Unitary Patent & Unified Patent Court

Expectations, wishes and fears: be part of the focus group

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H E A D Q U A R T E R S  O F  I N P I
P A R I S  C O U R B E V O I E
Welcome coffee

Welcome and Introduction

Conference Introductory Speech
Yves Lapierre
Director General, INSTITUT NATIONAL DE LA PROPRIÉTÉ INDUSTRIELLE
FRANCE

Clearing the Path to the Unitary Patent & the Unified Patent Court
The tasks that lie ahead
Dr. Matthias Lamping
Senior Research Fellow, IP and Competition Law, MAX PLANCK INSTITUTE
GERMANY

Amending the Brussels Regulation - Views from the Legal Committee of the European Parliament
Sajjad Karim
Member, EUROPEAN PARLIAMENT (UK (TBC)

Appointment and training of Judges: legal and technical
Oliver Varhelyi
Deputy Permanent Representative, PERMANENT REPRESENTATION OF HUNGARY TO THE EU
HUNGARY

Views from the Industry
David Rosenberg
Vice President, Corporate IP Policy, GLAXOSMITHKLINE PLC.
UK

Chair: Dr. Martin Köhler
Partner, REIMANN OSTERRIETH KÖHLER HAFT
GERMANY

Coffee break

The Unified Patent Court and Rules of Procedure
A debate between European judges, with
Marc van der Burg
Judge, COURT OF APPEAL THE HAGUE
THE NETHERLANDS

Dr. Klaus Grabinski
Judge, FEDERAL SUPREME COURT
GERMANY

Samuel Granata
Judge, COMMERCIAL COURT OF ANTWERP
BELGIUM

Lord Justice Kitchin
Lord Justice of Appeal, COURT OF APPEAL OF ENGLAND & WALES
UK

Dr. Gabriella Muscolo
Judge, IP TRIBUNAL, COURT OF ROME
ITALY

Alice Pézard
Retired Judge, FRENCH SUPREME COURT OF JUDICATURE
External Member, EPO'S ENLARGED BOARD OF APPEAL
FRANCE

Chair: Willem Hoyng
Partner, HOYNG MONEGIER LLP
THE NETHERLANDS
1:00~2:30PM
Lunch / Luncheon Keynote Address
Implementation of the Unitary Patent System: Hopes and Expectations for the Early Years
Kerstin Jorna
Director of Intellectual Property, DG MARKT, EUROPEAN COMMISSION, BELGIUM

2:30~3:30PM
The Anticipated Costs of the Unitary Patent System: Good Value or a Charge on Innovation?
♦ View from the preparatory committee
Alexander Ramsay
Vice-Chair of the Preparatory Committee, and Deputy Director for Intellectual Property or Transport, MINISTRY OF JUSTICE, SWEDEN
♦ Implementing the Unitary Patent and Setting Cost of Renewal Fees
Jérôme Debrulle
Chair of the EPO Selection Committee, Director of the Intellectual Property Office, MINISTRY OF ECONOMY, BELGIUM
♦ View from the economist
Bruno Van Pottelsbergh
Dean of Solvay Brussels School of Economics & Management, UNIVERSITÉ LIBRE DE BRUXELLES, BELGIUM
Chair: Benoit Strowel
Partner, HOYNG MONEGIER LLP, FRANCE

3:30~4:00PM
Coffee break

4:00~5:30PM
Patent Strategies — Filing and Litigation in the Brave New World of the Evolving European Patent System
♦ Views from Pharma
David Rosenberg
Vice President, Corporate IP Policy, GLAXOSMITHKLINE PLC, UK
Natasha Bloch
Manager Legal Strategy & Patent Litigator, TEVA EUROPE, UK
♦ Views from Automotive, Consumer & Industrial Goods
Dr. Jürgen Koch
Senior Vice President, Head of Corporate Intellectual Property, ROBERT BOSCH GMBH, GERMANY
♦ Views from IT, High-Tech, Telecoms
David Laliberté
Director of IP Policy, MICROSOFT, USA
Richard Vary
Global Head of IP Litigation, NOKIA, UK
Chair: Dr. Penny Gilbert
Partner, POWELL GILBERT LLP, UK

5:30~6:30PM
Cocktail

Registration and information at:
www.premiercercle.com/upc
INPI (Institut National de la Propriété Industrielle)
15, rue des Minimes - CS 50001 - 92677 Courbevoie cedex - France
There should be a Unitary Patent, a Unified Patent Court: will they change everything for the better in the way you protect, manage, litigate, and exploit your IP in Europe?

“We will look at enhanced cooperation” revealed Michel Barnier on 2 December 2010 in introduction of the 5th IP Summit (www.ipsummit.info), held by Premier Cercle™ in Brussels. Still, the road to full implementation of the UP and the UPC isn’t exempt of risks and pitfalls.

What about compliance to existing regulations? Ratification of the UPC agreement by at least 13 of the 25 participating states? But it’s not all, there’s also:
1. Tricky choices related to implementation, i.e. notably rules of procedures for the UPC;
2. Total coûts v. ROI - in other terms, will it pay off for users? Will it live up to its promises and become a catalyst for innovation, growth and jobs?
3. Preparedness of key institutional players: PTOs of course, and judges. How will the training be organized? Will national rules have to be modified?
4. Willingness of right holders to use the new system massively, in a proper manner. Is it not where the most intricate difficulty lies?

As the new system doesn’t exist yet, it is not proven by definition, which for now points to a lot of uncertainties. When will the first cases be filed? Who will be among first users? On the other hand, will “opt-out” become the norm?

On Friday 28 June, a full day of great debates will be held in Paris at the headquarters of the Institut National de la Propriété Industrielle (INPI - French patent & trademark office). There’s no better place than the capital that will hold the main seat of the UPC for this international forum.