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Press release

Brussels, 18 September 2008:

European Patent Office (EPO) employees demonstrate

The distribution of power in the EPO must be shifted

Whilst the management of the European Patent Office is meeting with EPO President Alison Brimelow in Brussels, staff of the EPO from Berlin, Munich, The Hague and Vienna are travelling to Brussels to demonstrate against the policies she has pursued to date during her term of office. They demand the reform of one of the key management bodies, the Administrative Council. The Staff Union of the European Patent Office (SUEPO) believes that the Council needs to be restructured. “The Administrative Council does not act in the interests of a quality European patent which reinforces business, science and innovation,” states SUEPO.

EPO Administrative Council policies damage the quality of European patents

Above all, the union levels strong criticism at the composition of the Administrative Council, which almost exclusively comprises representatives of the national patent offices. Since many of the national offices are financially dependent on the fees resulting from the work of the EPO, decisions taken by the EPO Administrative Council are influenced by the interests of the national patent offices and the desire for as many patents to be granted as possible, believes the SUEPO. Constant decisions in favour of quantity damage the quality of the patents, however.

€4.6 billion at stake

For the national patent offices, there is a lot of money at stake. In 2007, the annual fees for examined and granted patents totalled €600 million. 50% thereof, i.e. €300 million, remains with the national patent offices. The total amount accruing from the annual fees for granted patents alone over the next few years was already known at the start of 2008: €4.6 billion – half of which, €2.3 billion, would go to the national patent offices. For this reason, insists SUEPO, the probability is great that the members of the Administrative Council will manage the EPO predominantly with an eye to the interests of their own offices.

SUEPO asks Sarkozy for help

In a letter to the current President of the European Council, Nicolas Sarkozy, the SUEPO urgently requests the EU bodies to rethink the distribution of power in the EPO. “The present EPO Administrative Council does not act in the interests of a high

quality European patent which reinforces innovation, science and industry,” states the SUEPO. Given a growing pool of global knowledge and jurisprudence, it is essential to invest in future in the scientific and legal know-how of the patent examiners in particular, and enough time must be allowed for them to examine the ever more complicated applications. According to the union, however, these goals can only be achieved with a reformed Administrative Council that is committed to quality. The union goes on to emphasize that it endorses the efforts undertaken by the EU to create a European Community patent and supports the resulting political control exercised by EU institutions. It would also be conceivable for representatives of industry to be involved in decisions taken by the EPO Administrative Council.

Workforce: Alison Brimelow’s alibi

Moreover, the confidence of the workforce in the EPO President, Alison Brimelow, and her Vice-Presidents is very low. According to internal staff survey conducted in June 2008, only 6% of the workforce have confidence in the management qualities of this body. And only 9% of the patent examiners believe that Brimelow and the Vice-Presidents actively promote patent quality.

Dressed in T-shirts bearing the slogan “**ALison BrImelow consultations, Inc.**”, EPO staff in Brussels are drawing attention to the fact that they have not been included in any of the decisions made under her leadership and that all the consultations on Brimelow’s part are events put on for the sake of show. According to SUEPO, Brimelow’s commitment to staff participation in the reorganisation of the EPO was pure “lip service”.

INFO: Demonstration: 18 September 2008, Start: 2 pm at Frère Orban

Route: Rue de la Science, Rue Jaques de Lalaing, Chaussée d’Etterbek, Place Jean rey, Rue Juste Lipse, Rue Froissart, Rond Point Schumann, Rue de la Loi.
Finish: around 3:30 pm.

For more background information on the topics, visit the SUEPO homepage at <http://www.suepo.org>