

4 & 5 FEBRUARY 2016
MÖVENPICK HOTEL
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3rd ANNUAL CONFERENCE

Unitary Patent Package Conference 2016

Hear and discuss the last steps on the introduction
of Unitary Patent and Unified Patent Court

Highlights:

- Update UPC: local/regional divisions, fees, selection and training of Judges & IT system
- Finalization Rules of Procedure: What are the important changes in the 18th Draft and when is it ready?
- The state of implementation of the Unitary Patent by EPO and Member States:
practical issues, rules & costs/fees
- Expectations, wishes and fears of several EU In-house patent attorneys and Judges
- New rules on Patent Litigation & certificate: the different opinions of Lawyers and Patent Attorneys

KEY NOTE SPEAKERS



Alexander Ramsay
Preparatory Committee
UPC



Kevin Mooney
Drafting Committee
UPC



Margot Fröhlinger
EPO



Thierry Sueur
Air Liquide



Richard Vary
Nokia

CHAIRMAN



www.unitarypatentpackage.com

Unitary Patent Package Conference 2016

Dear patent professional,

For you as patent expert, the new unitary patent package will have deep impact on your strategy of Patents in Europe. The new system will be up and running in 2016, so you'll be smart to take decisions and measures in now!

Did you know that:

- > you need to register your opt-out EP's already in Spring 2016 into the **Sunrise register**?
- > your licenses should be reviewed because under the UPC Agreement exclusive licensees have the right to start infringement actions without consent from the patent owner, whereas non-exclusive licensees have not, both unless the license provides otherwise?
- > if you don't want to put all your eggs in one basket, you have to split your pending patent applications through **divisionals**, so you can have traditional European patents and Unitary Patents for almost the same technology?
- > Others are already pro-actively developing new tailored enforcement strategies, so you should be prepared to do the same, as your options will multiply?

If you don't take care of these measures (or one of the many others) right now, it will cost you a lot of money and unnecessary risks!

In just one day you will learn all about:

- > Latest news from the Preparatory Committee
- > Rules of Procedure: Last important changes in the 18th Draft and when will it be ready?
- > The impact of the litigation certificate for patent attorneys concerning the UP
- > Transitional period & opt-out system: how does it work in practice?
- > Litigation (infringement/revocation) strategies at the UPC, forum shopping and relation with national proceedings and EPO opposition proceedings
- > The state of implementation of the Unitary Patent by EPO and the Member States regarding tasks, rules & renewal fees

Stay day 2! In-depth workshops

Take the opportunity to stay for Day 2 where you have the unique possibility to attend three in-depth workshops after each other.

I Patent strategy workshop

II Costs workshop

III Courts procedure & Trial Workshop

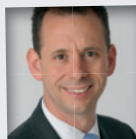
Don't miss out this extraordinary Unitary Patent Package conference! Register now and meet your fellow European patent experts and ensure that you are prepared for the new Unitary Patent system.

We are looking forward to welcome you on the 4th and 5th February 2016 in Amsterdam, The Netherlands.

Best regards,



Irene van der Zwan
Conference Manager



Richard Vary
Chairman of the conference

CONFERENCE

THURSDAY 4 FEBRUARY 2016

09.00 Registration & morning coffee

09.30 **Opening event, welcome and short introduction by Chairman *Richard Vary*, Head of Litigation, Nokia**



09.40 **The Unitary Patent and the Unified Patent Court: the last steps before introduction in 2016**

- > What is the status and when will be the expected introduction date?
- > Courts: latest developments of the Unified Patent Court: Local and regional divisions, fees, Patent Litigation Certificate, Sunrise register, IT system etc.
- > Judges: Selection and training
- > Unitary Patent: latest developments on the practical issues, implementing rules & costs/fees



Alexander Ramsay, Vice Chairman of the Preparatory Committee for the Unified Patent Court

10.10 **Unitary Patents and European Patents: substantive law issues**

- > The principle of unitary effect
- > Differences between UP's and EP's
- > Advantages and possible disadvantages of a Unitary Patent
- > Advantages and possible disadvantages of an opt-out



Bas Pinckaers, Head Patent Department, Van Doorne

10.35 Coffee and tea break

11.05 **The Unified Patent Court, the national courts, forum shopping, torpedo's and pre-emptive strikes**

- > Prepare your portfolio and your strategy for the new opportunities and challenges
- > Combining litigation at the UPC and national courts
- > Pre-emptive strikes when the court opens; clearing the path, blocking opting out or opting in
- > The divisions of the Court, their locations, languages and "couleur locale"
- > Coordination, bifurcation, stays and speed of proceedings
- > Preliminary injunctions, seizure of evidence, ex parte measures
- > How to plan your litigation and deal with the judge-rapporteur



Wouter Pors, Partner, Bird & Bird

11.30 **Vision of and interviews with In-house patent attorneys regarding the Unitary Patent and the Unified Patent Court**



- > **Francesco Macchetta**, Director Intellectual Property, Bracco Group, Italy
- > Invited: **Didier Hillion**, IP Director, Renault, France
- > Invited: **Esa Kaunistola**, Director Trade Policy, Microsoft, USA

12.00 **NEW! Panel discussion on the new Rules of Litigation Certificate with lawyers and European Patent Attorneys Lawyers and patent attorneys as teams and as competitors. Are the minimum requirements enough? Do we need minimum requirements for lawyers? How to select the proper representative?**



> **Koen Bijvank**, MSc LLM, Dutch and European Patent Attorney, Partner V.O. Patents & Trademarks

> **Wouter Pors**, Partner, Bird & Bird

> **Dr. Christof Augenstein**, Attorney at Law, Certified Specialist for Intellectual Property, Preu Bohlig & Partner

12.30 **Visions from the Bench: interviews with Judges regarding the Unitary Patent and Unified Patent Court**



> **Matthias Zigann**, Presiding Judge, Munich Regional Court, Germany

> **Sam Granata**, Judge, Court of Appeal of Antwerp, Belgium

> **mr. drs. Edger F. Brinkman**, Senior Judge Intellectual Property, Court of The Hague, The Netherlands

13.00 Lunch

14.00 **Rules of Procedure for the Unified Patent Court; the final phase**

- > The important changes in the 18th Draft of the Rules of Procedure
- > The outcome of the consultation on fees
- > Publication of the final version-when?
- > The training of both Legally Qualified and Technically Qualified Judges for the Court



Kevin Mooney, Chairman of the Drafting Committee for the Rules of Procedure for the Unified Patent Court and Partner at Simmons & Simmons LLP

The state of implementation of the Unitary Patent by the EPO and Member States

- > The level of renewal fees and their distribution
- > Implementing Rules and Rules relating to Fees
- > Substantive law issues and accompanying measures by Member States



Margot Fröhlinger, Principal Director Patent Law and Multilateral Affairs, European Patent Office

15.00 **Round Table discussions part 1**

15.45 Coffee and tea break

16.00 **Round Table discussions part 2**

16.45 Summary of results of round table discussions

17.00 Closing words by chairman & drinks

IN-DEPTH WORKSHOPS

FRIDAY 5 FEBRUARY 2016

ROUND TABLE DISCUSSIONS

1 Rules of Procedure – the final version and the training of Judges

- > The last important changes of the Rules of Procedure to be discussed
- > Vital issues discussed at the consultation of fees
- > The training of both Legally Qualified and Technically Qualified Judges of the Court



Table Chair: **Kevin Mooney**, Chairman of the Drafting Committee for the Rules of Procedure for the Unified Patent Court and Partner of Simmons & Simmons LLP

2 Role of European Patent Attorney during prosecution and litigation

- > Which European route(s) of protection does the patent attorney advice his client in dependence on: size of the applicant, size of the market, type of market, type of product?
- > When does the patent attorney advice his client to validate a granted EP patent as a UP patent and when as a bundle of national patents. Parameters to be considered: size of the applicant, size of the market, type of market, type of product?
- > Under what conditions can/should a European patent attorney litigate with/without an attorney at law under the UPC?



Table Chair: **Hans Hutter**, Partner, Dutch and European Patent Attorney and Partner, NLO

3 Forum shopping between various local and regional divisions, language regime and experience

- > Where will the UPC Divisions be, what will they look like, who will be the judges and which languages will be available?
- > Are you looking for litigation in English before experienced judges?
- > Could you be sued in a language that you don't understand?
- > Do you want cross-examination of experts?
- > How do you select the forum that is best for your case?



Table chair: **Wouter Pors**, Partner, Bird & Bird

There are still possibilities to chair a Round Table Discussion. Please contact Irene van der Zwan for more information, e-mail: i.van.der.zwan@euroforum.nl and telephone number: +31 6 48088846.

09.00 Short Summary of the conference (day 1)



by Chairman day 2, **Wouter Pors**, Partner, Bird & Bird

09.15 Patent Strategy Workshop:

The unitary patent package will have deep impact on your patent strategy, learn in this workshop what is the best patent strategy for your (clients) organization.

- > Filing strategies: issues to consider
- > When should I opt-out, when opt-in? And how do I have to register my opt-out EP's in a Sunrise register?
- > Portfolio management
- > Basics of Litigation strategies in the new system

Workshop leader:



Bart van Wezenbeek, Patent Attorney and Senior Associate, V.O. Patents & Trademarks

11.00 Coffee and tea break

11.15 Costs workshop:

What will be the cost of an Unitary Patent in comparison with the classical European Patent? And what about the costs and court for Spain?

- > Compare costs for validation including translation costs, publication fees and attorney fees for national validations of EP versus costs obtaining UP (only one translation fee during transitional period);
- > Renewal fees, including related transactional costs of EP and UP
- > Working on comparing costs between obtaining classical European patent protection and a Unitary Patent + classical European patent protection for Spain. Discussion of these costs, especially once we know the renewal fees for a Unitary Patent.

Workshop leader:



Thierry Sueur, Vice President, European and International Affairs, Air Liquide

13.00 Lunch

13.45 Courts procedure & Trial Workshop

- > Exercises on fictive infringement case; for strategy discussions
- > Exercise on the court procedure (written, intermediate and oral proceedings)
- > How to use the online case management system
- > How to prepare for online litigation (is your own IT system up to it?)



Workshop leader: **Wouter Pors**, Partner, Bird & Bird

15.30 Closing of the workshops



Especially made for all European Patent Professionals, like:

- > European Patent Attorneys
- > Intellectual Property Directors
- > In-house Patent Attorneys
- > Patent Consultants
- > Lawyers and Judges who are preparing the impact of the Unitary Patent and the Unified Patent Court

A look back on the UPP conferences in 2014 and 2015.



“The speakers were excellent, and the format was good to share views and think about the topic in different ways.”

“Great selection of speakers and valuable breakout sessions with other professionals. I gained a lot from attending.”

“10, Very useful and topical”

“Very good selection of speakers: I learned a few very important new items of information.”

“Perfectly organized with top speakers!”

3rd ANNUAL CONFERENCE

Unitary Patent Package Conference 2016

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More information

Customer service: +31 (0)40 - 2 974 974

Dates and location

4th & 5th February 2016

Mövenpick Hotele Amsterdam

For your road description and hotel rooms look at
www.unitarypatentpackage.com

Personal conference advice

For information or an attractive discount scheme,
please contact:



Sandra Donkers

+31 (0) 40- 297 27 70

s.donkers@euroforum.nl

3 easy ways to register yourself!

1. Internet: www.unitarypatentpackage.com
2. E-mail: inschrijving@euroforum.nl
3. Telephone: +31 (0)40-2 974 974

your confirmation will be sent to you as soon as possible.
When your e-mail address is known by us, you will receive the
confirmation of your participation within one working day by e-mail.

Price of the conference

Registration before or on the 1st of November 2015:

Conference-ticket, 4th of February 2016 and Online Course:	€ 799,-
Conference-ticket, 4th and 5th of February 2016 and Online Course:	€ 1.199,-

Registration before or on the 18th of January 2016:

Conference-ticket, 4th and 5th of February 2016 and Online Course:	€ 899,-
Conference-ticket, 4th and 5th of February 2016 and Online Course:	€ 1.299,-

Registration after the 18th of January 2016:

Conference-ticket, 4th of February 2016 and Online Course:	€ 999,-
Conference-ticket, 4th and 5th of February 2016 and Online Course:	€ 1.399,-

Unable to attend?

If you are unable to attend, a colleague in the possession of your ticket will be able to replace you without additional costs. If you wish to cancel, you can only do this in writing up to one month before the event. In case of cancellation after that time, we will charge the full amount.

Mailing and contact

We would like to keep you informed of any special offers for our products and services that you may find interesting. As a result, we have added you to our address database or a database we acquire from a third party. Additionally, we may make your address details available to third parties. For this we take your personal preferences into account as much as possible. If your details are incorrect or if you do not want your details to be used for these purposes, please contact our customer services, tel. +31 (0)40 2 974 974 or send an e-mail to inschrijving@euroforum.nl.

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