

HOW HARMONIZED IS PATENT LAW IN EUROPE ?

**National case law vs. European Patent Office:
similarities and differences**

11-12 OCTOBER 2023

**STRASBOURG (CEIPI, CARDO, AMPHI F)
ONLINE BROADCASTING**

SCIENTIFIC SUPERVISION

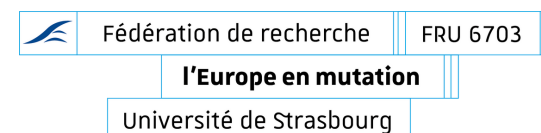
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The European patent system exhibits a dual asymmetry. On one hand, it operates independently of the European Union, unlike entities like the Community trademark. It maintains its own legal framework, separate from that of the European Union, which gives rise to inquiries concerning its alignment with Union law, particularly the 1998 directive pertaining to biotechnology.

On the other hand, patents are bestowed by the European Patent Office following an examination procedure that assesses patentability criteria. However, the Office's interpretation of legislative texts may not necessarily align with that of national courts, which could be brought into play during an infringement action, potentially leading to the annulment of a previously granted patent by a judicial judge.

This dual observation engenders legal uncertainty for companies, both in terms of the prospects of their patent applications and the valuation of the awarded patents that underscore their innovations.

The focal point of this conference is to address these pivotal and fundamental inquiries by employing a comparative approach that contrasts the diverse practices of the Office, applicants, and the jurisprudence of judicial courts across major European countries in the realm of patents.

WEDNESDAY 11 OCTOBER 2023

CHAIRMAN: PETER R. THOMSEN, PRESIDENT OF THE INSTITUTE OF PROFESSIONAL REPRESENTATIVES BEFORE THE EUROPEAN PATENT OFFICE (EPI)

13.30 Welcome address - General questions and issues

Benoît Battistelli, Chairman of the board of CEIPI

Mihály Ficsor, Principal Director Legal Affairs at the European Patent Office (EPO)

Philippe Borne, INPI Regional representative in Strasbourg

14.00 The structure of the European patent system, from the patent office to the judicial judge

Birgit Herregodts, Former Judge IP-law Commercial Court Brussels, member of the board of appeal at the European Patent Office (EPO)

14.30 - Session 1: Patentable inventions (art. 52 EPC)

The patentable invention at the EPO and in Germany

Martin Müller, Chairman of a Board of Appeal, European Patent Office (EPO), Germany

The patentable invention at the EPO and in the United Kingdom

Richard Kennedy, European and Chartered Patent Attorney

The patentable invention at the EPO and in the Netherlands

Peter Blok, Center for Intellectual Property Law, Chair of Patent law and Privacy Utrecht University

The patentable invention at the EPO and in France

Franck Macrez, Associate Professor and Director of the research department of CEIPI, University of Strasbourg

The patentable invention in Europe: Synthesis elements

Grégoire Desrousseaux, European Patent Attorney, Attorney-at-Law, France

Questions

THURSDAY 12 OCTOBER 2023

09.00 - Session 2: Exceptions to patentability (art. 53 EPC)

CHAIRMAN: ENRICO PRIORI, SECRETARY OF CNCPI

Exceptions to patentability at the EPO and in Germany
Dr. Alexander Meier, inhouse lawyer

Exceptions to patentability at the EPO and in the United Kingdom
Zack Mummery, Chartered UK patent attorney, European patent attorney

Exceptions to patentability at the EPO and in the Netherlands
Huub Maas, European Patent Attorney

Exceptions to patentability at the EPO and in France
Richard Monni, French and European Patent Attorney

Exceptions to patentability in Europe: Synthesis elements
Rainer Moufang, Former Chairman of a technical board of appeal of the EPO and a former member of the Enlarged Board of Appeal

Questions

14.00 - Session 3: Conditions of patentability (art. 54-57 EPC)

CHAIRMAN : HENRI BOURGEOIS, PRESIDENT OF EPLIT

Conditions of patentability at the EPO and in Germany
Andreas Dilg, German and European Patent Attorney

Conditions of patentability at the EPO and in the United Kingdom
Chris Mercer, European Patent Attorney

Conditions of patentability at the EPO and in the Netherlands
Erik Nijs, European and Dutch patent attorney

Conditions of patentability at the EPO and in France
Nathalie Sabotier, Judge, Tribunal de grande instance de Paris, France

Conditions of patentability: Synthesis elements
Thierry Debled, Adjunct Professor at CEIPI, University of Strasbourg, Director of CEIPI international section

Final remarks : The Role of the Unified Patent Court for legal stability in the field of patents
Bruno Vandermeulen, Senior IP Advisor and Director, Member of the Brussels Bar

Questions

Closing

Thierry Debled and Franck Macrez, CEIPI

PRACTICAL INFORMATION

LOCATION

In Strasbourg

(CEIPI, Bâtiment le CARDO, Amphi F, 7 rue de l'Écarlate 67000, Strasbourg)

Or online (via Zoom)

TIMETABLE

Wednesday 11 October 2023 : From 13:30 to 18:00

Thursday 12 October 2023 : From 09:00 to 18:30

Central European Time (CET)

LANGUAGE OF THE CONFERENCE

English

REGISTRATION

Registration is free but mandatory :

<https://sondagesv3.unistra.fr/index.php/193541?lang=en>

