



**CEIPI
SUMMER
SCHOOL
ON IP IN
EUROPE**

**29 JUNE
10 JULY
2020**

**CEIPI | UNIVERSITY OF STRASBOURG
"Escarpe" Building**



The course is organised by the Center for International Intellectual Property Studies (CEIPI) at the University of Strasbourg and has been held successfully and attracted many participants over the last ten years. The lecturers are chosen from those of the CEIPI and IP specialists including Academics, Patent and Trademark attorneys, Attorneys-at-law, as well as a member of the EUIPO management. The summer course will be held over 11 working days, from Monday July 1 to Friday July 12, 2019. The course aims to provide an academic and practical overview of the IP-related aspects of the legal system in the European Union, as well as giving concrete ideas about IP litigation in Europe. The course is directed mainly at students and practitioners who want to acquire the basics of the European IP system, but also to practitioners in legal and R&D departments of European companies who want to better understand the European IP System. Focus will be given on proceedings before the EPO and before the EUIPO, as well on national laws of the three key countries involved in IP in Europe.

Monday 29 June 2020

G1 - 09:00 - 11:45 / Overview of main IP rights and their validity assessments - glossary and controversies

11:45 - 13:00 / Lunch break

G1 - 13:00 - 16:00 / EU basics

General introduction to the European legal system : European Union law, national laws

G3 - 16:00 - 18:30 / Introduction to the European Patent System from a Global Perspective

Tuesday 30 June 2020

G4 - 09:00 - 12:00 / Operating IP rights in Europe - EU limitations to agreements

IP rights and the EU treaty - exhaustion of rights - competition rules - penalties for non-compliance - abuse of dominant position - cartels

12:00 - 13:30 / Lunch break

G5 - 13:30 - 16:00 / Overview of proceedings before the EUIPO (OHIM) - kinds of communication received

Proceedings before the EUIPO (OHIM); community trademarks and designs

G6 - 16:30 - 18:30 / Overview of proceedings before the EPO - kinds of communication received

19:30 / Welcome dinner



Wednesday 1 July 2020

G7 - 9:30 - 12:00 / Overview of national grant proceedings in some key European countries, including DE, FR and GB

Highlights of patent prosecution in Germany, France, the United-Kingdom, the Netherlands...-comparison with EPO prosecution

12:00 - 13:30 / Lunch break

G8 - 13:30 - 15:00 / The unitary patent system 1/2

The EU patent package : European unitary patent and Unified European patent Court - outline of the package, pending issues, concrete application, possible strategies



G8 - 18:00 - 20:00 / The unitary patent system 2/2

The EU patent package : European unitary patent and Unified European patent Court - outline of the package, pending issues, concrete application, possible strategies

Thursday 2 July 2020

G9 - 09:15 - 12:30 / Contracts involving IP rights

Kinds of contracts - main provisions - focus on licenses - traps to avoid - sub-contracting - cross-licensing

12:30 - 14:00 / Lunch break

G10 - 14:00 - 17:30 / Copyrights and neighbouring rights in Europe

Basic notions of copyrights protection - Introduction to the different existing traditions of copyright in Europe - «Acquis communautaire» in the field of copyrights

Friday 3 July 2020

G11 - 9:00 - 12:30 / Cross border classic European patents and European patent with unitary effect litigation

Pan-European litigation: Brussels regulation on jurisdiction, recognition and enforcement of judgments - Pan-European provisional injunctions - Italian torpedo - Litigation statistics - Alternative Dispute Resolutions

12:30 - 14:00 / Lunch break

G12 - 14:00 - 18:00 / IP Strategy in Europe

Industry insights in European best practice cases on IP strategy for different branches, technologies and business models

Saturday 4 July 2020

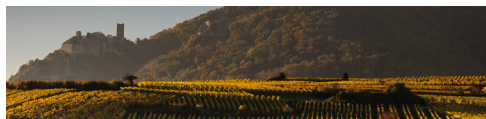
G13 - 09:00 - 13:00 / Enforcement of IP rights in Europe: Enforcement at the border

Rules applicable to customs intervention
New EU Regulation concerning customs enforcement - specific additional rules applicable locally EU Directive on the enforcement of IP rights: aim - main provisions - actual impact on enforcement of IP rights

Sunday 5 July 2020

13:00 - 20:00 / Guided tour in the heart of the Wine Routes with castles and traditional villages

- Visit of picturesque village
- Visit of the Haut-Koenigsbourg Castle
- Wine tasting in a wine cellar



Monday 6 July 2020

09:00 - 12:00

P1 / Examination Practice in Europe and EPO's proceedings 1/3

Filing + priority + search + case law

- Role of the EPO
- Filing formalities
- Concrete procedural aspects: main issues discussed during examination – key elements in responses – amendments – auxiliary requests – submission of further evidence – third parties observations – ex-parte oral proceedings – appeals – limitations

T1 / Trademarks and Design Rights examination cases in Europe 1/2 Designs

- Community Design Regulations (CDR), etc.
- Proceedings before the EUIPO (OHIM) and some EU countries
- Relevant issues (international trends and major controversies, etc.)
- Classification of designs (Locarno Classification)
- Registration of designs and cases of refusal
- Hague System for International Registration of Industrial Designs

12:00 - 13:30 / Lunch break

13:30 - 17:00

P2 / Examination Practice in Europe and EPO's proceedings 2/3

- ♦ **EPC regulations and EPO's approach on patentability:** exclusions of patentability
- Approach for software and pharmaceutical products
- Assessment of novelty (disclaimer) and of inventive step (problem-solution approach)

T2 / Trademarks in Europe (Advanced course)

- Advanced notions of TM
- Community Trade Mark Regulation (CTMR)
- Proceedings before the EUIPO (OHIM) and some EU countries
- Relevant issues (international trends and major controversies, etc.)

Tuesday 7 July 2020

09:00 - 12:30

P3 - 9:30 / Patent trials and litigation in Europe (Advanced course)

- General rules applicable in the EU
- Main procedural aspects of IP litigation in France, Germany and the UK
- Evidence
- Actions on the merits
- Provisional actions
- Timing
- Cost
- Damages
- Major issues in each technological field and cases of disputes
- Analysis and discussion on patent trial decision cases

T3 / Examination Practice in Europe 1/2 Designs

- Role of the EUIPO (OHIM)
- Grant proceedings for Community designs : criteria for registration of designs
- 3-dimensional CAD file application system
- Grounds for refusal
- Invalidity
- Introduction – General principles applying to Invalidity proceedings
- Filing of an Invalidity Application
- Adversarial Stage of the Proceedings
- Different Grounds for Invalidity (Case Law)
- Termination of the Proceedings
- Appeal
- Case law

12:30 - 14:00 / Lunch break

14:00 - 17:30

P4 / Examination Practice in Europe and EPO's proceedings 3/3 (concrete examples)

- Prior art
- Topping up search
- Assessment and interpretation of claims
- Clarity issues
- Added subject-matter
- Intermediate generalization
- Unity of invention (partial search)
- Sufficiency of disclosure

T4 / Examination Practice in Europe 2/2 TM

- Role of the EUIPO (OHIM)
- Grant proceedings for CTM
- Grounds for refusal (CTMR Art. 7)
- Post-grant proceedings : opposition, cancellation
- Appeal proceedings
- Case law

Wednesday 8 July 2020

09:00 - 12:00

P5 / Patent examination cases in Europe

- EPO Case law : novelty, inventive step, industrial application
- Examples of writing an office action on the merits (grounds for refusal)
- Examples of writing a response to an office action on the merits

T5 / Trademarks and Design Rights examination cases in Europe 2/2 TM

- Classification of trademarks, distinctiveness of trademarks, etc.
- Non-traditional trademarks, geographical indication, commonly used TM, pharmaceutical TM, etc.
- Well-known TM
- Madrid International Trademark System
- Concept of unfair competition
- Concept of confusion
- Case law

12:00 - 13:30 / Lunch break

13:30 - 17:30

P6 / Basic differences between EPO's approach and USPTO's approach

- Key differences in procedural aspects
- Presentation and analysis of the claims
- Assessment of new matter and of obviousness

T6 / Opposition and cancellation drafting in TM 1/2

Opposition :

- Procedural matters : admissibility check ; cooling-off period ; adversarial stage; termination of proceedings ; procedural issues
- Identity and likelihood of confusion (Case Law)
- Unauthorised filing by the agent of the TM proprietor (art 8(3) CTMR)
- Rights under (art 8(4) CTMR)
- Trademarks with reputation (art 8(5) CTMR)
- Proof of use

Thursday 9 July 2020

09:00 - 12:00

P7 / Claim drafting in Mechanics Amending claims at the EPO

- Presentation of the structure of claims in Mechanics
- Drafting of main claims in Mechanics – presentation of sub-claims
- Consequences on patent prosecution
- Concrete example of amending claims in response to an office action

T7 / Opposition and cancellation drafting in TM 2/2

- Cancellation
- Procedural matters : application for cancellation ; admissibility check
- Substantive provisions (Case Law)

12:00 - 13:30 / Lunch break

13:30 - 17:00

P8 / Claim drafting in Chemistry Amending claims at the EPO

- Presentation of the structure and type of claims in Chemistry
- Comparison of Chemistry and Mechanics
- Presentation of sub-claims
- Specificities of Chemistry: claiming compositions, ranges, difficulties in satisfying both amendment rules and inventive step requirements in EPO prosecution
- Concrete examples of amending claims in response to an office action

T8 / Trademarks and Design Rights trials and litigation in Europe

- Introduction on dispute settlements
- General rules applicable in the EU
- Main procedural aspects of IP litigation in France, Germany and the UK
- Preliminary rulings at European Court of Justice, appeals against decisions
- Tribunal BoA (Board of Appeal) and arbitration
- Major issues and dispute cases in trademarks and designs
- Harmonization with competition law and other relevant regulations
- Issues and cases
- Analysis of rulings and discussions
- Revocation, invalidation, etc.

Friday 10 July 2020

G14 - 09:00 - 12:00 / Workshop Opposition and Oral proceedings - sample case

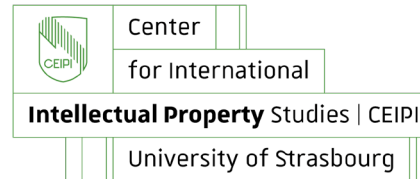
A concrete view of opposition proceedings before the EPO – Brief comparison between EPO and UPC procedures especially with respect to oral proceedings – oral proceedings before the EPO

12:00 - 13:30 / Lunch break

G14 - 13:30 - 17:30 / Workshop Oral proceedings - sample case

A concrete view of opposition proceedings before the EPO – oral proceedings before the EPO (mock trial)

17:30 - 18:30 / Farewell



Application file available at:

www.ceipi.edu

Please send your application to
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