



Institut der beim Europäischen Patentamt zugelassenen Vertreter  
Institute of Professional Representatives before the European Patent Office  
Institut des mandataires agréés près l'Office européen des brevets

# ADAPTING **epi** TO THE PRESENT & TO THE FUTURE

40th Anniversary of epi

Malta

April 13, 2018



**RUBY ANNIVERSARY**

**Luis-Alfonso Durán**

Chair of the Reporting Groups  
for the reform of epi and of the Secretariat

## MEANINGS OF NUMBER 40



**Midlife crisis**

## MEANINGS OF NUMBER 40



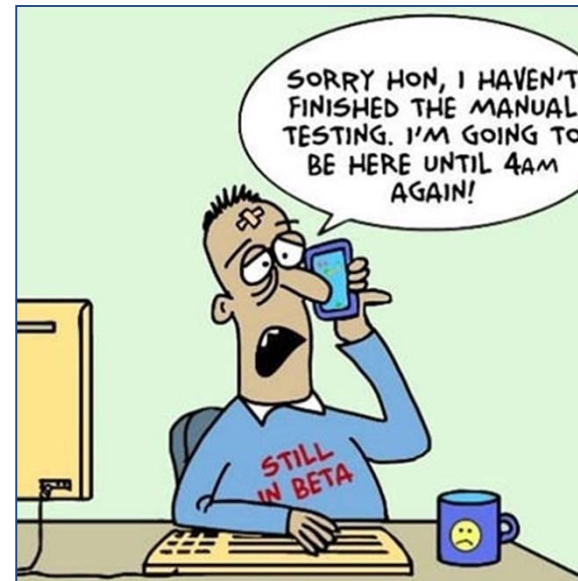
Life begins  
at 40

## MEANINGS OF NUMBER 40

- The number **40** generally symbolizes, according to the Bible, a period of

### TESTING, TRIAL OR PROBATION.

- **Moses** lived **forty** years in Egypt and **forty** years in the desert
- **Moses** was **40** days and nights in Mount Sinai before receiving God's laws.



## MEANINGS OF NUMBER 40

The number of years of marriage celebrated by the **ruby wedding** anniversary



## MEANINGS OF NUMBER 40

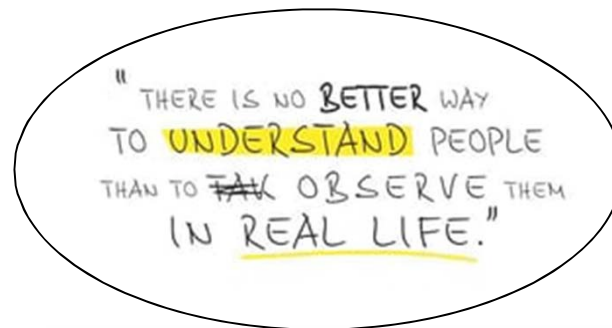


The code for direct dial international phone calls to **Romania**.

## MEANINGS OF NUMBER 40

"To understand a people, you must live among them for 40 days".

*Arabic proverb*

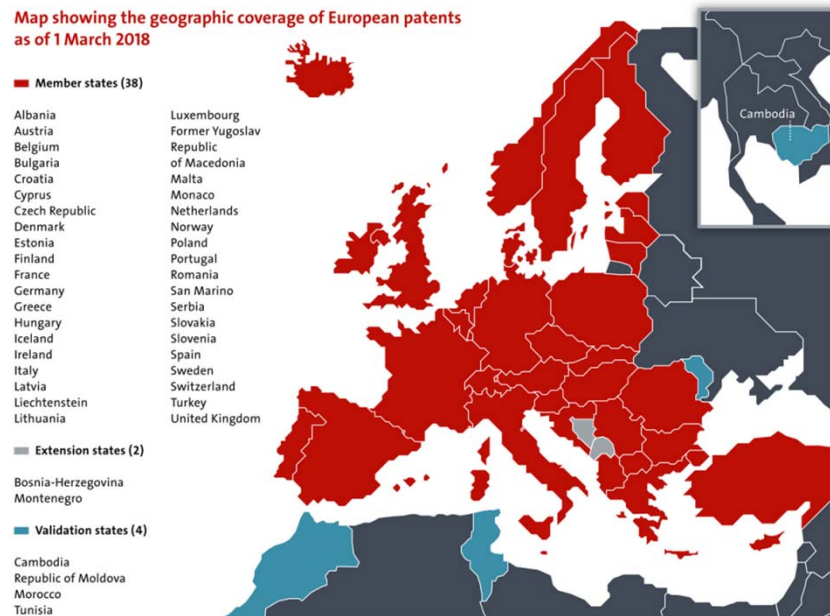


## WHAT DOES IT MEAN FOR epi?

### CONSOLIDATION OF THE EUROPEAN PATENT SYSTEM AND THE PROFESSION

- 165.590 applications in 2017
- More than 12.000 european pattent attorneys

- Map showing the geographic coverage of European patents as of 1 March 2018



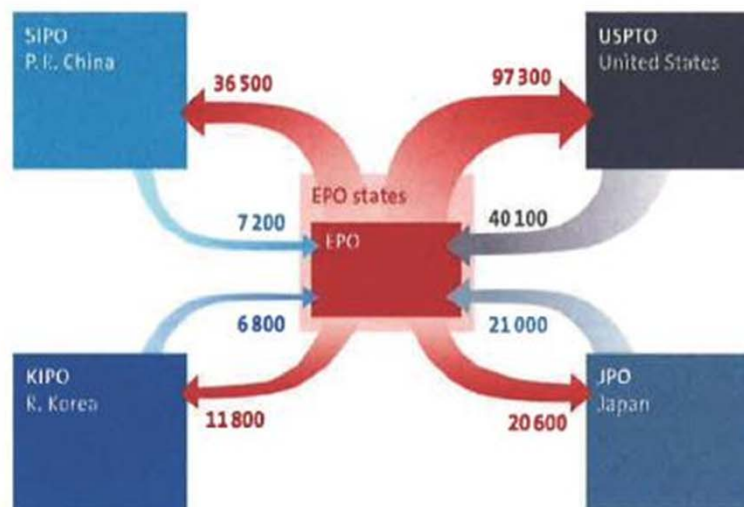


## A PROMISING FUTURE



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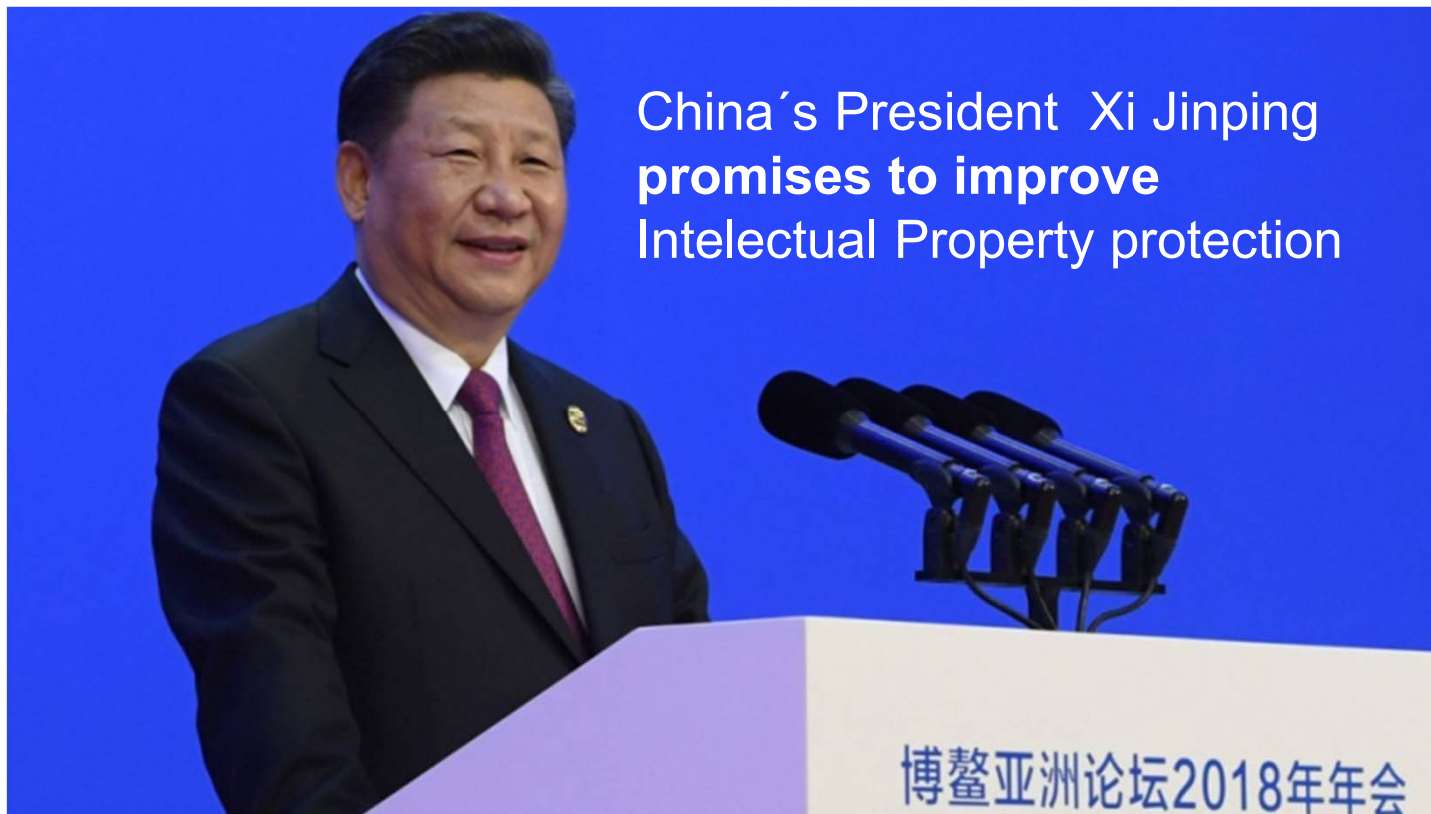
### Flow of patent applications between EPO and IP5 countries (2016)



Analysis based on applications received by the five largest patent offices (IP5 offices) in 2016.  
Source of the data: IP5 Statistics Report 2016 – [fiveipoffices.org](http://fiveipoffices.org).

European Patent Office

## A PROMISING FUTURE



## HOW epi MUST ADAPT AND FACE THE FUTURE?

- Regulated professions in Europe questioned by competition authorities.
- Increasing demands to the profession
  - Strong competition
  - Patents as a commodity
  - More complexity of cases
  - UPC litigation
- Challenges in running a big organization of more than 12.000 members.
- Challenges of discussing matters with very powerfull GO'S (EPO, WIPO, IP5, etc.)



# Let's review some basic concepts of epi





## **COMPULSORY MEMBERSHIP**

ACCORDING TO ARTICLE 134 (a)(2) OF EPC:

ANY PERSON ENTERED ON THE LIST OF PROFESSIONAL REPRESENTATIVES SHALL BE A MEMBER OF THE "INSTITUTE OF PROFESSIONAL REPRESENTATIVES BEFORE THE EUROPEAN PATENT OFFICE"



## OBJECTS OF epi (Article 4 FOUNDING REGULATION)

- a) COLLABORATION WITH EPO {
  - Disciplinary matters
  - EQE
- b) DISSEMINATION OF KNOWLEDGE OF WORK OF EPA – PROMOTION OF OUR PROFESSION
- c) PROMOTE COMPLIANCE BY epi MEMBERS OF RULES OF PROFESSIONAL CONDUCT – RECOMMENDATIONS
- d) LIAISE WITH EPO & OTHER BODIES ON IP MATTERS



## Epi BODIES

- COUNCIL – ELECTED BY ALL epi MEMBERS EVERY 3 YEARS
- PRESIDIUM {  
President  
2 VicePresidents  
Secretary General  
Treasurer  
Deputy Secretary General  
Deputy Treasurer  
} – ELECTED BY COUNCIL
- BOARD {  
PRESIDIUM  
CHAIRS OF SOME COMMITTEES
- COMMITTEES – ELECTED BY COUNCIL
- SECRETARIAT {  
EMPLOYEES OF THE INSTITUTE  
HEADED BY THE SECRETARY GENERAL





## epi COMMITTEES & REPORTING GROUPS

- DISCIPLINARY MATTERS {
  - DISCIPLINARY (DC)
  - PROFESSIONAL CONDUCT (PCC)
  
- EDUCATION & EQE {
  - PROFESSIONAL EDUCATION (PEC)
  - epi STUDENTSHIP ADMISSIONS



## epi COMMITTEES & REPORTING GROUPS

- epi INTERNAL MATTERS

- BY LAWS (BLC)
- EDITORIAL
- epi FINANCES
- ELECTORAL (EC)
- NOMINATIONS
- RG ON REFORM OF THE epi
- RG ON REFORM OF THE SECRETARIAT

- SUBSTANTIVE MATTERS  
&  
COLLABORATION WITH EPO

- EUROPEAN PATENT PRACTICE (EPPC)
- BIOTECHNOLOGICAL INVENTIONS
- EPO FINANCES
- ONLINE COMMUNICATIONS (OCC)
- HARMONIZATION
- LITIGATION (LitCom)



## **ACCEPTED CHANGES**

### **1. OPENING epi TO MEMBERS**

- Profiles of candidates to Council and Committees.
- Nominations Committee.

### **2. BETTER COMMUNICATION TO MEMBERS**

- Website more user friendly.
- Communications Plan.
- Pre-Council Seminars.

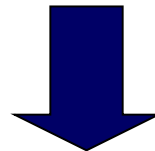
### **3. IMPROVING EFFICIENCY**

- New Board structure.
- Internet voting.
- Review of structure of Committees every 3 years.
- Reporteur for new topics. Immediate information to Council.



## **THE NEED OF REGULATED PROFESSION**

- INCREASING IMPORTANCE OF PATENTS FOR EUROPEAN COMPETITIVENESS.
- A RELIABLE PATENT ATTORNEYS PROFESSION STRATEGIC FOR EUROPEAN INDUSTRY.
- INCREASING COMPLEXITY OF PATENT ATTORNEYS WORK AS UPC LITIGATORS.
- THE IMPORTANCE OF A WELL QUALIFIED AND ETHICAL PROFESSION.



**THE NEED OF A BODY THAT ORGANIZES AND CONTROLS THE  
PATENT PROFESSION**



## OUR MEMBERS NEED

- TO BE UPDATED OF NEW THINGS HAPPENING
- TO UPDATE THEIR EDUCATION CONCERNING:
  - CHANGES IN THE LAW & PRACTICE
  - CASE LAW
  - FOREIGN LAW
  - RULES OF CONDUCT INTERPRETATION
  - ETC
- TO BE ENTITLED TO PARTICIPATE IN epi COMMITTEES AND OTHER BODIES TO CONTRIBUTE TO FORM epi OPINION.
- TO GET VALUE FOR MONEY I.E. A GOOD ADMINISTRATION OF THEIR RESOURCES.
- THAT THEIR VIEWS ARE TAKEN INTO ACCOUNT IN COUNCIL MEETINGS.
- DEFEND THEIR INTERESTS IN FRONT OF EPO/OTHER GOVERNAMENTAL ORGANIZATIONS.



## THIS REQUIRES

- A GOOD COMMUNICATION PLAN ADDRESSES TO:
  - epi MEMBERS
  - Outside world
- SUFFICIENT RESOURCES FOR EDUCATION PROGRAMS.
- ENSURING AN EFFICIENT ORGANIZATION OF THE INSTITUTE.
- ATTRACTING AND INVOLVING MORE epi MEMBERS IN THE WORK OF THE INSTITUTE.



## THE FUTURE

- FULL IMPLEMENTATION OF REFORMS ADOPTED BY COUNCIL.
- CONTINUE LOOKING AT FUTHER IMPROVEMENTS BY COUNCIL WITH SUPPORT OF THE REPORTING GROUPS ON THE REFORM OF THE epi AND OF THE SECRETARIAT.
- DEVELOP A GOOD COMMUNICATION PLAN.
- A GOOD WORK OF ALL COMMITTEES.
- EXPERIENCE NEW BOARD STRUCTURE.



ACHIEVE THAT MEMBERS BELONG TO epi BECAUSE THEY LIKE IT,  
NOT JUST BY OBLIGATION.







**TODAY IS YOUR BIRTHDAY**



## TODAY IS YOUR BIRTHDAY

