



## Results of the Election to the 19<sup>th</sup> Council

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Cover:

#### Tradition

This picture, photographed by Berrin Kalenderli (European Patent Attorney, TR) was part of the **epi** Artists Exhibition 2018 at the EPO, Munich



## Berrin Kalenderli

Born in 1972. Trademarks and Patents Attorney. Having joined the firm in 1995 and being Head of Trademark Department, Berrin is registered as Trademark and Patent Attorney, European Patent Attorney. She is a member of **epi**, AIPPI, INTA, Internet Committee of INTA and Intellectual Property Constituency of ICANN. Graduated from one of the leading universities, Bosphorus University, she has been working on Intellectual Property connected non-contentious and prosecution matters for over two decades and represents local and international companies in a wide variety of areas, as well as local clientele on international scale for protection of their IP rights in foreign territories. She is fluent in English and German and is an active member of the Executive Board of Deris. She has interest in photography, participating at INTA art exhibition in the years 2013, 2014 and **epi** Artists Exhibition in 2015 and 2018. She also participated in Los Angeles Photo Festival – focus Turkey with her photographs in 2014.

Berrin Kalenderli ist im Jahr 1972 geboren. Die eingetragene türkische Patent- und Markenadvokatin und europäische Patentanwältin (Großvaterregelung) leitet die Markenabteilung der Kanzlei, in die sie 1995 eingetreten ist. Sie ist Mitglied des **epi**, der Internationalen Vereinigung für den Schutz des Geistigen Eigentums AIPPI, der türkischen Landesgruppe des AIPPI, der INTA, des Internet Komitee der INTA und des Wahlausschusses der ICANN. Sie graduierte an der Bosphorus Universität und arbeitet seit mehr als zwei Jahrzehnten an nicht streitigen Erteilungsverfahren auf dem Gebiet des Intellectual Property und vertritt lokale und internationale Mandanten. Darüber hinaus unterstützt sie nationale Mandanten beim Schutz ihrer IP Rechte im Ausland. Sie spricht fließend Englisch und Deutsch und ist aktives Mitglied des Executive Board von Deris. Sie interessiert sich für Fotografie, nahm an den INTA Kunstausstellungen der Jahre 2013, 2014 und an der **epi** Artists Exhibition 2015 und 2018 teil. Ferner nahm sie am Los Angeles Photo Festival mit dem Fokus Türkei im Jahr 2014 teil.

Berrin Kalenderli est née en 1972. Elle est responsable du département Marques du cabinet qu'elle a rejoint en 1995 (Deris). Berrin est mandataire turque en marques et en brevets, ainsi que mandataire européen en brevets. Elle est membre de l'**epi**, de l'AIPPI, de l'INTA, de la commission internet de l'INTA, et de la commission PI de l'ICANN. Diplômée de l'Université du Bosphore, elle travaille depuis plus de 20 ans sur des matières non contentieuses et de procédure en relation avec la PI. Elle représente des sociétés locales et internationales dans un grand nombre de domaines, notamment la clientèle locale pour obtenir une protection de leurs droits de PI à l'échelle internationale. Elle parle anglais et allemand couramment, et est un membre actif du conseil d'administration de Deris. Elle a un intérêt particulier pour la photographie, et a participé à l'exposition artistique de l'INTA en 2013 et 2014, et à celle de l'**epi** en 2015 et 2018. Elle a également participé au festival de la photo de Los Angeles – consacré à la Turquie – en 2014.

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## Measures for epi meetings in view of Covid-19 situation

The Board of the European Patent Institute is closely monitoring the spread of the novel Coronavirus (Covid-19) in Europe. Following discussions at the last Board meeting on 26th February, the Board came to the conclusion to implement precautionary measures regarding epi meetings in the next couple of months. All Committee meetings with attendance up to 20

persons should be conducted via videoconferencing. Regarding the 88th Council meeting, the Board will communicate a decision on 6 April in view of the situation and available information at that time. Registration to the 88th Council meeting will be possible only after that date and flights should be booked only after that communication.



# Editorial

## Fast (and furious?)

M. Névant (FR), Editorial Committee



Marc Névant

Not so long ago (read the editorial here<sup>1</sup>) we anticipated that the day would come soon when a Board of Appeal would issue a decision in abridged form. That day has come! In decision T1687/17<sup>2</sup> of 9 January 2020, Board of Appeal 3.2.01 has taken advantage of the provisions of article 15(8) of the RPBA 2020 to issue what is probably today the shortest

rationale ever by a Board of Appeal:

“Nach Überprüfung der angefochtenen Entscheidung schließt sich die Kammer der zutreffenden Begründung der Einspruchsabteilung an und verweist auf die Entscheidungsgründe 12.3 bzw. 13.3 bzw. 14.3 und 15.3.”

(in short, the Board of Appeal shares the conclusion of the Opposition Division as mentioned in reasons 12.3, 13.3, 14.3 and 15.3 of their decision).

We are inclined to say “fair enough” insofar as it appears that, in this case, the parties merely repeated during the course of appeal proceedings what they had said before the Opposition Division.

However, at the risk of repeating ourselves, increasing the productivity of the Boards of Appeal to meet the expectations of the Administrative Council of the EPOrg should not be done at the expense of the primary task of the Boards of Appeal which is – in our view – to develop case law. This, in fact, helps EPO examiners and professional representatives to reach a common goal, namely granting/obtaining quality patents.

Unfortunately, the RPBA 2020 seems to be a toolbox giving the Boards of Appeal many possibilities to avoid

discussing what an invention is all about, i.e. first and foremost an advance in science. Why indeed bother embarking on a discussion of novelty and inventive step when a patent can be revoked on procedural grounds? We sincerely hope that the Boards of Appeal, in their wisdom, will make a cautious use of some provisions of the RPBA 2020.

As we were proofreading this issue before publication the following events unfolded:

- The President of CIPA, Richard Mair, has been advised by the UKIPO CEO, Tim Moss, that the UK Government will no longer seek to participate in the Unitary Patent or Unified Patent Court system.
- Due to Covid-19, the pre- and main EQE scheduled on 16.03-19.03.20 have been cancelled. Revised dates, if any, have not yet been determined.
- For the same reason, the Board of **epi** decided that Committee meetings with attendance of up to 20 people should be held via videoconference until further notice. Regarding the C88 Council meeting scheduled for 11.05 - 12.05.2020 in Glasgow (see also below), the Board of **epi** will communicate its decision on 06.04.2020 on proceeding with the Meeting in the light of the situation and information available at that time.

We will endeavour to provide more input on these topics in the next issue.

On a last but hopefully more encouraging note, a new Council has been elected this year – the results for each constituency are presented right after this editorial. On behalf on the Editorial Committee, I would like to thank all past members for their work and contribution, and wish newly elected and re-elected members all the best for the coming 3-year term.

<sup>1</sup> <https://information.patentepi.org/issue-1-2019/editorial.html>

<sup>2</sup> <https://www.epo.org/law-practice/case-law-appeals/pdf/t171687du1.pdf>

## Ergebnisse der Wahl zum 19. Rat

### Hinweis

Mitglieder des Instituts, die gegen das Wahlergebnis Einwände erheben möchten, müssen ihre schriftlichen Einwände rechtsgültig unterzeichnet bis spätestens 29. März 2020 beim Sekretariat des Instituts einreichen. Später eingehende Einwände werden nicht berücksichtigt.

Ich danke den Mitgliedern des Wahlausschusses, den Herren M.A. Müller, P. Barrett, und A.Vilhjálmsón sowie Frau V. Pröll und Frau J. Kalbe (**epi** Sekretariat) für ihren Einsatz.

## Results of the Election to the 19<sup>th</sup> Council

### Notice

Members of the Institute wishing to object against the election results must submit their written objection duly signed to reach the Secretariat of the Institute by 29 March 2020 at the latest. Any objections reaching the Institute after this date will not be taken into consideration.

I thank the members of the Electoral Committee, Messrs. M.A. Müller, P. Barrett, A.Vilhjálmsón and Ms V. Pröll and Ms J. Kalbe from the **epi** Secretariat for their commitment.

## Résultats de l'élection au 19 Conseil

### Note

Les membres de l'Institut désirant contester les résultats de l'élection doivent faire parvenir leurs objections écrites dûment signées au Secrétariat de l'Institut avant le 29 mars 2020 au plus tard. Toute objection parvenant à l'Institut après cette date ne sera plus prise en considération.

Je remercie les membres de la Commission Electorale, MM. M.A. Müller, P. Barrett, et A.Vilhjálmsón et Mme. V. Pröll et Mme. J. Kalbe (**epi** Secrétariat) pour leur engagement.

João Pereira da Cruz

Generalsekretär / Secretary General / Secrétaire Général

Erläuterung	Legend	Légende
* als stellvertretendes Mitglied zur Wahl	* stood as substitute only	* éligible comme suppléant uniquement
** Losentscheid bei gleicher Stimmenzahl	** tie vote position decided by lot	** classement par tirage au sort à égalité de voix
+ nominiert im wieder eröffneten Nominationsverfahren	+ nominated in reopened nomination procedure	+ nommé dans la procedure de nomination re-ouverte

## AL - Albania

Sent ballots: 12

Participation: 50 %

Received ballots: 6

### Candidates

DODBIBA Eno **	2	SHOMO Vjollca **	2
NIKA Vladimir	4		
PANIDHA Ela **	2		

### Allotment of seats

#### Full Member

NIKA Vladimir	4
SHOMO Vjollca **	2

#### Substitute

DODBIBA Eno **	2
PANIDHA Ela **	2

## AT - Austria

Sent ballots: 161

Participation: 42 %

Received ballots: 68

### Other Capacity

Received valid ballots: 19

### Candidates

HAAS Franz *	10	SCHRITTWIESER Waltraud *	12
HEDENETZ Alexander Gernot	13		
MEUSBURGER Johannes	9		

### Allotment of seats

#### Full Member

HEDENETZ Alexander Gernot	13
MEUSBURGER Johannes	9

#### Substitute

SCHRITTWIESER Waltraud *	12
HAAS Franz *	10

### Private Practice

Received valid ballots: 49

### Candidates

FORSTHUBER Martin	31	PAUSCH Thomas Ernst	1
HARRER-REDL Dagmar	35	WEINZINGER Philipp	36
ISRAILOFF Peter	21		

### Allotment of seats

#### Full Member

WEINZINGER Philipp	36
HARRER-REDL Dagmar	35

#### Substitute

FORSTHUBER Martin	31
ISRAILOFF Peter	21

## BE - Belgium

Sent ballots: 269

Participation: 46 %

Received ballots: 124

### Candidates

CLERIX André	68	VAN DEN BOECK Wim **	44
DE CLERCQ Ann G. Y.	75	VAN MALDEREN Joëlle	51
LEYDER Francis	74	VAN MINNEBRUGGEN Ewan Benito Agnes **	44
QUINTELIER Claude *	43	VINCK Glenn *	14
RACINE Sophie Christiane Carol	36		

Allotment of seats			
Full Member		Substitute	
DE CLERCQ Ann G. Y.	75	VAN DEN BOECK Wim **	44
LEYDER Francis	74	VAN MINNEBRUGGEN Ewan Benito Agnes **	44
CLERIX André	68	QUINTELIER Claude *	43
VAN MALDEREN Joëlle	51	RACINE Sophie Christiane Carol	36

## BG - Bulgaria

Sent ballots: 50		Participation: 40 %		Received ballots: 20	
Candidates					
BENATOV Samuil Gabriel	12	SIRAKOVA Olga Rousseva **		9	
GEORGIEVA-TABAKOVA Milena Lubenova **	8	STOYANOV Todor Nikolov *		3	
IVANOV Ivan Nikolov	3	TAHTADJIEV Konstantin **		8	
KOSSEVA Radislava Andreeva	11	TSVETKOV Atanas Lyubomirov **		8	
NESHEVA Valentina Velikova **	9				
PAKIDANSKA Ivanka Slavcheva	10				
Allotment of seats					
Full Member		Substitute			
BENATOV Samuil Gabriel	12	NESHEVA Valentina Velikova **		9	
KOSSEVA Radislava Andreeva	11	GEORGIEVA-TABAKOVA Milena Lubenova **		8	
PAKIDANSKA Ivanka Slavcheva	10	TAHTADJIEV Konstantin **		8	
SIRAKOVA Olga Rousseva **	9	TSVETKOV Atanas Lyubomirov **		8	

## HR - Croatia

Sent ballots: 25		Participation: 56 %		Received ballots: 14	
Candidates					
BOSKOVIC Davor **	4		PEJCINOVIC Tomislav * /+		4
DLACIC Albina **	4		TOMSIC SKODA Slavica * /+		10
HADZIJA Tomislav	8		TOPIC Zeljko **		4
KORPER ZEMVA Dina +	1		VUKINA Sanja		6
MARSIC Natasa	6				
Allotment of seats					
Full Member			Substitute		
HADZIJA Tomislav	8		DLACIC Albina **		4
MARSIC Natasa	6		BOSKOVIC Davor **		4
VUKINA Sanja	6		TOMSIC SKODA Slavica * /+		10
TOPIC Zeljko **	4		PEJCINOVIC Tomislav * /+		4

## CY - Cyprus

Sent ballots: 10		Participation: 50 %		Received ballots: 5	
Candidates					
ROBBA Pierpaolo * /+		0	THEODOULOU Christos A.		4
ROUSOUNIDOU Vasiliki A.		3			
Allotment of seats					
Full Member			Substitute		
THEODOULOU Christos A.		4			
ROUSOUNIDOU Vasiliki A.		3			

## CZ - Czech Republic

Sent ballots: 83

Participation: 28 %

Received ballots: 23

### Candidates

ANDERA Jiri *	13	HARTVICOVA Katerina	17
BENDA Tomas * /+	14	HOLASOVA Hana	15
DANEK Vilém +	2	MALUSEK Jiri	16
FISCHER Michael	4	OSMEROVA Sona * /+	12
GUTTMANN Michal	18		

### Allotment of seats

Full Member		Substitute	
GUTTMANN Michal	18	ANDERA Jiri *	13
HARTVICOVA Katerina	17	FISCHER Michael	4
MALUSEK Jiri	16	BENDA Tomas * /+	14
HOLASOVA Hana	15	OSMEROVA Sona * /+	12

## DK - Denmark

Sent ballots: 277

Participation: 40 %

Received ballots: 112

### Candidates

FARIA VIOLA GONÇALVES Vera Lúcia *	23	PÁLSSON Ingólfur +	44
HEGNER Anette	37	PEDERSEN Soeren Skovgaard	21
KANVED Nicolai	48	STRUVE Casper	38
KOEFOED Peter	78		
MEYER-HOLDT Jakob +	22		

### Allotment of seats

Full Member		Substitute	
KOEFOED Peter	78	FARIA VIOLA GONÇALVES Vera Lúcia *	23
KANVED Nicolai	48	PEDERSEN Soeren Skovgaard	21
STRUVE Casper	38	PÁLSSON Ingólfur +	44
HEGNER Anette	37	MEYER-HOLDT Jakob +	22

## EE - Estonia

Sent ballots: 28

Participation: 68 %

Received ballots: 19

### Candidates

KAHU Sirje	17	NELSAS Tõnu *	17
KOITEL Raivo *	11	SARAP Margus	13
KOPPEL Mart Enn	12	TOOME Jürgen	18
MAASIK Anu	16		

### Allotment of seats

Full Member		Substitute	
TOOME Jürgen	18	NELSAS Tõnu *	17
KAHU Sirje	17	KOPPEL Mart Enn	12
MAASIK Anu	16	KOITEL Raivo *	11
SARAP Margus	13		



Allotment of seats			
Full Member		Substitute	
TOOME Jürgen	18	NELSAS Tõnu *	17
KAHU Sirje	17	KOPPEL Mart Enn	12
MAASIK Anu	16	KOITEL Raivo *	11
SARAP Margus	13		

## FI - Finland

Sent ballots: 193		Participation: 42 %		Received ballots: 81	
Candidates					
AALTO Juha-Matti		18	KARLSSON Krister		20
ETUAHO Kirsikka Elina *		28	KONKONEN Tomi-Matti Juhani		30
HÄYRINEN Ville Tapani		23	MÄKELÄ Antti Mikael +		31
HONKASALO Terhi Marjut Anneli * /+		30	SAHLIN Jonna Elisabeth		30
KÄRKKÄINEN Veli-Matti *		20			
Allotment of seats					
Full Member			Substitute		
KONKONEN Tomi-Matti Juhani		30	ETUAHO Kirsikka Elina *		28
SAHLIN Jonna Elisabeth		30	KÄRKKÄINEN Veli-Matti *		20
HÄYRINEN Ville Tapani		23	AALTO Juha-Matti		18
KARLSSON Krister		20	MÄKELÄ Antti Mikael +		31

## FR - France

Sent ballots: 1204		Participation: 27 %		Received ballots: 330	
Other Capacity					
Received valid ballots: 117					
Candidates					
BAUVIR Jacques		84	ROUGEMONT Bernard *		64
CONAN Philippe Claude		67	TARAVELLA Brigitte		95
GENDRAUD Pierre **		72	WERNER Alain Henri		69
LE VAGUERÈSE Sylvain Jacques *		27			
MÉNÈS Catherine **		72			
Allotment of seats					
Full Member			Substitute		
TARAVELLA Brigitte		95	GENDRAUD Pierre **		72
BAUVIR Jacques		84	WERNER Alain Henri		69
MÉNÈS Catherine **		72	CONAN Philippe Claude		67
Private Practice					
Received valid ballots: 213					
Candidates					
CASALONGA Axel		149	MOUTARD Pascal Jean		94
DELORME Nicolas *		72	NEVANT Marc		141
GAILLARDE Frédéric F. Ch.		86	NUSS Laurent		160
LEBKIRI Alexandre		103			
Allotment of seats					
Full Member			Substitute		
NUSS Laurent		160	LEBKIRI Alexandre		103
CASALONGA Axel		149	MOUTARD Pascal Jean		94
NEVANT Marc		141	GAILLARDE Frédéric F. Ch.		86

## DE - Germany

Sent ballots: 4685

Participation: 23 %

Received ballots: 1100

### Other Capacity

Received valid ballots: 479

#### Candidates

DALEK Arkadius Jan	131	WEINGARTEN Ulrich	207
DÜRR Arndt Christian	262	WINTER Andreas	295
KREMER Véronique Marie Joséphine	255	WOLF Christian	126
MARX Thomas	231		
TÜNGLER Eberhard	189		

#### Allotment of seats

Full Member		Substitute	
WINTER Andreas	295	MARX Thomas	231
DÜRR Arndt Christian	262	WEINGARTEN Ulrich	207
KREMER Véronique Marie Joséphine	255	TÜNGLER Eberhard	189

### Private Practice

Received valid ballots: 621

#### Candidates

BANSE Klaus-Dieter	131	SCHEELE Friedrich	86
GONG Jinping	85	SCHIUMA Daniele Wolfgang *	77
HARTIG Michael	217	SCHNEIDER Markus *	64
KELLER Günter *	147	SCHOBER Christoph D.	198
LAUPPE Hans Friedrich *	17	SHALIBEIK Hotan	74
MÜNCH Volker	173	TANNER Andreas	150
RAUH Hannelore *	114	VOGELSANG-WENKE Heike	471
RUPP Christian	159		

#### Allotment of seats

Full Member		Substitute	
VOGELSANG-WENKE Heike	471	MÜNCH Volker	173
HARTIG Michael	217	RUPP Christian	159
SCHOBER Christoph D.	198	TANNER Andreas	150

## GR - Greece

Sent ballots: 24

Participation: 54 %

Received ballots: 13

#### Candidates

BAKATSELOU Vassiliki	6	TSIMIKALIS Athanasios	4
LIOUMBIS Alexandros	5	YAZITZOGLU Evagelia S.	8
SAMUELIDES Emmanuel *	3		

#### Allotment of seats

Full Member		Substitute	
YAZITZOGLU Evagelia S.	8	LIOUMBIS Alexandros	5
BAKATSELOU Vassiliki	6	TSIMIKALIS Athanasios	4

## HU - Hungary

Sent ballots: 69

Participation: 43 %

Received ballots: 30

### Candidates

BIACS Mónika +	6	PETHO Arpad	27
GYÖRFFY Béla	7	SZENTPÉTERI Adam * /+	19
HORVÁTH Bertalan	8	SZENTPÉTERI Zsolt	20
KERESZTY Marcell *	26	TÖRÖK Ferenc	29
LENGYEL Zsolt	24		

### Allotment of seats

Full Member		Substitute	
TÖRÖK Ferenc	29	KERESZTY Marcell *	26
PETHO Arpad	27	HORVÁTH Bertalan	8
LENGYEL Zsolt	24	GYÖRFFY Béla	7
SZENTPÉTERI Zsolt	20	SZENTPÉTERI Adam * /+	19

## IS - Iceland

Sent ballots: 19

Participation: 42 %

Received ballots: 8

### Candidates

DAVIDSSON Snaebjorn H. *	5	INGVARSSON Sigurdur *	4
FRIDRIKSSON Einar Karl *	4	JONSSON Thorlakur **	4
GUÐMUNDSDÓTTIR Anna Valborg	5		
HARDARSON Gunnar Örn **	4		

### Allotment of seats

Full Member		Substitute	
GUÐMUNDSDÓTTIR Anna Valborg	5	DAVIDSSON Snaebjorn H. *	5
JONSSON Thorlakur **	4	HARDARSON Gunnar Örn **	4

## IE - Ireland

Sent ballots: 78

Participation: 46 %

Received ballots: 36

### Candidates

BOYCE Conor	23	MCCARTHY Denis Alexis	28
CASEY Lindsay Joseph	25	ROCHE Dermot	14
GILLESPIE Richard	11	SYRTSOVA Ekaterina *	15
HARTE Seán Paul	10	WALDRON Andrew	16
KELLY Donal Morgan	12		

### Allotment of seats

Full Member		Substitute	
MCCARTHY Denis Alexis	28	SYRTSOVA Ekaterina *	15
CASEY Lindsay Joseph	25	ROCHE Dermot	14
BOYCE Conor	23	KELLY Donal Morgan	12
WALDRON Andrew	16	GILLESPIE Richard	11

## IT - Italy

Sent ballots: 535

Participation: 46 %

Received ballots: 245

### Other Capacity

Received valid ballots: 32

#### Candidates

BARACCO Stefano	17	SACCO Marco	14
COLUCCI Giuseppe	21	SULCIS Roberta	22
LEGANZA Alessandro *	18		
MACCHETTA Francesco	21		

#### Allotment of seats

Full Member		Substitute	
SULCIS Roberta	22	LEGANZA Alessandro *	18
COLUCCI Giuseppe	21	BARACCO Stefano	17
MACCHETTA Francesco	21	SACCO Marco	14

### Private Practice

Received valid ballots: 213

#### Candidates

CHECCACCI Giorgio	128	PES Matteo	43
GISLON Gabriele *	49	RAMBELLI Paolo	126
MODIANO Micaela Nadia	152	SANTI Filippo	77
PERROTTA Aldo	15		

#### Allotment of seats

Full Member		Substitute	
MODIANO Micaela Nadia	152	SANTI Filippo	77
CHECCACCI Giorgio	128	GISLON Gabriele *	49
RAMBELLI Paolo	126	PES Matteo	43

## LV - Latvia

Sent ballots: 17

Participation: 65 %

Received ballots: 11

#### Candidates

FORTUNA Jevgenijs	7	SMIRNOV Alexander	1
KROMANIS Artis	3		
OSMANS Voldemars	5		

#### Allotment of seats

Full Member		Substitute	
FORTUNA Jevgenijs	7	KROMANIS Artis	3
OSMANS Voldemars	5	SMIRNOV Alexander	1

## LI - Liechtenstein

Sent ballots: 20

Participation: 60 %

Received ballots: 12

### Candidates

GYAJA Christoph Benjamin * /**	12	PISCHETSRIEDER Tobias M.	11
HARMANN Bernd-Günther	10		
HOLZHEU Christian * /**	12		

### Allotment of seats

#### Full Member

PISCHETSRIEDER Tobias M.	11		
HARMANN Bernd-Günther	10		

#### Substitute

GYAJA Christoph Benjamin * /**	12
HOLZHEU Christian * /**	12

## LT - Lithuania

Sent ballots: 24

Participation: 79 %

Received ballots: 19

### Candidates

GERASIMOVIC Liudmila	12	VIESUNAITE Vilija	10
PAKENIENE Ausra **	11		
PETNIUNAITE Jurga **	11		

### Allotment of seats

#### Full Member

GERASIMOVIC Liudmila	12		
PAKENIENE Ausra **	11		

#### Substitute

PETNIUNAITE Jurga **	11
VIESUNAITE Vilija	10

## LU - Luxembourg

Sent ballots: 23

Participation: 87 %

Received ballots: 20

### Other Capacity

Received valid ballots: 5

### Candidates

KUTSCH Bernd	4		
LAMPE Sigmar *	5		

### Allotment of seats

#### Full Member

KUTSCH Bernd	4		
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#### Substitute

LAMPE Sigmar *	5
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### Private Practice

Received valid ballots: 15

### Candidates

BRUCK Mathis	13		
MELLET Valérie Martine	9		

### Allotment of seats

#### Full Member

BRUCK Mathis	13		
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#### Substitute

MELLET Valérie Martine	9
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## MT - Malta

Sent ballots: 6

Participation: 67 %

Received ballots: 4

### Candidates

FINKE Steffi **	1	SANSONE Luigi	4
GERBINO Angelo **	1		

### Allotment of seats

#### Full Member

SANSONE Luigi	4
FINKE Steffi **	1

#### Substitute

GERBINO Angelo **	1
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## MC - Monaco

Sent ballots: 7

Participation: 71 %

Received ballots: 5

### Candidates

AMIRA Sami	4	THACH Tum	3
HAUTIER Nicolas	2		
SCHMALZ Günther	1		

### Allotment of seats

#### Full Member

AMIRA Sami	4
THACH Tum	3

#### Substitute

HAUTIER Nicolas	2
SCHMALZ Günther	1

## NL - Netherlands

Sent ballots: 529

Participation: 34 %

Received ballots: 180

### Candidates

AMIRSEHHI Ramin	28	LAND Addick Adrianus Gosling	41
BLOKLAND Arie	90	MAAS Huub Pieter André	48
DE LANG Robbert-Jan	92	MULDER Cornelis A.M.	113
DU PONT Jeroen *	58	TANGENA Antonius Gerardus	94
HOGENBIRK Marijke *	102	VAN WEZENBEEK Lambertus A.C.M.	55
KETELAARS Maarten F.J.M.	71	VAN WOUDEMBERG Roel	86
KRAAK Hajo *	63		

### Allotment of seats

#### Full Member

MULDER Cornelis A.M.	113
TANGENA Antonius Gerardus	94
DE LANG Robbert-Jan	92
BLOKLAND Arie	90
VAN WOUDEMBERG Roel	86
KETELAARS Maarten F.J.M.	71

#### Substitute

HOGENBIRK Marijke *	102
KRAAK Hajo *	63
DU PONT Jeroen *	58
VAN WEZENBEEK Lambertus A.C.M.	55
MAAS Huub Pieter André	48
LAND Addick Adrianus Gosling	41

## MK - North Macedonia

Sent ballots: 22

Participation: 64 %

Received ballots: 14

### Candidates

DAMJANSKI Vanco * /**	6	KJOESKA Marija * /**	6
FILIPOV Gjorgji	7	KOSTOVSKA-STOJKOVSKA Zivka	1
ILIEVSKI Bogoljub	8	PEKEVSKA Anna	2
JOANIDIS Aleksandar *	1	PEPELJUGOSKI Valentin	3
JOANIDIS Jovan	4	VUKADINOVIC PEKEVSKA Margarita	2
JOANIDIS Biljana *	2		

### Allotment of seats

#### Full Member

ILIEVSKI Bogoljub	8
FILIPOV Gjorgji	7

#### Substitute

DAMJANSKI Vanco * /**	6
KJOESKA Marija * /**	6

## NO - Norway

Sent ballots: 99

Participation: 32 %

Received ballots: 32

### Candidates

BERG Per Geir *	12	TAFJORD Harald	7
BERG André	12	THORVALDSEN Knut *	5
REITAN Katja	18	THRANE Dag	15
REKDAL Kristine	20		

### Allotment of seats

#### Full Member

REKDAL Kristine	20
REITAN Katja	18
THRANE Dag	15
BERG André	12

#### Substitute

BERG Per Geir *	12
TAFJORD Harald	7
THORVALDSEN Knut *	5

## PL - Poland

Sent ballots: 261

Participation: 18 %

Received ballots: 48

### Candidates

AUGUSTYNIAK Magdalena Anna	34	PAWLOWSKI Adam **	17
KAWCZYNSKA Marta Joanna	27	RADLOWSKI Jakub	4
KREZEL Damian	12	ROGOZINSKA Alicja	26
LEWICKA Katarzyna Dorota	22	WESELA-BAUMAN Grzegorz	7
MALCHEREK Piotr **	17		
MALEWSKA Ewa	11		

### Allotment of seats

#### Full Member

AUGUSTYNIAK Magdalena Anna	34
KAWCZYNSKA Marta Joanna	27
ROGOZINSKA Alicja	26
LEWICKA Katarzyna Dorota	22

#### Substitute

PAWLOWSKI Adam **	17
MALCHEREK Piotr **	17
KREZEL Damian	12
MALEWSKA Ewa	11

## PT - Portugal

Sent ballots: 40

Participation: 45 %

Received ballots: 18

### Candidates

ALVES MOREIRA Pedro	17	DIAS MACHADO Antonio J. *	14
CARVALHO FRANCO Isabel	18	FERREIRA MAGNO Fernando Antonio	15
CORTE-REAL CRUZ António * /**	17	PEREIRA DA CRUZ Joao	17
CRUZ Nuno * /**	17	SILVESTRE DE ALMEIDA FERREIRA Luís	2
DE SAMPAIO José Eduardo * /**	17	Humberto *	

### Allotment of seats

#### Full Member

CARVALHO FRANCO Isabel	18
ALVES MOREIRA Pedro	17
PEREIRA DA CRUZ Joao	17
FERREIRA MAGNO Fernando Antonio	15

#### Substitute

DE SAMPAIO José Eduardo * /**	17
CRUZ Nuno * /**	17
CORTE-REAL CRUZ António * /**	17
DIAS MACHADO Antonio J. *	14

## RO - Romania

Sent ballots: 47

Participation: 62 %

Received ballots: 29

### Candidates

BONCEA Oana-Laura	10	STRENC Alexandru Cristian	6
ENESCU Miruna	12	TEODORESCU Mihaela	13
FIERASCU Cosmina-Catrinel	11	TULUCA F. Doina	13
NICOLAESCU Daniella Olga	5	VASILESCU Raluca	7
STANCIU Adelina	3		

### Allotment of seats

#### Full Member

TEODORESCU Mihaela	13
TULUCA F. Doina	13
ENESCU Miruna	12
FIERASCU Cosmina-Catrinel	11

#### Substitute

BONCEA Oana-Laura	10
VASILESCU Raluca	7
STRENC Alexandru Cristian	6
NICOLAESCU Daniella Olga	5

## SM - San Marino

Sent ballots: 18

Participation: 89 %

Received ballots: 16

### Candidates

AGAZZANI Giampaolo	11	PETRAZ Davide Luigi	10
BALDI Stefano *	11	TIBURZI Andrea	6
MAROSCIA Antonio *	10		
MARTINI Riccardo	3		

### Allotment of seats

#### Full Member

AGAZZANI Giampaolo	11
PETRAZ Davide Luigi	10

#### Substitute

BALDI Stefano *	11
MAROSCIA Antonio *	10

## RS - Serbia

Sent ballots: 42

Participation: 62 %

Received ballots: 26

### Candidates

BOGDANOVIC Dejan	14	PRIBIC Jelena	1
BRKIC Zeljka * /**	5	TOMIC Marija **	5
JANKOVIC Mara	11	TRAVICA Katarina	14
PETOSEVIC Slobodan **	5	ZATEZALO Mihajlo	6
PLAVSA Uros **	5		

### Allotment of seats

Full Member		Substitute	
BOGDANOVIC Dejan	14	TOMIC Marija **	5
TRAVICA Katarina	14	PETOSEVIC Slobodan **	5
JANKOVIC Mara	11	PLAVSA Uros **	5
ZATEZALO Mihajlo	6	BRKIC Zeljka * /**	5

## SK - Slovakia

Sent ballots: 29

Participation: 34 %

Received ballots: 10

### Candidates

BAD'UROVÁ Katarina	7	NEUSCHL Vladimir **	5
MAJLINGOVÁ Zuzana	7	ZOVICOVA Viera	8
MAJLINGOVA Marta *	7		
MESKOVA Viera **	5		

### Allotment of seats

Full Member		Substitute	
ZOVICOVA Viera	8	MAJLINGOVA Marta *	7
BAD'UROVÁ Katarina	7	MESKOVA Viera **	5
MAJLINGOVÁ Zuzana	7		
NEUSCHL Vladimir **	5		

## SI - Slovenia

Sent ballots: 31

Participation: 77 %

Received ballots: 24

### Candidates

BORSTAR Dusan	13	KUNIC TESOVIC Barbara	12
FLAK Antonija	9	MACEK Gregor	18
GOLMAJER ZIMA Marjanca	15	OSOLNIK Renata	19
JAPELJ Bostjan	10		

### Allotment of seats

Full Member		Substitute	
OSOLNIK Renata	19	KUNIC TESOVIC Barbara	12
MACEK Gregor	18	JAPELJ Bostjan	10
GOLMAJER ZIMA Marjanca	15	FLAK Antonija	9
BORSTAR Dusan	13		

## ES - Spain

Sent ballots: 230

Participation: 33 %

Received ballots: 76

### Candidates

ARIAS SANZ Juan	37	SÁEZ GRANERO Francisco Javier	35
COROMINAS MACIAS Nèstor * /+	19	SÁNCHEZ Ruth * /+	28
DURÁN MOYA Luis-Alfonso +	9	STIEBE Lars Magnus	30
GALLARDO Antonio M. *	17	VILALTA JUVANTENY Luis	28
IGARTUA Ismael	48		
JORDÁ PETERSEN Santiago	37		

### Allotment of seats

Full Member		Substitute	
IGARTUA Ismael	48	STIEBE Lars Magnus	30
ARIAS SANZ Juan	37	VILALTA JUVANTENY Luis	28
JORDÁ PETERSEN Santiago	37	GALLARDO Antonio M. *	17
SÁEZ GRANERO Francisco Javier	35	SÁNCHEZ Ruth * /+	28

## SE - Sweden

Sent ballots: 453

Participation: 27 %

Received ballots: 124

### Candidates

ALTHOFF Fredrik	44	MARTINSSON Peter	64
BJERNDÉLL Per Ingvar	47	SJÖGREN PAULSSON Stina	81
LI Hao *	15	UGGLA Niclas	31
LJUNGDAHL Natalie Igorevna	20		
LÖWENADLER Jenny	45		

### Allotment of seats

Full Member		Substitute	
SJÖGREN PAULSSON Stina	81	ALTHOFF Fredrik	44
MARTINSSON Peter	64	UGGLA Niclas	31
BJERNDÉLL Per Ingvar	47	LJUNGDAHL Natalie Igorevna	20
LÖWENADLER Jenny	45	LI Hao *	15

## CH - Switzerland

Sent ballots: 594

Participation: 34 %

Received ballots: 204

### Other Capacity

Received valid ballots: 116

### Candidates

BLÖCHLE Hans	55	HOFFMANN Jürgen Gerhard	57
COGNAT Eric Jean Marie	60	KLEY Hansjörg	75
DE WEERD Petrus G.W.	40	THOMSEN Peter René	88
FAVRE Nicolas	65		

### Allotment of seats

Full Member		Substitute	
THOMSEN Peter René	88	COGNAT Eric Jean Marie	60
KLEY Hansjörg	75	HOFFMANN Jürgen Gerhard	57
FAVRE Nicolas	65	BLÖCHLE Hans	55



## Private Practice

Received valid ballots: 88			
<b>Candidates</b>			
EHNLE Marcus **	42	LIEBETANZ Michael	62
KAPIC Tarik	58	WILMING Martin	55
KÖRNER Thomas Ottmar **	42		
LATSCHA Silvan	57		
<b>Allotment of seats</b>			
<b>Full Member</b>		<b>Substitute</b>	
LIEBETANZ Michael	62	WILMING Martin	55
KAPIC Tarik	58	KÖRNER Thomas Ottmar **	42
LATSCHA Silvan	57	EHNLE Marcus **	42

## TR - Turkey

Sent ballots: 83		Participation: 47 %		Received ballots: 39	
Candidates					
AGCA KIZIL Tugce +	11		SEVINÇ Erkan		16
ARKAN Selda Mine	22		SIMSEK Meliha Merve +		5
ATALAY Baris	19		TAS Emrah ** /+		17
CAYLI Hülya	22		YALVAÇ Oya		14
HAMAMCIOGLU Volkan ** /+	17		YAVUZCAN Alev * /+		20
MUTLU Aydin	21				
Allotment of seats					
Full Member		Substitute			
ARKAN Selda Mine	22		SEVINÇ Erkan		16
CAYLI Hülya	22		YALVAÇ Oya		14
MUTLU Aydin	21		YAVUZCAN Alev * /+		20
ATALAY Baris	19		TAS Emrah ** /+		17

## GB - United Kingdom

Sent ballots: 2438		Participation: 14 %		Received ballots: 353	
Candidates					
ASQUITH Julian Peter		195	MERCER Christopher Paul		238
BOFF James Charles		178	RADKOV Stoyan Atanassov		84
BROWN John D.		134	SARDHARWALA Fatema Elyasali		203
CHARLTON Steven +		143	WRIGHT Simon Mark		185
DUNN Paul Edward		127			
GRAY John James		152			
Allotment of seats					
Full Member			Substitute		
MERCER Christopher Paul		238	BROWN John D.		134
SARDHARWALA Fatema Elyasali		203	DUNN Paul Edward		127
ASQUITH Julian Peter		195	RADKOV Stoyan Atanassov		84
WRIGHT Simon Mark		185	CHARLTON Steven +		143
BOFF James Charles		178			
GRAY John James		152			

# epi Quo vadis?

J. Pereira da Cruz (PT), T. Tangena (NL)

*The best way to predict the future is to create it.*

*Abraham Lincoln*

Last year the European Patent Office introduced a strategic document and work plan with its vision about the future of their organisation and how to implement this future. Moreover EPO President Antonio Campinos came to the Lisbon **epi** Council to explain and discuss this vision. He stressed in his informal talks with Council members that he is willing to work with **epi**, but **epi** should not rely on the EPO to do all the work. There will only be a common future if **epi** takes up the challenge and do our share to make this future possible. Up to now **epi** has not given a response. Since the strategic document of the EPO was published, discussions in the Councils have been mainly internally focused on topics like signing documents of good behavior, the hiring of an executive director, changing the By Laws and GDPR (EU General Data Protection Regulation). The authors of this document are of the opinion that **epi** needs to focus much more on developing a vision of the future and how to implement it. In the Helsinki Council and in **epi** Information no. 4/18 we made a start by looking and discussing the patent attorney of the future. The authors think that we now need to do a follow up by making a plan for the future of **epi**. As the most important partner of the EPO, **epi** should look for synergies where EPO and **epi** can work together for a better result. The authors have looked at the EPO strategic plan and used the same goals where appropriate. We have defined the goals in certain areas and indicated in key initiatives how at least part of these goals can be achieved.

## Goal 1: Build an engaged, knowledgeable and collaborative organisation

For an international organisation as **epi**, the use of a good IT system is very important. **epi** has been building a website that can be used for all kinds of purposes, like knowledge disclosure, knowledge sharing, networking and webinars. We should now extend this website to make it the first place a European Patent Attorney (EPA) looks for information about the profession.

Further one of the major issues in **epi** is the large difference between countries with a lot of patent activity ('large' countries) and those with little activity ('small' countries). This creates a number of problems. First there are many patent attorneys in the large countries and just a few in

the small countries. For the small countries it is difficult to gain experience in drafting patent applications. The new work share platform on **epi**'s website can be of some help, but trust is key here. How do you know the person you ask to draft for you is capable and trustworthy? Further, training new patent attorneys to replace retirees or to support growth can be problematic if the patent attorney population is small. The Candidate Support Program has helped, but once this program is finished, how then to train new patent attorneys? We can think about an agreement then with the EPO to see how EPO and **epi** together could tap into funds under the cooperation programme. The advantage is that efforts can then run in parallel with cooperation activities of the EPO that are already taking place in the countries, often together with national authorities, where a kind of flywheel effect can then be achieved. The Bilateral Cooperation Plans (BCPs) for each country respond to the situation there: the EPO (and its Patent Academy) offers to help think about these BCPs, offers assistance and ensures that the **epi** and its (potential) members also get their money's worth per country. If we get more involved in these plans, i.e. take up a role there, we can also become more EPO's ambassadors in the countries as noted President Campinos. We believe there is a task here for **epi**.

### Goal 1, key initiative 1:

Build a platform to train students who are interested in becoming European patent attorneys

- Start with developing on-line training for drafting patent applications. We have already the very useful course: 'Life of a patent', but from our experience, you need to draft at least 10 to 15 cases in order to really understand how to draft a patent application. These cases should range from easy ones (get a feel for best prior art, novelty, inventive step) to complicated ones. The course should be done on line with the help of paid **epi** tutors. A group of students from different countries can have a simultaneous start every year and complete one of these cases for instance every 14 days. The group can use the existing forum for students to exchange views on the cases. The forum would be supervised by the tutors.
- The drafting course would serve several purposes:
  - to serve as an early test whether candidates are suited to become a patent attorney. This is useful for the firms that employ them and for the candidates themselves;

- to help make the candidate capable of doing useful work quickly. A good training in drafting and understanding the basics will make candidate, at an early stage, useful for firms. It would also improve the chance of passing the European Qualifying Examination;
- to build a network across Europe with persons that know and trust each-other since they studied together. This network will be useful for the further career of candidates, for instance for exchanging work across borders. The course should be open for candidates from all countries, but candidates from small countries should get a preferential treatment.
- In a second phase we can develop further on-line training, for instance regarding EPC, PCT, but also topics like other IP rights and exploitation of IP rights.

### Goal 1, key initiative 2:

Give patent administrators/paralegals a role within **epi**

In the past, **epi** asked in meetings of the EPO Academy for more initiatives towards patent administrators. This has now been taken up by the EPO. There is a European certificate planned for patent administrators. But we need to think about the role of **epi**. How can we work together with the EPO to give the patent administrators their proper role in Europe. The European patent world is not that large and keeping two organisations in the air at European level is not good, relatively too expensive and (also in terms of lobbying) ineffective. Patent administrators are in most cases our employees. The authors think that **epi** should be involved in choosing and teaching the training program and in the issuing of the certificates. We also need to think how to incorporate patent administrators in the **epi** organisation. This can be done, for instance, by establishing an associate membership for patent administrators with the certificate, along with some transitional measures for existing administrators. The associate membership could allow access to **epi** facilities, like website and seminars. We could also invite some observers from the associate members to attend Council.

### Goal 2: Deliver high quality products and services

Recently, we have seen more emphasis on quality at the EPO. This is a very good initiative where **epi** should collaborate whole heartily. Both the EPO and **epi** fully realize that only a good application can lead to a good patent. That means our patent applications and communications need to have the highest quality.

It is further important that **epi** takes a more explicit stance in a number of rather vital debates. For example, the EPO is discussing a more flexible patent granting process, EPO thinks about instant searches “à la Singapore”. And, of course, information technology initiatives of the EPO, like eDossier, eOLF, i.e. digital transformation in general. What is **epi**’s position on these topics? The EPO has set up its own Centre of Excellence for Artificial Intelligence in Berlin. This is the kind of development that **epi** should also be involved.

#### Goal 2, key initiative 1:

Develop **epi**’s point of view in the ongoing vital debates as mentioned before. There is a task here for our committees. We should also discuss these points of view in **epi** Council to come to an **epi** point of view. We can also use **epi** Information to commission a paper to explain the pros and cons of a certain position. With the introduction done in **epi** Information, discussions in Council can then be more lively. All this will make **epi** more influential and at the same time make Council meetings much more attractive, since **epi** is helping to shape the future patent system



João Pereira da Cruz



Tony Tangena

#### Goal 2, key initiative 2:

Develop a set of (on-line) seminars on drafting applications in specific technical areas. We now have in our European Patent Practice Committee four technological groups: Pharmaceuticals, Information and Communication Technologies, Mechanics and Chemistry. These technological groups, together with EPO Examiners active in specific areas, can develop specialized seminars that focus on how to draft applications in those areas. The drafting of an application in telecom is very different from drafting in pharmaceuticals. By providing a best practice and guidance, we can improve the skills of (new) European Patent Attorneys and raise the quality of granted patents. The proper set up of a patent application can also serve as a guideline / condition for an instant search and opinion that the EPO is planning.

#### Goal 2, key initiative 3:

More focus on exploitation/valuation of patents. This was also something the EPO President stressed as important. According to the European Commission, the backbone of the European Economy are SMEs: 99 out of every 100 firms are SMEs. Up to now SMEs do not use the patent system very much. It is especially important that they better

exploit the benefits of patents. The EPO web site already shows examples of how existing SMEs profit from the patent system. We need to promote this further. Exploitation and valuation, especially towards SMEs, are also 'hot' in the thinking of both national patent offices and the European Commission. The Commission is now implementing the prediagnosis aid (e.g. in the Netherlands called the IP Smart scan) for companies that already have a seal of excellence. This kind of initiative certainly touches the work of the patent attorney. Moreover, a new instrument is about to be introduced to carry out a kind of IP scan of recipients of European funds under Horizon 2020. There, too, **epi** can jump on a moving train to make the role of attorneys just a little broader.

A patent is not a goal in itself. A patent should provide value to the owner. This is the main driver for companies and persons to obtain a patent. **epi** took the first initiative here by setting up a working group to study whether it is beneficial to establish such a committee. The authors think this is a worthwhile exercise. The new committee should focus on training in:

- how to use patents to generate value for the owner;
- patent portfolio management and future costs of patents. Focus should be on how to create potential value for the applicant. Costs are especially important for SMEs and for the structuring of portfolios;
- patent valuation. What is the value of a patent (application) in mergers acquisitions and cooperations;
- how to structure public/private cooperation. More and more research is done to open innovation or cooperation between universities and companies. Especially SMEs with limited research possibilities can profit from know-how available in universities and public research institutes. A proper legal framework is necessary for such cooperations. A few years ago such a protocol was already developed in the Netherlands;
- how to draft and deal with licensing contracts; and
- how to serve as an interface between other organisations like LES, EPLit and EPO (IP4inno).

### Goal 3: Build a European patent system and network with a global impact

As we have noted above, there are large differences between countries in the EPC. To improve the local situation, we need to work with others in those countries. **epi** can

help to stimulate, subsidize, build and reinforce a European patent network across borders so that we can learn from others who are confronted with the same situation. Here, our interests and those of the EPO run parallel. We both want more local use of the patent system. Other natural partners are the organisations of national patent attorneys and the national patent offices. Workforce planning at the EPO, and certainly at the Boards of Appeal, should interest **epi** to a high degree given the high number of retirements in the years to come. In 10 years time, 36% of the present EPO workforce will no longer work at the EPO.

#### Goal 3, key initiative 1:

Promote the patent system together with EPO, the local patent attorneys and the National Patent Offices (NPOs). This could include providing standardized 1 to 2 day lectures on IP for Universities and Polytechnic Schools. At the EPO there is already the IP teaching kit and IP4inno presentation set, but their use needs to be simplified and above all promoted in the countries. Moreover many companies do not know that patent literature (Espacenet) can be an important source of know-how and information on where technology is heading and what their competitors are working on. **epi** should help to set up teaching structures for such topics in the countries. **epi** and the national patent attorney organisations should be very much involved in the patent roadshows that the EPO is setting up. The roadshows can be an interesting way to contact local companies and persons interested in patents.

#### Goal 3, key initiative 2:

Funding research and patenting the result is often a large problem, especially for SMEs and private inventors. Many countries, regions and also Europe have incentive programs for innovation. **epi** should aim to make an inventory of these possibilities to get subsidies for innovation and generating intellectual property. Our European patent attorneys should be able to advise their clients on how to get access to these funds. We should set up a task force together with the EPO, local patent attorney organisations and National Patent Offices to come to an inventory and a brief description of the conditions. The inventor assist program from WIPO is an example where inventors from third world countries are stimulated to use the patent system. We should strive for a similar program for SMEs and individual inventors together with the EPO and the European Commission.

#### Goal 3, key initiative 3:

Stimulate exchange of European patent attorneys across countries as suggested by President Campinos of the EPO in the Lisbon Council. Especially for recently qualified European Patent Attorneys (EPAs), it is important to gain experience. We should set up an internship program with EPAs from countries with little patent activity to work with patent firms with more activity, possibly using the **epi** work

share platform. **epi** can also setup a fund to assist EPAs from smaller countries and / or compensate receiving firms for such an internship. The initiative could run parallel with internships of EPO examiners. One can also think of **epi** members doing an internship at the EPO and/or the Boards of Appeal. This would also make a transfer from and to EPO by European Patent Attorneys easier. This can be important for the future when the aforementioned retirements and possible changes necessary when the backlog of applications has been dealt with. **epi** could also profit from EPO's experience with teleworking, so that an internship does not necessarily mean moving to another country. Such internships would also serve to build networks of trusted outsource possibilities.

***When it comes to the future, there are three kinds of people: those who let it happen, those who make it happen, and those who wonder what happened.***

*John M. Richardson, Jr.*

## Summary

The authors suggest that **epi** looks carefully at these goals and initiatives. **epi** Council and in many cases the Professional Education Committee can, help in structuring these ideas and do the follow up. We realise that some of these initiatives will cost money, but we think that this will be money well spent. We hope that this paper may inspire **epi** to take action, since we think working on these goals and initiatives will ultimately serve to make **epi** an organisation, that is better suited to provide the best service to its members, its clients, the patent system and society as a whole.

Nächster Redaktionsschluss für <b>epi</b> Information	Next deadline for <b>epi</b> Information	Prochaine date limite pour <b>epi</b> Information
Bitte senden Sie Ihre Beiträge zur Veröffentlichung in der nächsten Ausgabe der <b>epi</b> Information an den Redaktionsausschuss. Alle Artikel oder Anfragen schicken Sie bitte bis spätestens <b>30. April 2020</b> an folgende Email Adresse: <a href="mailto:editorialcommittee@patentepi.org">editorialcommittee@patentepi.org</a> .	The Editorial Committee invites contributions for publication in the next issue of <b>epi</b> Information. Documents for publication or any enquiry should be sent by eMail to ( <a href="mailto:editorialcommittee@patentepi.org">editorialcommittee@patentepi.org</a> ) no later than <b>30 April 2020</b> .	La Commission de Rédaction vous invite à lui faire parvenir vos contributions pour publication dans le prochain numéro d' <b>epi</b> Information. Les documents pour publication ou toute demande d'information doivent être envoyés par courriel ( <a href="mailto:editorialcommittee@patentepi.org">editorialcommittee@patentepi.org</a> ) au plus tard le <b>30 avril 2020</b> .
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**WORLD  
INTELLECTUAL  
PROPERTY DAY  
2020  
APRIL 26**

In 2000, WIPO's member states designated April 26 – the day on which the WIPO Convention came into force in 1970 – as World Intellectual Property Day with the aim of increasing general understanding of intellectual property (IP).

This introductory note invites your organization to take advantage of the toolkit prepared by the WIPO Secretariat to assist in the development of World Intellectual Property Day activities.

Information includes background documents such as FAQs; posters, bookmarks and other visuals that can be used in your social media communications, a social media toolkit, and a promotion toolkit offering suggestions on the type of events you may wish to organize.

On our World IP Day webpage, we also have an “Events Map” where we will list events taking place around the world, and a page where Members States and organizations can submit any videos they prepare.



# Patent practice

## Patents on Artificial Intelligence Valuable Assets or Not Worth the Paper They are Printed on<sup>1</sup>?

M. M. Fischer (DE)

**A**rtificial Intelligence (AI) is a cross-section technology that is invading almost all fields of technology leading to many interdisciplinary inventions. That means that all patent practitioners should have some basic knowledge about the challenges that arise in the context of AI inventions in order to be able to assess these inventions at least to the extent that they are able to make a well-founded decision whether to file a patent application or not. When talking about patents in the field of computer-implemented inventions, and in particular about patents in the field of AI, one almost inevitably comes to a point in the discussion when the argument is raised that detectability of infringement of these patents is very difficult – if not impossible – and thus it does not make sense to file patent applications in

this field. Instead, it should be tried to keep the underlying algorithm as a trade secret. Although this argument is certainly a valid and strong one, this article wants to provide a list of counter-arguments. (I admit that the last five arguments of this list are not specific to AI patents, but should nevertheless be mentioned for the sake of completeness.)

### 1. Patents cannot simply be ignored (even if detectability of infringement is difficult).

Imagine you want to hit the market with a new innovative AI product (e.g. an intelligent app in the medical field, e.g. for diagnosing skin cancer) and you make an FTO-analysis in order to find out whether there are any patents that your AI product might infringe. If you find a patent that covers your product, it is not advisable to ignore this patent, even if it will be very difficult for the proprietor of

<sup>1</sup> A nice saying but an anachronism in the age of digitalization and paperless offices

the patent to find out that your product infringes it. Apart from damages that the proprietor could get from you, there is even the risk of imprisonment or a fine in many jurisdictions.

In Germany, for example, section 142 of the Patent Act stipulates that any person acting without the requisite consent of the proprietor of the patent who manufactures or offers, places on the market, uses a product which is the subject-matter of the patent or either imports or holds the product for one of the purposes mentioned, or uses or offers for use within the territorial scope of this Act a process which is the subject-matter of the patent shall be liable to imprisonment for no more than three years or a fine. It follows from section 15 of the German Criminal Code that the infringement must have been done intentionally – which would be the case in the example above – in order to entail punishment. Even an attempt shall be punishable.

If it comes to litigation in the U.S. your competitor may be able to find out via a discovery – which covers all relevant material (even remarks made with respect to other jurisdictions or any e-mails unless they are subject to attorney-client privilege) – your explicit decision to ignore a patent.

## **2. Accepting a patent and paying a license fee may be easier than living in constant fear of litigation.**

Last but not least due to the consequences set out under reason 1, practice shows that a patent is normally respected by your competitor at least if it is made aware of it and, especially if it does not see any possibility of invalidating it by opposition or nullity proceedings. It is not unrealistic to assume that your competitor prefers to pay a reasonable license fee instead of living in constant fear of litigation which is time-consuming, costly and unpredictable for all parties involved. Only a very small fraction of granted patents is used for litigation and only a small fraction thereof is litigated until a legally valid decision is reached.

## **3. The technology of reverse-engineering and disassembling is evolving quickly.**

For example, the Horst Görtz Institut of Ruhr Uni Bochum is renowned for the research it does in this field and even offers lectures in reverse engineering. On October 8, 2019, it was announced in a press release<sup>2</sup> that they developed a hardware reverse engineering tool. Moreover, “software forensics” is a scientific discipline in its own right which deals among other things with detecting infringement of patents which cover a computer-implemented invention. With the rapid development of technology in general, it is not surprising that the methods used in software forensics

are becoming more and more sophisticated. Even if you think that it is very difficult to prove infringement of your patent, a patent gives you protection for your technology for 20 years and possibly detectability of infringement will be much easier in the not so distant future. As a side remark, also the law can change quickly. For example, the burden of proof could be shifted from the plaintiff to the defendant which means that the defendant has to prove that it is not infringing a patent.

## **4. More and more companies offer services in infringement detection.**

Software forensics is a growing market, especially in the U.S. Bob Zeidman is an internationally renowned expert in this field who founded the company Zeidmanconsulting. He wrote the book “The Software IP Detective’s Handbook – Measurement, Comparison, and Infringement Detection” in 2011. There are other companies such as IEC & Associates<sup>3</sup> and Softwarelitigationconsulting<sup>4</sup> by Andrew Schulman and many more that are specialized in detecting whether a software or hardware product infringes a patent.

## **5. Input/Output-Analysis is often possible.**

If your AI product is running on a server, then another (intelligent) software could bombard it with a very large number of inputs and register the output for each input. Then, based on the inputs and outputs, it could be figured out (by a human being or even a machine) how your AI product is working. Therefore, it is advisable to file a patent application for your AI product.

## **6. Software can be run on a virtual machine.**

In T 2440/12, the Board held that a sold software product was prejudicial as to novelty since it could be run line-by-line on a virtual machine. Running a software line-by-line on a virtual machine (and observing how the memory changes) may also help detect whether it infringes a patent claim.

## **7. Infringement detection is not always difficult.**

If a patent is directed e.g. to a graphical user interface, to the input or output of a software, to a hardware component or to the control of a machine (e.g. control of a washing machine), then detection of infringement may not necessarily be difficult. In these cases, it may be particularly important to file a patent application. Infringement detection is also a matter of how you draft your claims. If possible, for example, an experienced patent attorney should try to direct claims to the input or output of the

<sup>2</sup> <https://news.rub.de/wissenschaft/2019-10-08-it-sicherheit-weltweit-einzigartiges-hardware-reverse-engineering-tool>

<sup>3</sup> <http://forensic-engineering-consultants.net/home.html>  
<sup>4</sup> <http://www.softwarelitigationconsulting.com>



invention. It is also advisable to avoid claims directed to systems involving several components (which could be placed in different jurisdictions which would render any infringement action impossible). If possible, a claim should be formulated as a single actor claim.

## 8. Standardization is one of the next big things in AI.

The most valuable patents in the field of computer-implemented inventions are those that are related (relevant or essential) to a standard, for example a telecommunications standard or an image/video/audio compression standard. The German Institute for Industry Standards (DIN) and the German Federal Ministry of Economy and Energy organized a kick-off conference<sup>5</sup> on the topic of “standards and AI” on October 16, 2019 in Berlin which was attended by some 300 participants including myself. At the conference, it was common ground that standards – in general but in particular in the field of AI – are important for interoperability. It has been discussed that the term “safety” has to be transferred into the digital world. Therefore, it is envisaged that an Association for Technical Inspection (in Germany this association is called “TÜV”) will also assess the safety of algorithms, for example an algorithm for a self-driving vehicle. Such a software cannot be kept completely secret and it may be advisable to file a patent application for your specific software solution in this field because it may become part of a standard. A first business plan which may later become a standard is DIN Spec 13266 “Guideline for the development of Deep Learning Image Recognition Systems”<sup>6</sup>. It should be mentioned that already the cover page of the document asks recipients of the business plan to inform about patents that exist in this field. The International Standards Organization (ISO) is also dealing with standards and AI. In 2017, they established the committee ISO/IEC JTC 1/SC 42 which deals exclusively with standardization in the area of Artificial Intelligence<sup>7</sup>. Without wanting to fuel a gold rush mood, I think that now is the time for filing patent applications in AI which could become relevant or even essential for AI standards of the future. I conclude this paragraph with the saying “Who has the norm, has the market.” Think about it!

## 9. European General Data Protection Directive offers an approach to detect patent infringement.

The idea of detecting patent infringement based on the European General Data Protection Directive is explained in the article “Implications of the General Data Protection

Regulation (GDPR) for Detecting Infringement of Artificial Intelligence (AI) Patents”<sup>8</sup> by R. Free and L. Pugh and has been published in EPI Information 3/2018.

## 10. It is often possible to steer a middle course between level of disclosure required for a patent and trade secret.

It is understandable that the inventor of a software is reluctant to disclose the algorithmic idea, in particular because once the software is compiled, it can be sold and used while it is very difficult to find out the underlying algorithmic idea. In some cases, it might therefore be advisable to treat algorithmic details of the invention as a trade secret. However, a patent could still be obtained by disclosing the invention on a higher level without compromising the requirement of sufficiency of disclosure (Art. 83 EPC). It should be mentioned that the EU adopted a “Directive on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure” in 2016 which has to be transformed into national laws by the EU member states. With the Directive improving the enforceability of trade secrets, trade secret holders will be entitled to apply for remedies following cases of illegal appropriation of documents, objects, materials, substances or electronic files containing the trade secret or from which the trade secret can be deduced.

## 11. Competitors within the same technology space often know what the other is doing.

Keeping completely secret how your software works is more difficult than you might think. You must keep in mind that nowadays software developers frequently change companies and know-how may silently, implicitly and inadvertently diffuse from one company to another. Even if you can try to inhibit this by imposing strict confidentiality on employees developing software, this cannot be completely avoided. Even if an employee has breached confidentiality, it will be very difficult, costly and time-consuming to prove this breach before court. Software developers moving from one company to another is the most common reason that software is stolen or accused of being stolen.

## 12. At least in U.S., you do not have to prove infringement beforehand.

US patent litigation allows liberal pre-trial discovery. The Federal Rules of Civil Procedure allow extensive discovery of an accused infringer’s electronic communications, sales numbers, manufacturing processes and also source code of a software possibly infringing a patent claim as well as

<sup>5</sup> <https://www.din.de/de/din-und-seine-partner/presse/mitteilungen/kuenstliche-intelligenz-braucht-normen-und-standards-484056>

<sup>6</sup> Further projects in the field of Standards and AI can be found here: <https://www.din.de/de/forschung-und-innovation/themen/kuenstliche-intelligenz/standards-fuer-ki>

<sup>7</sup> <https://www.iso.org/committee/6794475.html>

<sup>8</sup> <https://information.patentepi.org/issue-3-2018/implications-gdpr-detecting-infringement-of-artificial-intelligence-patents.html>

other information “relevant to any party’s claim or defense and proportional to the needs of the case”. A suspicion of infringement is often sufficient to obtain the source code. While such liberal discovery is responsible for significantly higher litigation costs and longer periods between filing and trial, it also allows a plaintiff to obtain information that it might struggle to obtain elsewhere, for example in Germany.

### 13. What if your software development cooperation fails?

Imagine that you develop software together with another company but you did not put in place agreements to which company belongs the intellectual property emerging this development cooperation or the agreements turn out to be incomplete or invalid. Then for some reason there is a dispute and the cooperation is discontinued each company has enough knowledge to finish the software and bring it on the market itself. Such a situation apparently happened in T 2440/12 in which two companies (company A, company B) developed a software product. At some point, the cooperation was discontinued and company A sold the software product while company B – at a later point of time – filed a patent application and finally got a patent for the invention. However, company A filed an opposition against the grant of the patent arguing that the sale of the software product was novelty destroying for the grant of the patent. The Boards of Appeal accepted this argumentation and revoked the patent. (Since company B sued company A for infringement of its patent, it could not contest that the software product performed all the steps of the patented method. The only question was whether this was publicly available by the sale of the software product.)

### 14. Patents can bring a lot of money.

Once a company has gone bankrupt, one thing of value that remains is the intellectual property. In June 2011, a patent portfolio (more than 6000 patents) of bankrupt telecommunications company Nortel was sold for 4.5 billion dollars to a consortium (“Rockstar Consortium”) of six companies (Apple, Microsoft, Sony, RIM, EMC and Ericsson). Most of the patents dealt with computer implemented inventions. The most prized ones relate to mobile broadband technology used in emerging 4G standards such as long term evolution (LTE)<sup>9</sup>.

### 15. Patents help that the development of AI is not completely kept secret.

This argument is not an advantage for an individual person or company but for the society as a whole. The idea of a patent system is a “quid pro quo” (“this for that”). In

exchange for an inventor disclosing his invention, he can prohibit competitors from bringing the same invention on the market and can exploit the invention economically by having a monopoly.

### 16. A patent application is the only way allowing you to talk to other people about the invention.

If you intend to talk about your idea with other persons, for example a potential business partner, then it is essential that you file a patent application beforehand. This is the only protection against someone else copying your idea. But also vice versa, a filed patent application may be a prerequisite for the business partner to let you come to discuss your idea to avoid that you later accuse the business partner for copying your idea in case someone else in the business partner’s company has already got a similar idea. Many companies have the rule that allow outsiders to tell about their ideas only once they confirmed that they have filed a patent application or utility model application.

### 17. Investors want to see patents, especially in the U.S.

It is not a secret that if you are a tech start-up and want to attract money from a VC, you are well advised to show him that you have a patent application pending or even a granted patent. This is especially true if your start-up is in the U.S. or wants to be successful in the US market or attract money from a US investor.

### 18. Keeping a patent application pending can be a threatening posture.

In Germany, for example, it is possible to wait for seven years until you request examination. During this time, your competitor cannot estimate the chances of success that patent will be granted. The pending patent application is a threatening posture for him. However, everybody can request examination and thereby stop this state of uncertainty.

### 19. A patent demonstrates your potential of innovation and creates prior art for your competitors.

Let’s face it. Many analysts who assess the value or the innovational strength of companies simply look at the number of patents a company has been granted. They are unable to analyse the quality of the patents (whatever that means), e.g. the commercial value, validity or enforceability of a patent. The number of patents granted is a generally accepted indicator for the innovational strength of a company. Moreover, once your patent application is published, it will become prior art which means that it will

<sup>9</sup> [https://www.fulcrum.com/nortel\\_bankruptcy\\_patent\\_auction](https://www.fulcrum.com/nortel_bankruptcy_patent_auction)



be more difficult for your competitor to obtain a patent because his invention has to be delimited from your published patent application.

## 20. Who dares to attack you if you sit on a large patent portfolio?

Having a large patent portfolio certainly has a deterrent effect to your competitors and may be part of your defensive strategy. If your competitor intends to sue you because of patent infringement, he will think twice about this plan if you have a large patent portfolio because there is a risk

that you will strike back and sue him for infringement of one of your patents. In such cases, it is much easier to come to a mutual agreement, e.g. cross-licensing.

I hope that this article supports patent practitioners, decision makers in industry and other stakeholders to come to a well-founded decision of whether to file patent applications in the field of AI or not. Finally, I would like to draw your attention to WIPO's excellent report on Artificial Intelligence 2019<sup>10</sup>.

10 <https://www.wipo.int/publications/en/details.jsp?id=4386>

# Buchbesprechung

## Margarethe Singer/Dieter Stauder/Stefan Luginbühl: Europäisches Patentübereinkommen

Taschenkommentar 8. Auflage, Carl Heymanns Verlag 2019

M. Thesen (DE)

Der „Singer/Stauder“ heißt jetzt „Singer/Stauder/Luginbühl“, bleibt aber einer der führenden deutschsprachigen EPÜ-Kommentare und ist praktisch jedem Europäischen Vertreter wie auch dem Kandidaten in der Prüfungsvorbereitung ans Herz gewachsen. Durch die Mitarbeit von aktuellen und ehemaligen Angehörigen des EPA und Mitgliedern der Beschwerdekammern liegt der Schwerpunkt auf der Erörterung der amtlichen Sichtweise und der aus Einzelfällen oft nur schwer erkennbaren roten Fäden der Entscheidungspraxis. Hier erläutern neben aktiven Praktikern auch die Altvorden die Meilensteine und Grundlagen der Entwicklung des EPA und des EPÜ. Der Kommentar ist daher eine wertvolle Ergänzung zum „White Book“ mit der Rechtsprechung der Beschwerdekammern und zu den Prüfungsrichtlinien.

Die 8. Auflage hat mit Herrn Dr. Luginbühl einen Experten auf dem Gebiet des Einheitspatents als neuen Mitherausgeber und zeichnet sich vor anderen Kommentaren auch durch eine ausführliche und aktuelle Kommentierung der damit in Zusammenhang stehenden Fragen aus (Art. 142 EPÜ).

In den in der Praxis so relevanten Fragen der Patentierbarkeit computerimplementierter Erfindungen bleibt der „Singer/Stauder/Luginbühl“ eine wertvolle Referenz. Die neueren Entwicklungen in der Entscheidungspraxis wurden eingearbeitet, wenn auch in manchen Fällen etwas knapp – letzteres insbesondere bei der Abgrenzung zwischen nichttechnischen und technischen Merkmalen und deren Behandlung bei der Beurteilung der erfinderischen Tätigkeit.

Insbesondere wegen der gut lesbaren Darstellung der Fundamente des EPÜ und der Rechtsprechung der Beschwerdekammern ist der „Singer/Stauder/Luginbühl“ ein unverzichtbares Arbeitsmittel für jeden Praktiker, der im Dschungel der Rechtsprechung der Beschwerdekammern den roten Faden verloren hat.





# Educational events

## Training programme 2020



### Life of a Patent distance learning course

Have you ever thought about all the things to take into account before drafting and filing a patent application up to the last step of the grant process? Join our distance learning course on Life of a patent. Register now until 20 March. The official course start is 1 April 2020.

### Opposition and Appeal

The new Rules of Procedure of the Boards of Appeal entering into force on 1 January 2020 and their implications on the proceedings will be dealt with in detail at these seminars. The speakers provide you with an intensive and practical overview of all relevant legal and practical issues concerning opposition and appeal proceedings before the European Patent Office.

Cancelled	The Hague (NL)	<b>epi</b> roadshow supported by the EPO (registration soon available)
14 October 2020	Paris (FR)	<b>epi</b> roadshow supported by the EPO (registration soon available)
17 November 2020	Milan (IT)	<b>epi</b> roadshow supported by the EPO (registration soon available)

## Case Law

The “Case Law” seminars will provide you with an overview of the most recent key decisions and developments in the EPO’s board of appeal case law. This collection of lectures offers a range of subjects, including procedural and substantive topics, and with a mixture of general-interest and more field-specific topics. The seminar also includes the demonstration of a mock EPO Oral Proceedings.

Cancelled	Prague (CZ)	<b>epi</b> roadshow supported by the EPO
Cancelled	Zurich or Geneva (CH)	<b>epi</b> roadshow supported by the EPO
29 June 2020	Dublin (IE)	<b>epi</b> roadshow supported by the EPO (registration soon available)
8 September 2020	Copenhagen (DK)	<b>epi</b> roadshow supported by the EPO
12 October 2020	Lyon (FR)	<b>epi</b> roadshow supported by the EPO
30 October 2020	Berlin (DE)	<b>epi</b> roadshow supported by the EPO
27 November 2020	Sofia (BG)	<b>epi</b> roadshow supported by the EPO

## “Life of a patent” two days seminar

In 2013 **epi** started a series of seminars on the “Life of a patent”.

The series covers 4 topics which are composed of pre-drafting and drafting of applications, prosecution and opposition. The seminar is intended for attorneys new in the profession but also for patent practitioner/patent engineers in industry that would like to refresh their EPC knowledge and skills.

Cancelled	Ljubljana (SI)	<b>epi</b> roadshow supported by the EPO
Prosecution and Opposition (part III & IV)		

## Claim Drafting Course

The claim drafting course aims at providing participants with a solid understanding of the theoretical basis on which the claim language is formulated as accompanied by practical examples in interactive sessions during which the participants discuss and interpret scopes of different claims, analyse different types of claims and the terminology thereof.

tbd	Milan (IT)	<b>epi</b> roadshow
tbd	Warsaw (PL)	<b>epi</b> roadshow
tbd	Budapest (HU)	<b>epi</b> roadshow

All venues for 2020 are published on the **epi** website as soon as these are confirmed.

# epi preparation courses for the EQE pre-examination and main examination 2021

All courses are provided in the three EPO official languages:



## Mock EQE(s)

The mock EQE(s) allows you to attempt an EQE exam under exam conditions. **epi** Experts have developed examination papers especially for the mock EQE sessions. You sit the various papers (A, B, C and D) in the same order as during the real exam and are given exactly the same time to sit the paper(s).

The feedback is given in small groups or one to one session(s) depending on the number of participants.

## 2-day weekend workshop Exclusively for **epi** Students

The workshop program targets **epi** Students who have recently passed the pre-examination and start their preparation for the full examination. The workshop is of benefit to candidates who resit Paper A, B or D.

- Mix of "class teaching" and practical exercises
- Interactive session small group
- Two experienced tutors lead this course

The workshop is given in English, questions can also be asked in German or French.

## epi Tutorial

Within the tutorial you have the opportunity to prepare for your exam when it suits you.

### What is your benefit?

- you can register all year round
- you set the schedule
- you have free choice of examination papers
- you pay a fee and can write a maximum of two exam papers
- you receive individual feedback from an experienced epi Tutor

## Training package Only available for **epi** Students

Your optimal training can look like this:

- Weekend workshop + Tutorial
- Weekend workshop + mock EQE
- Weekend workshop + tutorial + mock EQE

All detailed information and registration are available in the event calendar on the **epi** website.

## Are you interested in becoming an **epi** Student?

Being an **epi** Student you are able to take advantage of **epi**'s 3 year training plan which provides complementary training sessions to those provided by external organisations.

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Detailed information how to become an **epi** Student are available on our website.

<https://patentepi.org/en/epi-students>





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## PRÜFUNGSTRAINING FÜR DIE EUROPÄISCHE EIGNUNGSPRÜFUNG 2021

- Der Kurs versteht sich als letzte Etappe vor der Eignungsprüfung und als Ergänzung zu den eigentlichen Ausbildungskursen.
- Die Lehrfunktion des Kurses beschränkt sich demgemäss auf das Durcharbeiten konkret gestellter Prüfungsaufgaben der Teile A bis D und die Instruktion der Prüfungstechnik und -strategie durch erfahrene Europäische Patentanwälte.
- Die Aufgaben können nach Wunsch auf deutsch, englisch oder französisch bearbeitet werden, Modul 2 wird auf deutsch durchgeführt.
- Die Bewertung erfolgt vertraulich anhand der bei der Eignungsprüfung angewandten Kriterien. Eine schriftliche Korrektur wird abgegeben, Fragen an die Tutoren sind möglich.
- Der Kurs ist aus drei zeitlich getrennten Modulen aufgebaut (Module 1 und 3, jeweils einschliesslich Modul 2, können auch einzeln belegt werden) und umfasst je die Teile A bis D der Europäischen Eignungsprüfung.
- Teilprüfungskandidaten können auch einzelne Teile (A, B, C oder D) belegen, wobei die Kursgebühr entsprechend reduziert wird.
- An den Modulen 2 und 3 können auch Resitter teilnehmen (auch an einzelnen Teilen), deren nicht bestandene Prüfungsarbeiten (2020) wir im Rahmen von Modul 3 schriftlich kommentieren.

Aufteilung des Kurses:

**Modul 1** (ab Juni 2020)

Die Kandidaten erarbeiten zu Hause schriftlich Lösungen zu den Prüfungsaufgaben des Jahres 2019. Die eingegangenen Arbeiten werden schriftlich korrigiert, bewertet und den Kandidaten wieder zugestellt, die Kandidaten können nach Erhalt der Korrekturen den Tutoren Fragen stellen und an Modul 2 teilnehmen.

**Anmeldeschluss Modul 1 (und 2): 01.06.2020**

**Modul 2** (September 2020)

Vorstellen von Prüfungstechnik und -strategien für die einzelnen Teile. Besprechung der Fragen zu Prüfungsaufgaben 2019 und, wo erwünscht, Fehleranalyse der Kandidatenarbeiten.

**Modul 3** (Anfang November 2020)

Die Kandidaten können zur Vorbereitung an Modul 2 teilnehmen. Modul 3 umfasst die Durchführung einer simulierten, dreitägigen Prüfung mit den Prüfungsaufgaben von 2020. Die an Modul 2 erarbeitete Strategie kann gezielt in Modul 3 geübt werden. Die Lösungen der Kandidaten werden korrigiert, bewertet und den Kandidaten zugestellt. Die Kandidaten können nach Erhalt der Bewertung zu ihren Aufgaben den Tutoren Fragen stellen.

**Anmeldeschluss Modul 3 (und 2): 01.09.2020**

- **Kursgebühr Modul 1 (inkl. Modul 2 für alle Teile A-D):** CHF 600.-
- **Kursgebühr Modul 3 (inkl. Modul 2 für alle Teile A-D):** CHF 600.-
- **Kursgebühr alle Module (1, 2 und 3 für alle Teile A-D):** CHF 1050.-
- **Beim Belegen einzelner Teile wird die Gebühr entsprechend reduziert**

**Auskunft / Anmeldung:**

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# EQE Training Courses in Maastricht

C. Mulder (NL), N. Blokhuis (NL), N. Duhayon (BE), I. Surdej (BE) and J. Declerck (BE)

Since 2014, Maastricht University has been preparing candidates for the European Qualifying Examination (EQE). This training is for candidates who already have a basic understanding of European patent law. One of the cornerstones of our courses is the interactivity: two tutors and group sizes limited to 16 participants stimulate the exchange of ideas and learning from each other.

The Pre-Exam methodology encompasses a 2-day workshop focusing on Claim Analysis, followed by a 1-day workshop for the Legal Questions of the Pre-Exam. The training for each of the main exam papers starts with a 3-day workshop (A and B are combined). For each of the courses, we have developed new methodologies to solve the current papers using a pragmatic and efficient approach. After providing some background and theory, the most important aspects of the methodologies are illustrated by solving cases. Materials are provided electronically before the course to reduce the books needed and to facilitate electronic note-taking.

Following each of the training courses, access is provided to Maastricht University's electronic learning environment for online support from fellow students and the tutors all the way up to the EQE. The presentations, cases and model solutions are also available for subsequent study. Assignments are set to improve the skills of the participants and to boost their confidence. Discussion of experiences and possible answers are encouraged.

## Training for the Pre-Exam

### Pre-Exam – Claim Analysis

The teaching encompasses how to apply the theoretical concepts such as scope of protection, novelty, inventive step, clarity and allowability of amendments in a practical way to the type of questions asked in the Pre-Exam.

*Workshop duration: 2 days: Monday 2 and Tuesday 3 November 2020. Online learning trajectory: from November 2020 to March 2021: 7 assignments will be set out.*

### Pre-Exam – Legal Questions

The legal questions of the Pre-exam require you to quickly and correctly apply your legal knowledge to a legal situation presented in each of the 10 questions. The one-day course will teach you a practical methodology for answering multiple-choice legal questions.

*Workshop duration: 1 day: Wednesday 4 November 2020. Online learning trajectory: from November 2020 to March 2021: 6 assignments will be set out.*

For detailed information of and registration for the Pre-Exam courses, see:

[www.maastrichtuniversity.nl/education/course/eqe-pre-exam-training](http://www.maastrichtuniversity.nl/education/course/eqe-pre-exam-training)



Cees Mulder



Nyske Blokhuis

## Training for EQE Papers A and B

In Paper A, a set of claims and the introductory portion of a European patent application have to be drafted. In Paper B, a response to a communication from the examining division has to be drafted, while taking account of the cited prior art and the instructions from the client. The training covers the skills needed to tackle both electricity-mechanic and chemical aspects of the current combined-technology papers. The methodologies borrow from real-life skills and approaches to drafting applications and answering office actions to provide an intuitive approach. We apply them step-by-step as a group to A and B papers and cases covering combined-technologies, focussing on the parts of the answer where most of the marks can be gained.

*Workshop duration: 3-days: Monday 16 - Wednesday 18 November 2020. Online learning trajectory: from November 2020 to March 2021: 8 assignments (1 A and 1 B case, 2 full A/B papers with combined-technologies, 1 full A and 1 full B chemistry paper, 1 full A and 1 full B electricity-mechanics paper); one of the assignments will be marked by one of the tutors.*

## Training for EQE Paper C

In Paper C, a notice of opposition has to be drafted following the grant of a European patent. In the course, a newly developed, simple and efficient methodology for tackling Paper C will be taught, which has been successfully applied by many of our previous candidates. The methodology will be put into practice with various example cases.

*Workshop duration: 3-days: Monday 19 - Wednesday 21 October 2020. Online learning trajectory: from October 2020 to March 2021: 8 assignments (6 C cases and 2 full C Papers); one of the cases will be marked by one of the tutors.*

## Training for EQE Paper D

In Part I of Paper D, a set of legal questions have to be answered. In Part II, a legal opinion must be drafted following an inquiry from a client. An intuitive methodology will be taught for answering Part I questions and for analysing and preparing a response to the inquiry in Part II. The methodology will be put into practice with example questions and cases.

*Workshop duration: 3 days: Monday 5 - Wednesday 7 October 2020. Online learning trajectory: from October 2020 to March 2021: 8 assignments (6 with a set of Part I questions, 1 Part II case and one full Part II paper); one of the assignments will be marked by the tutor.*

## Final face-to-face session

For the participants in the courses for EQE Papers A/B and for Papers C and D, there will be an opportunity to attend a final face-to-face question-and-answer session with the tutors in January 2020. The goal is to test exam readiness and to fine-tune the individual exam approach. In preparation, an answer to an EQE exam paper can be handed in, which will be corrected and commented upon by the tutors.

For detailed information of and registration for the Main Exam training courses, see:

[www.maastrichtuniversity.nl/education/course/eqe-exam-training](http://www.maastrichtuniversity.nl/education/course/eqe-exam-training)

*All course material and teaching will be in English. The courses are given by a team of renowned teachers.*





# Committee Reports

## Report of the Online Communications Committee (OCC)

D. Brophy (IE), Vice Chair

Several members of the OCC are appointed to the SACEPO working group on the Electronic Patent Process (SACEPO-EPP), where the EPO updates and consults users on its future plans for electronic systems.

This report highlights the more notable points for **epi** members from a recent meeting of SACEPO-EPP in February 2020, and other activities.

### Online Filing Systems

Most filings are currently done using the online filing software, eOLF. The intended replacement for this system was launched in pilot mode several years ago as “CMS” and it has achieved limited adoption, but has never been deemed to be ready as a complete replacement for eOLF. A third system, web form filing, is provided for occasional/emergency use but is not widely used otherwise.

CMS is not being further developed. The EPO has instead been working on of a different replacement system, which will be called “Online Filing 2.0”. This will replace CMS and, ultimately, will replace eOLF. Online Filing 2.0 will permit for the filing of xml application documents (i.e. Word .docx files), enabling a switch from the current PDF-based way of working. The development of Online Filing 2.0 may or may not form part of a larger project for end-to-end communications between the Office and users.

The OCC has not yet seen this new system. There are immediate plans for pre-pilot testing by internal EPO staff and a very small group of external users, following which a broader pilot test will take place involving those interested in testing the system.

In parallel, a longer-term project has been established “IT Cooperation Working Groups”. The most important of

these is called the “Front Office” working group, which will review all the options for future online filing and communication to and from the office. These working groups include experts from all the national offices as well as the EPO, and we are pleased to have an **epi** member, Dr Ben Grau representing users. (Our OCC colleague Florian Stöckle is similarly participating in the working group “Search”.)

For the foreseeable future, eOLF will continue to be maintained as a primary filing mechanism. There is no immediate need for any users to transition away from eOLF, and the OCC will continue to keep members updated as the new system is tested and nearing general release.

Web form filing is to be maintained for the time being. The EPO indicated that they are examining alternative “emergency filing” mechanisms but were unable to share any details.

Finally, alternatives to the smart card authentication method are being examined (a long-standing wish of users), but again the EPO is not yet ready to share details of what alternatives might be offered, and when. OCC believes that the users should have a number of choices (smart card, two-factor authentication using mobile apps, soft certificates) to facilitate individual needs.

## Outages of EPO systems

A new procedure has been drafted to better manage planned outages of online systems and to improve communications with users when such outages (planned or unplanned) occur.

Planned outages are generally timed for when there is thought to be least disruption to users. Early evening (e.g. 7pm) on a Wednesday is the EPO’s preferred time, allowing the systems to be back in action before late evening for urgent deadlines.

OCC pointed out that while this time slot might be generally suitable, on particular Wednesdays there might be a greater need than normal to view the register, e.g. on the last day of the month or if it coincides with validation deadlines based on the date of publication of mention of grant.

A dedicated page now exists on the EPO website (<https://www.epo.org/applying/online-services/online-filing-outages.html>) where outages are recorded and archived. This page allows users to verify

whether there is a disruption at the EPO’s side in cases of difficulty. In future such notices will also clearly identify the start and end times of such outages.

## Colour drawings

The EPO wished to understand whether the filing of colour drawings was a matter of importance to users. The clearly stated view of the users at SACEPO-EPP was that this would be desirable (ranging from “nice to have” to “very important”) notwithstanding the current lack of international harmonisation in this area.

At the moment the EPO accepts colour drawings and invites the users to supply greyscale replacements. The filing date is retained, and if it is not possible to replace the drawings then there can be a loss of information when published in black-and-white.

There are technical and legal barriers to accepting colour drawings. On the technical side the technology underlying the Register only handles monochrome documents, and there is no ability to publish patent applications and granted patents in colour. On the legal side, there are issues about enabling disclosure, and the impact on priority when interacting with the systems of other jurisdictions.

In view of the clearly expressed desire of users to accommodate colour drawings in future, the EPO will investigate further how this can be accommodated.

Users also mentioned in the same context the fact that prior art documents issued by the EPO in greyscale can be inadequate to properly understand the original (colour) content.



# Report of the Litigation Committee

T. Walshe (IE), Secretary

The most recent meeting of the Litigation Committee was on 17<sup>th</sup> October 2019. The major topics under discussion at that meeting are reported below and where appropriate include updates.

## 1. The UP and the UPC

### 1.1 Constitutional complaint at the Federal Constitutional Court of Germany and Brexit.

There was much discussion about the two main issues that remain in existence which have prevented the UPC Agreement from coming into force to date, namely the pendency of the constitutional complaint (No. 2 BvR 739/17) with the Federal Constitutional Court of Germany (Bundesverfassungsgericht, BVerfG) and Brexit. The status of each had not changed at the time of the meeting. The Federal Constitutional Court of Germany had not handed down their decision and Brexit had not come into being.

A number of specific topics were discussed during the meeting in relation to the above issues. One such topic was the questions submitted to the German Government from some Members of the German Parliament in the summer of 2019 regarding the expenses and timing of the UPC. The response provided by the German Government was regarded as surprising as it inferred the following: if the Constitutional Court were to dismiss the case the Government was not prepared to immediately ratify the UPC agreement until such a time as the issues regarding Brexit and the consequences of the same in relation to the UPC would be clarified. However, it was understood that the Preparatory Committee is confident that, once the German Constitutional Court provides a green light, the German Government would swiftly ratify the Protocol on the Provisional Application of certain institutional and financial provisions of the UPC Agreement, so that the preparatory phase of the UPC could start in parallel to finding a solution for the role of the UK in the UPC after a possible BREXIT.

Also discussed during the meeting was the legal opinion on the EU Patent and Brexit published at the beginning of November 2019 by the EU Parliament. The opinion was prepared by the policy department for Citizen's rights and Constitutional Affairs upon request by the JURI Committee ([http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL\\_IDA\(2019\)596800](http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL_IDA(2019)596800)); the conclusion is that the UK even after BREXIT could, from a purely legal perspective, participate in the UPC,

which would be politically unlikely from today's perspective, because the UK would have to accept the supremacy of EU law, the CJEU as binding source of final interpretation of EU law and a joint liability together with the other participating member states for violations of EU law by the UPC.<sup>1</sup>

### 1.2 Revision of the epi Code of Conduct (CoC).

The amended **epi** CoC package prepared by the Professional Conduct Committee (PCC) and approved by the **epi** Council is currently waiting for an approval by the EPOrg Admin Council. Further discussions are however necessary in preparation of the UPC Agreement coming into force. The Litigation Committee has been following this issue with the draft of the amended CoC. The majority of amendments were introduced to make the CoC applicable for activities of **epi** members before a future UPC. It is crucial that there is a functioning CoC including a disciplinary framework for all representatives before the UPC, including European Patent Attorneys under Art. 48(2) UPCA, when the UPC may start working. The status of the UPC Agreement Ratification Process.

The Litigation Committee's overview on ratification of the UPCA (Art 89(1) UPCA), together with information on the Member States' consent to be bound by the Protocol on Provisional Application (PPA) and the potential establishment of local or regional divisions (Art 7 UPCA) and the corresponding languages of proceedings (Art 49 UPCA) was discussed. The completed document is publicly available on the **epi** website (latest update: 2 September 2019). The Litigation Committee has undertaken to update this document on a regular basis.

## 2. Report of Proportionality and Injunctive Relief in Germany

Currently, the main patent litigation topic under discussion in Germany centres around 'proportionality and injunctive relief'. The German LitCom member Mr Tilman Pfrang presented on this topic at the Litigation Committee meeting. A short summary of his presentation follows:

'Under German law, injunctions are granted "in the event of the risk of recurrent infringement". Thus, it is called

<sup>1</sup> Note: On the 31<sup>st</sup> January 2020, the UK left the EU and entered into an 11-month transition period. We have recently learnt (as of the 27<sup>th</sup> February 2020), that the UK Government is not going to seek to participate in the Unitary Patent or the Unified Patent Court System.



“automatic” injunction. Almost everyone agrees that there should be exceptions to this. One fraction thinks that sufficient tools for balancing the interests are already available. Others (e.g. Deutsche Telekom AG and certain car manufacturers) think that additional tools should be created by a change in the law. They also argue that the Enforcement Directive requires this. Art 3(2) Enforcement Directive requires measures, procedures and remedies to be “proportionate”. Mr Pfrang was not so sure about this, referring to Arts 11 and 12 Enforcement Directive. In his opinion, it could be argued that Germany did not opt for the alternative measures of Art 12. Mr Pfrang further discussed the proposal to introduce a proportionality requirement into the German Patent Act, including a list of factors that could be taken into account by the court.’

Subsequently, it has been reported that there are three alternate proposals under discussion, the first is to leave everything as is, the second is to introduce a proportionality requirement into the Patent Act (as mentioned above) and the third is to change the current practice to make first instance decisions on patent infringement always quasi-automatically provisionally applicable (e.g. by an amendment to the German Civil Procedural Code) to address the timing of the enforcement of a judgement until such a time as the validity of a patent is decided. The discussions coordinated by the German Ministry of Justice are ongoing.

Subsequent to the above discussion, Mr. Pfrang reported that the German Ministry of Justice and Consumer Protection, released a draft bill to amend the German Patent Act on 14<sup>th</sup> January 2020.

An important amendment in the draft bill relates to §139. Therein, the ministry of justice suggests adding wording which is very similar to the “Wärmetauscher” decision of the BGH. The reasoning of the draft bill indicates that this amendment is to be understood as a mere clarification to encourage the infringement courts to make use of the already existing options and considerations regarding “proportionality”. The reasoning of the draft bill also suggests that ‘A permanent refusal of the right to injunctive relief because of a disproportionate burden on the debtor, on the other hand, will only be possible in very few cases.’ It presupposes that unreasonable hardship for the debtor cannot be sufficiently taken into account by means of a conversion and use up period. Secondly, the draft bill proposes that the federal patent court “soll” (“shall/should”) present a preliminary opinion on validity after 6 months if an infringement suit is pending. This should ease the decision of the infringement courts whether or not to stay the infringement proceedings.

The Litigation Committee continue to follow this matter and provide commentary on any proposals that may impact **epi** members. The LitCom is also preparing an overview of the situation in some other EPC jurisdictions.

### 3. CJEU decision interpreting damages under the Directive on the Enforcement of Intellectual Property Rights (2004/48/EC): Bayer vs. Richter (C-688/17) of 11. September 2019

The Litigation Committee also followed this referral to the CJEU with interest as it relates to the interpretation of compensation for defendants under Art 9(7) of the Enforcement Directive. A summary of the decision of the CJEU was prepared and published on the **epi** website as a news item by the Executive group of the Litigation Committee with assistance of the legal advisors.

Mr. Ferenc Török (HU) presented on this topic at the Litigation Committee October meeting. Mr. Török noted that the decision is of particular relevance to countries with a bifurcation system. He further remarked that since the decision did not contain many clues as to the uniform interpretation of the concept of “appropriate compensation”, more referrals on this issue may be expected. Mr Thomsen further noted that this decision triggered further questions (e.g. regarding the interpretation of “misuse” and “ordinary behaviour”). It was concluded that this decision creates more questions and will trigger more referrals. The relating/similar decisions should be followed by the LitCom. A first consequence was already noticed when the new CJEU decision needs to be taken into account by the Court of Appeal in Lithuania (see next item).

### 4. Decision of Supreme Court in Lithuania and pending case before Lithuanian Court of Appeal AstraZeneca v Krka Tovarna Zdravil, d.d. on the question of damages for an alleged infringer when the underlying patent was finally found invalid or not infringed

The Litigation Committee have also been following this case currently pending before the Lithuanian Court of Appeal after a remittal by the Supreme Court. As in the Bayer vs. Richter case (item 3 above), this case also concerns a request for compensation of damages caused by a preliminary injunction which was later finally found not justified, e.g. because the patent was held invalid. The Court of Appeal will now need to take the CJEU decision in the Bayer v. Richter case into account. Ms Vilija Viesunaite, LitCom member from Lithuania, reported on this case for the Litigation Committee.

The Litigation Committee will continue to follow this matter until it reaches a natural conclusion.

# Report of the Editorial Committee

M. Névant (FR), Chair

This report covers the period from the last Council meeting in Lisbon to the end of February 2020. Developments occurring within this period include the following.

1/ As mentioned in **epi** Information 4/2019, the Workshare Platform has been implemented on the **epi** website. The purpose of the platform is to facilitate the interactive cooperation between European Patent Attorneys who are interested in exchanging work. Members are invited to visit our website to learn more about this exchange work program.

2/ New features have been implemented within the forum section of the website:

- A search by keyword or author within the forum;
- A classification of threads by individual "Tags";
- The possibility to create a post as a draft first and to publish it at a later stage;
- The possibility to include/add a "Voting Poll" to every forum thread;
- The possibility to move forum posts from one thread to the other.

3/ The Editorial Committee met on 18th February 2020 in Munich. During the meeting, the decision was made to promote the initial plan to encourage regular authors to contribute to **epi** Information. The Guidelines for authors<sup>1</sup> will be updated on an *ad hoc* basis.

Furthermore, the Editorial Committee intends to foster communication with other Committees so that our members can be informed in a timely fashion of relevant information for our profession.

The following action points were also decided during the meeting:

- All existing editions of **epi** Information will be uploaded on the **epi** website (for the time being archived issues go back to 1999 only);
- A guide for the use of the forum with instructions for all available features will be uploaded on the **epi** website.

<sup>1</sup> [https://patentepi.org/assets/uploads/documents/epi-information/160119\\_Guidelines\\_for\\_Authors.pdf](https://patentepi.org/assets/uploads/documents/epi-information/160119_Guidelines_for_Authors.pdf)

## First meeting of the Working Group set up at C87 to explore a new epi IP Commercialisation Committee (IPCC)

At its C87<sup>th</sup> meeting held in Lisbon on 23rd November 2019, the **epi** Council unanimously approved to create a Working Group to take care of the preparation required to set up a new Committee (the IP Commercialisation Committee [IPCC]) at the next C88 Meeting in Glasgow.

The Working Group (composed by Mr Tony Tangena, Mr Chris Mercer, Ms Heike Vogelsang-Wenke and Mr Florian Stöckle) held its first meeting in Munich on 16<sup>th</sup> January 2020. Mr Tony Tangena was elected as Chair of the Working Group.

The Working Group discussed the envisaged scope of activity of the new Committee and had an exchange of views on how to advise **epi** members about inter alia IP valuation

and monetarization, portfolio optimization, assignment of IP rights and licensing matters.

The Working Group further considered means of cooperation with other organizations such as LESI, FICPI, AIPLA as well as universities and research centres. Lastly, it agreed to request to Council that IPCC is set up as one of the **epi** specialised committees for which interested candidates shall send their CVs and details before being elected. The election of the new members will take place at C89 in Ljubljana on 13<sup>th</sup> November 2020.

Should you be interested in knowing more about the topics discussed by the Working Group during its meeting, please send an email to [legaladvisor@patentepi.org](mailto:legaladvisor@patentepi.org)



# General Information

## epi Board

### Präsident / President / Président

BE – LEYDER Francis

### Vize-Präsidentinnen / Vice-Presidents / Vice-Présidentes

DE – VOGELSANG-WENKE Heike

SI – KUNIČ TEŠOVIĆ Barbara

### Generalsekretär / Secretary General / Secrétaire Général

PT – PEREIRA DA CRUZ João

### Stellvertretender Generalsekretär

Deputy Secretary General / Secrétaire Général Adjoint

NL – TANGENA Antonius

### Schatzmeister / Treasurer / Trésorier

CH – THOMSEN Peter

### Stellvertretender Schatzmeister / Deputy Treasurer Trésorier Adjoint

IT – RAMBELLI Paolo

## Next Board and Council Meetings

### Board Meetings

107<sup>th</sup> Board Meeting on 6 April 2020 via Videoconferencing System

### Council Meetings

88<sup>th</sup> Council meeting on 11 and 12 May 2020 in Glasgow (GB)

89<sup>th</sup> Council meeting on 14 November 2020 in Ljubljana (SI)

# Disciplinary Bodies, Committees and Audit

Disziplinarorgane, Ausschüsse und Rechnungsprüfung · Organes de discipline, Commissions et Vérification des comptes

Disziplinarrat (epi)	Disciplinary Committee (epi)	Commission de Discipline (epi)
AL – NIKA Melina	FR – NEVANT Marc	MK – DAMJANSKI Vanco
AT – POTH Wolfgang <sup>oo</sup>	GB – GRAY John	MT – SANSONE Luigi A.
BE – DEBLED Thierry	GR – TSIMIKALIS Athanasios	NL – VAN LOOIJENGOED Ferry A.T.
BG – PAKIDANSKA Ivanka Slavcheva	HR – MARSIC Natasa	NO – THRANE Dag
CH – REUTELER Raymond	HU – KOVÁRI Zoltán	PL – ROGOZIŃSKA Alicja
CY – ROUSOUNIDOU Vasiliki	IE – SMYTH Shane	PT – DIAS MACHADO António J.
CZ – FISCHER Michael	IS – HARDARSON Gunnar Örn	RO – FIERASCU Cosmina
DE – FRÖHLING Werner <sup>o</sup>	IT – MAZZINI Giuseppe	RS – BOGDANOVIC Dejan
DK – FREDERIKSEN Jakob	LI – ROSENICH Paul*	SE – KARLSTRÖM Lennart
EE – KAHU Sirje	LT – GERASIMOVIC Jelena	SI – JAPELJ Bostjan
ES – STIEBE Lars Magnus	LU – KIHN Pierre	SK – ČECHVALOVA Dagmar
FI – WESTERHOLM Christian	LV – SERGEJEVA Valentina	SM – MARTINI Riccardo
	MC – HAUTIER Nicolas	TR – YURTSEVEN Tuna**

Disziplinarausschuss (EPA/epi)	Disciplinary Board (EPO/epi)	Conseil de Discipline (OEB/epi)
<b>epi Mitglieder</b>	<b>epi Members</b>	<b>Membres de l'epi</b>
BE – CAMPABADAL Gemma	DE – MÜLLER Wolfram	IS – VILHJALMSSON Arni
	FR – QUANTIN Bruno	

Beschwerdekammer in Disziplinarangelegenheiten (EPA/epi)	Disciplinary Board of Appeal (EPO/epi)	Chambre de Recours en Matière Disciplinaire (OEB/epi)
<b>epi Mitglieder</b>	<b>epi Members</b>	<b>Membres de l'epi</b>
DE – REBBEREH Cornelia	GB – JOHNSON Terence L.	NL – HOOVELD Arjen
FR – GENDRAUD Pierre H.	HR – KORPER ŽEMVA Dina	TR – ARKAN Selda
	IT – COLOMBO Stefano	

Ausschuss für Berufliche Bildung	Professional Education Committee	Commission de Formation Professionnelle
<b>Ordentliche Mitglieder</b>	<b>Full Members</b>	<b>Membres titulaires</b>
AL – DODBIBA Eno	FR – COLLIN Jérôme	MK – PEPEJUGOSKI Valentin
AT – ATZMÜLLER Peter	GB – GWILT Julia Louise	MT – PECHAROVÁ Petra
BE – VAN DEN HAZEL Hendrik Bart	GR – LIOUMBIS Alexandros	NL – VAN WEZENBEEK Lambertus A.C.M.
BG – KOSSEVA Radislava Andreeva	HR – PEJCINOVIC Tomislav	NO – BERG Per Geir
CH – KAPIC Tarik	HU – TEPFENHÁRT Dóra Andrea	PL – PAWLOWSKI Adam
CY – THEODOULOU Christos A.	IE – LITTON Rory Francis	PT – CARVALHO FRANCO Isabel
CZ – HARTVICOVA Katerina	IS – GUDMUNDSDÓTTIR Anna Valborg	RO – TEODORESCU Mihaela
DE – POTT Thomas	IT – RAMBELLI Paolo*	RS – PLAVSA Uros
DK – STAHR Pia	LI – ALLWARDT Anke**	SE – HERBJØRSEN Rut
EE – SARAP Margus	LT – GERASIMOVIC Liudmila	SI – FLAK Antonija
ES – VILALTA JUVANTENY Luis	LU – LECOMTE Didier	SM – AGAZZANI Giampaolo
FI – KONKONEN Tomi-Matti Juhani	LV – KROMANIS Artis	TR – ATALAY Baris
	MC – THACH Tum	
<b>Stellvertreter</b>	<b>Substitutes</b>	<b>Suppléants</b>
AT – GEHRING Andreas	GB – WHITLOCK Holly Elizabeth Ann	NL – MULDER Cornelis A.M.
BE – MACKETT Margaret	HR – STRNISCAK Tomislav	PL – DARGIEWICZ Joanna
BG – BENATOV Samuil Gabriel	HU – RAVADITS Imre	PT – DE SAMPAIO José Eduardo
CH – RUDER Susanna Louise	IE – SKRBA Sinéad	RO – BONCEA Oana-Laura
DE – STORK Martina	IS – INGVARSSON Sigurdur	SE – WESTMAN Maria Elisabeth Mimmi
ES – IGARTUA Ismael	IT – GUERCI Alessandro	SM – PRIMICERI Maria Vittoria
FI – LEHESRANTA Satu Johanna	LI – HOFMANN Markus Günter	TR – AGCA KIZIL Tugce
FR – FERNANDEZ Francis Lionel	LU – ROUSSEAU Cyrille	

\*Chair/ \*\*Secretary <sup>o</sup>Vice-Chair / <sup>oo</sup>Vice-Secretary



Ausschuss für Europäische Patent Praxis		European Patent Practice Committee		Commission pour la Pratique du Brevet Européen	
AL – NIKA Vladimir		FI – HONKASALO Terhi Marjut		MC – HAUTIER Nicolas	
AT – VÖGELE Andreas				MK – ILIEVSKI Bogoljub	
BE – GILIO Michel		FR – LE VAGUERÈSE Sylvain Jacques		NL – KETELAARS Maarten F.J.M.	
BG – TSVETKOV Atanas Lyubomirov		GB – MERCER Christopher Paul*		NO – REKDAL Kristine	
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CY – THEODOULOU Christos A.		HR – HADZIJA Tomislav		PT – FERREIRA MAGNO Fernando Antonio	
CZ – BUCEK Roman		HU – LENGYEL Zsolt		RO – NICOLAESCU Daniella Olga	
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DK – HEGNER Anette		IS – FRIDRIKSSON Einar Karl**		SE – BURKERT Till	
EE – TOOME Jürgen		IT – MODIANO Micaela Nadia		SI – BORSTAR Dusan	
ES – SÁEZ GRANERO Francisco Javier		LI – GYAJA Christoph Benjamin		SM – TIBURZI Andrea	
		LU – OCVRK Philippe**		TR – MUTLU Aydin	
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Technical Field: Information and Communication Technologies					
CH – KAPIC Tarik		GB – ASQUITH Julian Peter		MC – SCHMALZ Günther	
DE – BITTNER Peter		GR – SAMUELIDES Emmanuel		PL – BURY Marek	
DE – FLEUCHAUS Michael A.*		IE – BOYCE Conor		SE – BURKERT Till	
FI – HONKASALO Terhi Marjut Anneli		IT – PES Matteo		SM – PERRONACE Andrea	
Technical Field: Pharmaceuticals					
CH – WILMING Martin		ES – BERNARDO NORIEGA Francisco**		HU – SZENTPÉTERI Zsolt	
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DE – WANNER Bettina		GB – WRIGHT Simon Mark		NL – JORRITSMA Ruurd*	
				PL – KAMINSKI Piotr	
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CH – COGNAT Eric Jean Marie		GB – BOFF James Charles*		PL – GIZINSKA-SCHOHE Malgorzata	
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DE – WEINGARTEN Ulrich		LU – MELLET Valérie Martine**			
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BE – GILIO Michel		DK – CARLSSON Eva*		IT – PAPA Elisabetta	
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CZ – BUCEK Roman		FI – HEINO Pekka Antero		RO – VASILESCU Raluca	
DE – STORK Martina					
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Ordentliche Mitglieder		Full Members		Membres titulaires	
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FR – MOUTARD Pascal Jean*		IT – GERLI Paolo		Suppléants	
Stellvertreter		Substitutes		FR – GENDRAUD Pierre	
DE – WINTER Andreas		GB – JOHNSON Terence Leslie		MK – VESKOVSKA Blagica	
Ausschuss für epi-Finzen		epi-Finances Committee		Commission des Finances de l'epi	
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CH – BRAUN André jr.		GB – POWELL Timothy John		RO – TULUCA F. Doina	
DE – MAIKOWSKI Michael*		IT – TAGLIAFICO Giulia			
EE – SARAP Margus		LU – BEISSEL Jean			
Ausschuss für EPA-Finzen		Committee on EPO Finances		Commission des Finances de l'OEB	
CH – LIEBETANZ Michael**		IE – CASEY Lindsay Joseph		IT – FATTORI Michele	
DE – WINTER Andreas		Substitutes		MK – FILIPOV Gjorgij	
GB – BOFF James Charles*		DE – SCHOBER Christoph		NL – BARTELDs Erik	

\*Chair/ \*\*Secretary °Vice-Chair / °°Vice-Secretary

Ausschuss für Standesregeln	Professional Conduct Committee	Commission de Conduite Professionnelle
<b>Ordentliche Mitglieder</b>	<b>Full Members</b>	<b>Membres titulaires</b>
AL – SHOMO Vjollca	HR – DLACIC Albina	MK – KJOSESKA Marija
AT – PEHAM Alois	HU – LANTOS Mihaly	NL – BOTTEMA Johan Jan
BE – VAN DEN BOECK Wim <sup>o</sup>	IE – LUCEY Michael	NO – THORVALDSEN Knut
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