

## EPO OPPOSITIONS AND APPEALS - THE CASE-LAW

19 September 2013, London - Ref No H9-3013 OR

23 January 2014, London - Ref No H1-3014

## EUROPEAN PATENTS - THE CASE-LAW

20 September 2013, London - Ref No H9-3213 OR

24 January 2014, London - Ref No H1-3114

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## EPO OPPOSITIONS AND APPEALS – THE CASE LAW

Topics to be covered:

- Introduction to Oppositions
- Filing and Admissibility of Oppositions
- Substantive Examination of Oppositions
- Introduction to Appeals
- Filing, Admissibility and Examination of Appeals
- Evidence
- Petitions for Review
- Oral Proceedings

Speakers:

**Graham Ashley and Christopher Rennie-Smith**

Boards of Appeal, European Patent Office, Munich

19 September, 2013 at The Rembrandt Hotel, London  
23 January, 2014 at The Rembrandt Hotel, London



## EUROPEAN PATENTS – THE CASE LAW

Topics to be covered:

- Industrial Application
- State of the Art
- Novelty
- Inventive Step
- Sufficiency, Clarity, Amendments
- Exclusions from Patentability
- Exemptions to Patentability

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## SPEAKERS

**Graham Ashley** has a PhD in metallurgy, qualified as a barrister and is a technical member of the Boards of Appeal at the EPO. He was previously an examiner in the field of metallurgy, a member of opposition divisions, and of the EQE committee for Paper C (Oppositions), and involved extensively in the training of patent examiners.

**Christopher Rennie-Smith** is a Chairman of a Board of Appeal and member of the Enlarged Board of Appeal at the EPO. He was previously a lecturer in law at Sheffield University and then practised for over twenty years as a solicitor in London, specialising in intellectual property litigation.

## WHO SHOULD ATTEND

- Trainee patent attorneys
- Patent attorneys in private practice
- Corporate patent attorneys and lawyers
- People working or training in intellectual property
- Consultants and managers

Those already familiar with the field will find the seminars valuable for updating their knowledge

## DOCUMENTATION

Course material including detailed references to the case law referred to is supplied to all participants.

## ATTENDANCE LIMITED – EARLY REGISTRATION RECOMMENDED

This limitation, a unique feature of all **MANAGEMENT FORUM** seminars, will give participants the opportunity for a thorough discussion of the complex issues to be covered by the programme.

Reserve your place at the course by registering online now at [www.management-forum.co.uk](http://www.management-forum.co.uk) or by fax +44 (0)1483 730008.

Any questions? e-mail

[josephine.leak@management-forum.co.uk](mailto:josephine.leak@management-forum.co.uk)

These courses merit 5.5 hours per day under the UK Solicitors Regulation Authority self-accreditation scheme.

Ref. CJA/MAFO

They are also potentially relevant CPD for Fellows of CIPA.

A Certificate of Attendance will be given to each participant.

## EPO OPPOSITIONS AND APPEALS - THE CASE-LAW

19 September 2013 at The Rembrandt Hotel, London  
23 January, 2014 at The Rembrandt Hotel, London

### PROGRAMME

This seminar will consider, drawing on case law and the speakers' experience, the present working of opposition and appeal procedures at the European Patent Office.

This course, together with *European Patents – The Case Law* on the following day, offers a summary of both background and recent developments from the perspective of speakers with day to day involvement in the practice and procedure of EPO oppositions and appeals.

- ▶ **Introduction to oppositions**  
parties, representation, languages, composition of opposition divisions
- ▶ **Filing and admissibility of oppositions**  
time limits, notices of opposition, admissibility, sufficient/insufficient substantiation, transfer of oppositions
- ▶ **Substantive examination of oppositions**  
extent and grounds of opposition, late submissions, communications, amendments, effect of withdrawal of oppositions
- ▶ **Introduction to Appeals**  
the Boards of Appeal and Enlarged Board, nature of appeals, parties to appeals, the rule against *reformatio in peius*
- ▶ **Filing, Admissibility and Examination of Appeals**  
time limits, written submissions, rules of procedure, new grounds of opposition, evidence and requests on appeal
- ▶ **Evidence**  
admissible evidence, written and oral evidence, evaluation of evidence, standard of proof, burden of proof
- ▶ **Petitions for Review**  
grounds for petitions to the Enlarged Board for review of appeal decisions, review procedure, emerging case law
- ▶ **Oral Proceedings**  
requests for and summons to oral proceedings, procedure

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## EUROPEAN PATENTS - THE CASE-LAW

20 September 2013 at The Rembrandt Hotel, London  
24 January, 2014 at The Rembrandt Hotel, London

### PROGRAMME

This seminar will cover the main aspects of substantive patent law as evolved by the decisions of the EPO Boards of Appeal.

This course, together with *EPO Oppositions and Appeals – The Case Law* on the preceding day, offers a summary of both background and recent developments from the perspective of speakers with day to day involvement in the practice and procedure of EPO oppositions and appeals.

- ▶ **Industrial Application**  
industrial and 'private' activity; commercial use - profit and benefit
- ▶ **State of the Art**  
the state of the art, what is 'made available to the public', written and oral publications, prior use, non-prejudicial disclosures
- ▶ **Novelty**  
assessing novelty: inevitable result, accidental disclosure, product-by-process claims, selections, first and subsequent medical and other uses
- ▶ **Inventive Step**  
the problem/solution approach, the skilled person, closest prior art, formulating the problem, combining documents, neighbouring fields, unexpected/bonus effects, secondary indications, alternative approaches
- ▶ **Sufficiency, Clarity, Amendments**  
sufficiency: undue burden, reproducibility; clarity of claims; support of claims by description; amendments after filing: broadening claims, disclaimers; amendments after grant, the inescapable trap'; corrections of mistakes
- ▶ **Exclusions from Patentability**  
computer programs, business methods, aesthetic creations, discoveries
- ▶ **Exceptions to Patentability**  
morality objections, plants and animals, biological processes; medical treatment: surgery, therapy, diagnosis

