

# Preparing for the Unitary Patent Package

Old Hall, Lincoln's Inn  
London, 4-5 December 2014



## Key topics

- The European Patent with Unitary Effect: Where do we stand?
- Preparing for litigation before the Unitary Patent Court
- Enforcement of rights and patent settlements

## With experts from:

- Commercial Court, Antwerp
- High Court of Justice, London
- High Regional Court, Düsseldorf
- Bayer Intellectual Property GmbH, Monheim
- Allen&Overy, Brussels
- Bristows LLP, London
- Hoyng Monegier, Amsterdam
- IP Asset LLP, London
- RGC Jenkins & Co., London
- Véron et Associés, Paris
- The Drafting Committee on the Rules of Procedure for the UPC
- The Select Committee of the Administrative Council of the European Patent Organisation (EPO)
- European Patent Institute, Munich
- UK Intellectual Property Office, London
- Queen Mary University of London
- University of Alicante



# Thursday 4 December 2014

09:00

Arrival and registration of participants

09:30

Welcome and opening

Florence Hartmann-Vareilles; Duncan Matthews

09:40

## **Setting the scene: preparing for the unitary patent package**

The Hon Mr Justice Colin Birss

Chair: Florence Hartmann-Vareilles

## I. The Unitary Patent: Where do we stand?

10:00

### **Overview and update of the work of the Preparatory Committee: Unitary patent protection and renewable fees**

Jérôme Debrulle

Discussion

10:45

Coffee break and networking opportunity

11:15

### **Spain's second legal challenge before the CJEU: open questions and potential consequences**

Manuel Desantes

Discussion

12:00

### **Supplementary protection certificates: in need of clarification**

Bettina Wanner

Discussion

12:45 Lunch

Chair: Duncan Matthews

14:15

### **The unitary patent as an object of property: how to understand and apply this concept in practice?**

Pierre Véron

Discussion

## II. Preparing for litigation before the Unitary Patent Court

15:00

### **Results of the public hearing on the rules of procedure**

Willem Hoyng

Discussion

15:45

Coffee break and networking opportunity

16:15

### **Rights of representation called into question**

Vicki Salmon; Tony Tangena

Discussion

17:30 End of the first conference day and reception

## Objective

This conference will offer an update on the political and legal developments regarding the Unitary Patent in the EU and the rules of procedure applicable before the Unitary Patent Court (UPC).

## Who should attend?

Patent attorneys, lawyers in private practice, in-house counsel and other practitioners of law dealing with patent law and industrial property law.



## CPD

The Academy of European Law's conferences and seminars meet the standard requirements for Continuing Professional Development (CPD) recognition.



## Evening programme

18:00  
Drinks reception in the Crypt at Lincoln's Inn

*Sponsored by the Centre for Commercial Law Studies, Queen Mary University of London*



# Friday 5 December 2014

09:00

## Round table:

### Preparing for patent litigation before the UPC

Alan Johnson

Maximilian Haedicke

David Musker

Discussion

10:30

Coffee break and networking opportunity

## III. Enforcement of rights and patent settlements

11:00

### Damages actions and execution of decisions

Sam Granata

Discussion

11:45

### Tips to conclude good patent settlement agreements

Geert Glas

Discussion

12:30

### The unitary patent package: Challenges and prospects for the Future

Neil Feinson

13:00

End of the conference

*Programme may be subject to amendment.*

## You will learn:

- On which grounds has Spain brought its second challenge against the unitary patent Regulations?
- Where do we stand with the UPC ratification process?
- What parameters will determine the level of fees and renewable fees before the EPO?
- How to clarify the rules applicable to supplementary protection certificates?
- How is the concept of "unitary patent as an object of property" to be understood and applied in practice?
- What changes will be done to the UPC rules of procedure?
- In which ways can patent settlement be better than litigation?
- What kind of damages can be sought before the UPC and how to ensure that decisions are executed in practice?

## What participants said last year:

- "Comprehensive and diverse covering of topics, expert speakers"
- "Very interesting to hear broad set of perspectives"
- "Learning much about very recent acts"
- "Very good value for what you get"
- "Welcoming, helpful staff and friendly service"

## Speakers:

**The Hon Mr Justice Colin Birss**, Judge of the High Court of Justice (Chancery Division), London

**Jérôme Debrulle**, General Counsel, Belgium Office for Intellectual Property, Chairman of the EPO Select Committee, Brussels

**Professor Manuel Desantes**, University of Alicante

**Geert Glas**, Partner, Allen&Overy, Brussels

**Neil Feinson**, Director International Policy, UK Intellectual Property Office, London

**Sam Granata**, Judge, Commercial Court, Antwerp

**Professor Maximilian Haedicke**, University of Freiburg, Judge, High Regional Court, Düsseldorf

**Florence Hartmann-Vareilles**, Head of Section, European Business Law, Trier

**Willem Hoyng**, Member of the Drafting Committee on the Rules of Procedure for the UPC; Partner, Hoyng Monegier, Amsterdam

**Alan Johnson**, Partner, Bristows LLP, Chair of the AIPPI Committee on the UPC and Unitary Patent Package, London

**Professor Duncan Matthews**, Chair in Intellectual Property Law, Queen Mary University of London

**David Musker**, Partner, RGC Jenkins & Co., London

**Vicki Salmon**, Solicitor and Patent Attorney, IP Asset, Chair of the CIPA Litigation Committee, London

**Tony Tangena**, President, European Patent Institute, Munich

**Pierre Véron**, Member of the Drafting Committee on the Rules of Procedure for the UPC; Partner, Véron et associés, Paris

**Dr Bettina Wanner**, Bayer Intellectual Property GmbH, Monheim

# Registration form

4-5 Dec 2014

Event number: 214R06

## Preparing for the Unitary Patent Package

Academy of European Law, Postfach 1640, D-54295 Trier



### Participant

Title Ms  Mr  Other \_\_\_\_\_ First Name \_\_\_\_\_  
Surname \_\_\_\_\_  
Organisation \_\_\_\_\_  
Department/Position \_\_\_\_\_  
Tel./Fax \_\_\_\_\_ E-mail \_\_\_\_\_  
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Country \_\_\_\_\_

### Registration fee

Fees	Standard	EU and ERA patrons*	Young lawyers & other groups**
Registration before 4 Nov 2014	€ 711 <input type="checkbox"/>	€ 426.60 <input type="checkbox"/>	€ 533.25 <input type="checkbox"/>
Registration after 4 Nov 2014	€ 790 <input type="checkbox"/>	€ 474 <input type="checkbox"/>	€ 592.50 <input type="checkbox"/>




#### \*EU and ERA Patrons

- Staff of European Union institutions and agencies;
- Staff of ERA's patrons (Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Finland, France, Germany and the German states, Greece, Hungary, Ireland, Italy, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Scotland, Slovakia, Slovenia, Spain, Sweden, United Kingdom, City of Trier).

#### \*\*Young lawyers & other

- For young lawyers up to 30 years of age (important: the participant must provide a copy or details of his or her passport or identity card on registration);
- Full-time staff of universities or comparable academic institutions;
- Staff of charitable organisations or comparable institutions

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I will transfer the registration fee to ERA's account at Deutsche Bundesbank Saarbrücken:  
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Please state your name and the event number on the bank transfer.

- Participation certificate: Please provide me with a participation certificate.  
 Evening programme: I shall attend the function on 4 December 2014 (at no extra charge).

I confirm my registration and accept the general terms and conditions ([www.era.int/legalnotice](http://www.era.int/legalnotice)).

Place, Date

Signature

### Organiser

ERA (Florence-Hartmann-Vareilles) in cooperation with Centre for Commercial Law Studies, Queen Mary University of London (Duncan Matthews)

### Location

The Honourable Society of Lincoln's Inn  
Old Hall, Lincoln's Inn; WC2A 3TL London

### Language

English

### Travel

See more at:  
<http://www.lincolnsinn.org.uk/index.php/location>

### Accommodation

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94-99 High Holborn  
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## REGISTRATION

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### In the conference fee included:

- Speakers contribution and conference documentation in electronic version
- Participation certificate
- Beverages and snacks
- Lunch and drinks reception on the first day