

Invitation

The Interdisciplinary Centre for Intellectual Property Law at the University of Mannheim (IZG) and the German Foundation for Industrial Property and Copyright (GRUR) cordially invite you to join our conference „European Patent Package“ on Friday, February 7th at the University of Mannheim. The conference is realized with the friendly support of the Association of Intellectual Property Experts (VPP), the Licensing Executives Society (LES) and the City of Mannheim.

The conference addresses lawyers and patent attorneys, in-house counsels, judges, representatives of public authorities and academics. The conference languages will be English and German, simultaneous translation of all contributions will be available.

The conference fee is 300,- € (plus VAT). For members of IZG, GRUR, VPP and LES the conference fee is reduced to 100,- € (plus VAT.). The conference fee covers materials, coffee breaks and lunch.

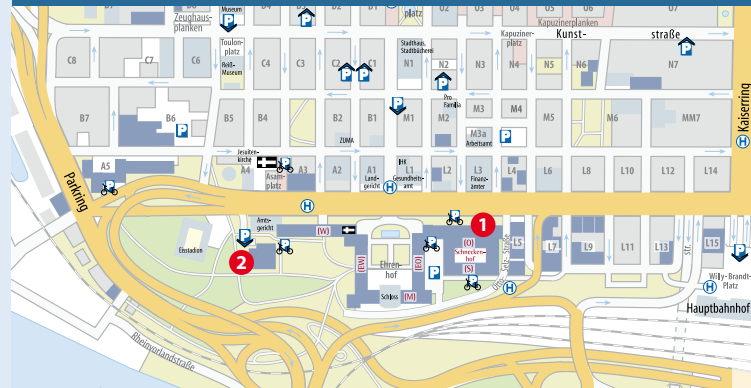
On request an Education Certificate according to § 15 FAO will be provided for specialist solicitors.

As the number of participants is limited registration for the conference is required. Please register before January 24th, 2014.

We would be happy to welcome you at the University of Mannheim on February 7th!

Prof. Dr. Mary-Rose McGuire
Managing Director
of the IZG

André Haug
Acting Manager
of GRUR Mannheim



Sie finden den Hörsaal SN 163 im Ostflügel des Mannheimer Schlosses (1). Das Schloss ist vom Hauptbahnhof Mannheim zu Fuß in gut 10 Minuten erreichbar. Parkmöglichkeiten bestehen im öffentlichen Parkhaus neben dem Amtsgericht (2) oder in den übrigen Parkhäusern in den Quadraten.

Executive Board:

Prof. Dr. Markus Köhler, Oppenländer RAe, Stuttgart
Prof. Dr. Mary-Rose McGuire, Universität Mannheim
Dr. Thomas Nägele, Schilling Zutt & Anschütz RAe, Mannheim
Prof. Dr. Rupert Vogel, RAe Vogel & Partner, Karlsruhe

Please send your registration until January 24th 2014 to

**Interdisciplinary Centre for Intellectual Property (IZG):
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Chair for Private Law, Intellectual Property Law
and German and European Civil Procedure**

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IZG Interdisziplinäres Zentrum
für Geistiges Eigentum
an der Universität Mannheim e.V.



European Patent Package² National (Patent-)Law as Infrastructure for the Unitary Patent

February 7th, 2014

9.15 a.m. – 5.00 p.m.
University of Mannheim
Ostflügel (Room SN 163)

IZG GRUR VPP LES

With the friendly support of the City of Mannheim

The European Patent Package

In December 2012 the European Union – after almost 40 years of preparation – approved the so-called European Patent Package. By virtue of two EU regulations the European Patent Office in Munich is empowered to grant patents with unitary effect for the internal market (albeit without Croatia, Spain and Italy). Thus the unitary patent can replace up to 25 national patents of limited territorial scope by a single patent right and contribute to efficient administration and exploitation of patents. The efficient enforcement of these rights is safeguarded by a matching unitary patent court system (UPC). By this means the European Union intends to measure up with other competitive patent systems, such as those existing in Japan and the US. Full effect of the new system however requires ratification of the UPC by a minimum of 13 Member States including Germany, France and the United Kingdom. Accordingly entry into force of the entire package is expected for the spring term of 2015.

National Law as Infrastructure

The enactment of the two regulations and the signature under the UPC are two decisive steps towards the establishment of a functioning European patent system. However, despite all justified enthusiasm it may not be overlooked that vital parts of the scheme have been deleted from the drafts at the proverbial last minute, others have from the very outset never been covered by harmonized law. This in particular holds true for the area of contractual exploitation, legal enforcement and the allocation of risks between the rightholder and a (potential) infringer.

Insofar European patent law continues to rely on the respective national law. Hence, the latter must provide a reasonable infrastructure to fill all gaps in the unitary patent scheme. In this respect German law may be of particular interest, as it is the governing law at the seat of the European patent office and by virtue of the mandatory conflict rule will be applicable to all patents filed by applicants not resident in a Member State.

Against this background the Mannheim conference aims at highlighting the interface between the unitary patent regulations and national patent law. In this context the aptitude of German law to serve as infrastructure for a unitary patent will be analysed both from the strategical perspective of a (potential) applicant or rightholder, but also with a view to the proper functioning of the system as such.

Program

09.15 Reception

[André Haug](#)

RAe Rowedder Zimmermann Hass, Mannheim

Greetings

[Rainer Stickelberger](#)

Minister of Justice of Baden-Württemberg

[Günter Zöbeley](#)

President of the District Court Mannheim

[Prof. Dr. Michael Loschelder](#)

General Secretary of the GRUR, Cologne

09.45 Conflict of Laws

Interaction between Unitary Patent Regulation, UPC and national law

[Prof. Dr. Mary-Rose McGuire](#)

University of Mannheim

10.15 Contractual Exploitation

Registration requirements and effect vis-à-vis third parties

[Jens Kunzmann](#)

CBH, Cologne

Coffee break

11.15 License Agreements

The legal position of the licensee

[Dr. Peter Tochtermann](#)

Judge at the District Court Mannheim

11.45 Infringement Proceedings

Legal consequences of infringement

[Dr. Marcus Grosch](#)

Quinn Emmanuel, Mannheim

Lunch break

13.30 Warning Letters

The allocation of the risk of nullity between the patent holder and a potential infringer

[Prof. Dr. Ansgar Ohly](#)

Ludwig-Maximilians-University, Munich

14.00 Consequences of the Invalidity

Impact on existing contracts and the admissibility of action for retrial of a case

[Dr. Klaus Bacher](#)

Judge at the Federal Court of Justice, Karlsruhe

14.30 Procedural Law

The interface between the UPC and national law: evidentiary proceedings as example

[Prof. Dr. Hans-Jürgen Ahrens](#)

University of Osnabrück

Coffee break

15.30 The External Perspective

The European Patent Package from the perspective of a US-applicant

[Heinz-Michael Hartmann](#)

Leydig, Voit & Mayer Ltd, Chicago/Frankfurt

16.00 Is German Patent Law up for reform?

Panel discussion with

[Dr. Stefan Walz](#)

Federal Ministry of Justice, Berlin

[Dr. Friedrich Wenzel Bulst](#)

EU-Commission, Brussels

[Prof. Dr. Winfried Tilmann](#)

Hogan Lovells, Düsseldorf

[Dr. Carsten Zülch](#)

Higher Regional Court of Karlsruhe, Karlsruhe

[Klaus Haft](#)

Reimann Osterrieth Köhler Haft, Düsseldorf

[Presentation André Haug](#)

17.00 Farewell drinks