

EPO OPPOSITIONS AND APPEALS - THE CASE-LAW

16 October 2014, London - Ref No H10-3114 OR

22 January 2015, London - Ref No H1-3015

EUROPEAN PATENTS - THE CASE-LAW

17 October 2014, London - Ref No H10-3214 OR

23 January 2015, London - Ref No H1-3115

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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:

Richard Howson Partner, Kilburn & Strode LLP, London

Christopher Rennie-Smith Consultant, Collyer-Bristow LLP, London and recent former Member of the Boards of Appeal, EPO, Munich

16 October 2014 at The Rembrandt Hotel, London
22 January 2015 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

Richard Howson is a Partner of Kilburn & Strode, London, specialising in mechanical and electrical cases in the aerospace and automotive sectors. European Patent Office opposition and appeal work forms a large part of Richard's practice, with the Legal 500 noting that he is 'a particular expert in oppositions'.

Outside his casework, Richard was involved for several years with setting and marking the European Qualifying Examination, is a contributing editor to the CIPA *Patents Training Manual*, and speaks regularly on patent-related topics in the US and Europe.

Christopher Rennie-Smith is a Consultant with the law firm Collyer-Bristow LLP, based in London. He was formerly a Chairman of a biotechnology Board of Appeal and member of the Enlarged Board of Appeal at the European Patent Office in Munich, until his retirement in April 2014. Prior to joining the EPO he was 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.

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**These courses merit 5.5 hours per day under the UK Solicitors Regulation Authority self-accreditation scheme.
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A Certificate of Attendance will be given to each participant.**

EPO OPPOSITIONS AND APPEALS - THE CASE-LAW

16 October 2014 at The Rembrandt Hotel, London
22 January 2015 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 seminar, 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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josephine.leak@management-forum.co.uk

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17 October 2014 at The Rembrandt Hotel, London
23 January 2015 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 seminar, 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

