drucker“, DIE WELT, March 21, 2016, p. 11;
- „Aktuelle patentrechtliche Rechtsprechung zu Medizinprodukten“, together with Philipp Ess, MPR 2015, p. 139;
- „Gefährliche 3D-Drucker – Plagiate bedrohen Hersteller von Medizintechnik“, FAZ – Frankfurter Allgemeine Zeitung, issue 155, July 8, 2015, p. 16;
- „Wettlauf gegen Produktpiraten“, PLATOW Recht, issue 48, April 29, 2015, p. 8;

- "Patentrecht und Produktpiraterie bei Medizinprodukten", VDE MedTech Expertenbeiträge, December 2014, issue 2/2014;
- "Patents and linguistic subtleties – what does „unitary“ mean?", International Law Office, Intellectual Property – Germany, December 1, 2014;
- Comment on BGH Urt. v. 18.04.2013 – I ZR 53/09 – Messgerät II – together with Dr. Thomas Jochheim, MPR 2014, p. 60-62;
- "Neues zum Parallelimport von Medizinprodukten", MPJ – Medizinprodukte Journal, issue 2/2014, May 2014, p. 151 et. seq.;
- "Be careful what you wish for ... in pre-trial proceedings for taking evidence", International Law Office, Intellectual Property – Germany, September 3, 2012;
- "Supreme Court distinguishes between pharmaceutical inventions and discoveries", International Law Office, Intellectual Property – Germany, September 19, 2011;
- "Supreme Court rules in support of know-how licensors", International Law Office, Intellectual Property – Germany, July 4, 2011;
- "Supreme Court rules on confidentiality in patent pre-trial discovery", International Law Office, Intellectual Property - Germany, September 20, 2010;
- "Supreme Court in Civil Matters rules on parallel import of medical devices", International Law Office, Intellectual Property - Germany, July 26, 2010;
- "Patent court required to consider EPO decisions", International Law Office, Intellectual Property - Germany, July 19, 2010;
- "Abwehr von Plagiaten in der Praxis" („Defending against copycats in practice“), in „Absatzwirtschaft“ June 2006;
- "Zeitliche Beschränkung des ergänzenden Leistungsschutzes" („Time-limits for neighboring rights protection“), in „Absatzwirtschaft“ August 2005;
- "Markenschutz für Einzelhändler" („Trademark protection for retailers“) in „Absatzwirtschaft“ June 2005.

Education and Career

- Partner of Klinkert Partners (2013);
- Certified intellectual property law expert (2011);
- Associate at Klinkert (2010);
- Associate at Heymann & Partner (2007 until 2009);
- Associate at Jones Day (2004 to 2007);
- Admitted to the bar in 2004;
- Legal traineeship (Second State Exam, 2003);
- Legal assistant at Jones Day (2000 until 2003);
- University of Frankfurt; University of Milan (1997-1998), First State Exam (2000).