

## In the course you will learn about

- Strategies of obtaining patent protection in Europe, including an overview of the intended Community Patent System.
- Recent developments in the patenting of software-related and biochemical inventions in Europe, including specific IP issues relating to pharmaceuticals
- Important aspects of the prosecution of European Patents, opposition and appeal procedures at the European Patent Office, including attending an Official Hearing at the EPO.
- Patent litigation in Europe, with a specific view to Germany, including claim construction and patent invalidation as well as a comparison with the provisions/practice in Japan and U.S.A.
- The usefulness of utility models and design protection, including the EU Community Design.
- Important aspects of licensing, IP management, IP valuation and technology transfer in Europe, including software and e-commerce, with a comparative view to other regions.
- The protection of trade dress and legal protection beyond registered rights.
- Means of defense against counterfeits, including antipiracy and border seizure measures.

## Guest Speakers

### **Professor Martin J. Adelman**

Professor of Intellectual Property Law, George Washington University Law School, Washington, D.C., U.S.A.

### **Daniel Alexander**

Barrister, 8 New Square, London, United Kingdom

### **Thomas Baumann**

Chief Scientific Officer, Cynora GmbH, Bruchsal, Germany

### **Dr. Giannis Bozas**

European Patent Office, Munich, Germany

### **Ignacio de Castro**

Deputy Director, WIPO Arbitration and Mediation Center, Geneva, Switzerland

### **Prof. Dr. Josef Drexl, LL.M.**

Director Intellectual Property and Competition Law, MaxPlanck Institute for Innovation and Competition, Munich, Germany

### **Edgar H. Haug, Attorney at Law**

Managing Partner of Haug Partners LLP, New York, U.S.A.

### **Dr. Bertram Huber, Attorney at Law**

IP\*SEVA – Intellectual Property for Sustainable Energy Ventures, Backnang, Germany

### **Keiko Kawakami, Patent Attorney**

Partner of Innoventier LPC, Osaka, Japan

### **Dr. Florian Kirschenhofer**

Max-Planck-Innovation GmbH, Munich, Germany

### **Dr. Jürgen Koch**

Robert Bosch GmbH, Stuttgart, Germany

### **Dr. Ulrich Lohmann, Attorney at Law**

Head of Office Pinsent Masons Germany LLP, Munich, Germany

### **Prof. Dr. Ulrich Moser**

Fachhochschule Erfurt, Erfurt, Germany

### **Dr. Alexandros Papaderos**

Technical University of Munich (TUM), Munich, Germany

### **Dr. Lothar Steiling**

German and European Patent Attorney, Leverkusen, Germany

### **Prof. Dr. Dres. h.c. Joseph Straus**

Emeritus Member, Max Planck Institute for Innovation and Competition, Munich, Germany

### **Dr. Marion Trommsdorff**

European Patent Office, Munich, Germany

## Speakers / Moderators of BOEHMERT & BOEHMERT

### **Dipl.-Phys. Christian W. Appelt**

German and European Patent Attorney

### **Dr. Björn Bahlmann**

Attorney at Law

### **Dr. Lüder Behrens**

German and European Patent Attorney

### **Dipl.-Phys. Dr. Thomas L. Bittner**

German and European Patent Attorney

### **Dr. Andreas Dustmann**

Attorney at Law

### **Dipl.-Biochem. Dr. Markus Engelhard**

German and European Patent Attorney

### **Prof. Dr. Heinz Goddar**

German and European Patent Attorney

### **Dr. Carl-Richard Haarmann**

Attorney at Law

### **Dipl.-Phys. Dr. Michael Hartig**

German and European Patent Attorney

### **Dipl.-Ing. Felix Hermann**

German and European Patent Attorney

### **Dipl.-Chem. Dr. Ute Kilger**

German and European Patent Attorney

### **Dipl.-Biol. Dr. Jan B. Krauss**

German and European Patent Attorney

### **Dipl.-Biol. Dr. David Kутtenkeuler**

German and European Patent Attorney

### **Dipl.-Ing. Eva Liesegang**

German and European Patent Attorney

### **Dr. Andreas Lucke**

German and European Patent Attorney

### **Dipl.-Chem. Dr. Karl-Heinz B. Metten**

German and European Patent Attorney

### **Dipl.-Ing. Nils T. F. Schmid**

German and European Patent Attorney

### **Dipl.-Phys. Dr. Steffen Schmidt**

German and European Patent Attorney

### **Dipl.-Phys. Dr. Stefan Schohe**

German and European Patent Attorney

### **Dipl.-Chem. Dr. Volker Scholz**

German and European Patent Attorney

### **Dr. Julian Waiblinger**

Attorney at Law

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# Day 1 – Monday, July 1

## Session I

**Moderator: Michael Hartig**

9.00 – 9.10 a.m.

**Opening Address**

Heinz Goddar

9.10 – 9.45 a.m.

**To patent or not to patent –  
trade secrets vs. patents**

Heinz Goddar

9.45 – 10.15 a.m.

**Strategies of obtaining patent protection  
in Europe (national, EP, PCT)**

Karl-Heinz Metten

10.15 – 11.15 a.m.

**EPO procedure (search, examination, grant,  
nationalization, incl. patent prosecution  
highway)**

Thomas Bittner

11.15 – 11.30 a.m.

**Coffee break**

11.30 – 12.45 a.m.

**Drafting and amending of EP claims**

Christian W. Appelt

12.45 – 2.15 p.m.

**Lunch break**

## Session II

**Moderator: Heinz Goddar**

2.15 – 3.00 p.m.

**Utility models in Germany –  
a useful weapon in litigation**

Andreas Lucke

3.00 – 4.00 p.m.

**Design protection in Europe**

Andreas Dustmann

4.00 – 4.15 p.m.

**Coffee break**

4.15 – 5.30 p.m.

**Protection of secret know-how in Europe**

Björn Bahlmann

7.30 p.m.

**Opening Reception and Dinner**

## Day 2 – Tuesday, July 2

### Session I A – IP & IT

**Moderator: Eva Liesegang**

- 9.00 – 10.00 a.m.**      **Patenting of software related inventions – the view of the EPO**  
Giannis Bozas (t.b.c.)
- 10.00 – 11.00 a.m.**      **Patenting of software related inventions – the view of patent practitioners**  
Steffen Schmidt
- 11.00 – 11.15 a.m.**      **Coffee break**
- 11.15 – 12.30 p.m.**      **Software protection under copyright law**  
Julian Waiblinger

### Session I B – Biotech and Pharma

**Moderator: Volker Scholz**

- 9.00 – 9.20 a.m.**      **The current economical and political situation of the biotechnology sector in Europe and Germany**  
Jan Krauss
- 9.20 – 10.00 a.m.**      **Patenting of biotechnology related inventions – the view of the EPO**  
Marion Trommsdorff (t.b.c.)
- 10.00 – 10.45 a.m.**      **Current issues regarding the protection of biotechnological/pharmaceutical matter**  
Markus Engelhard
- 10.45 – 11.00 a.m.**      **Coffee break**
- 11.00 – 11.45 a.m.**      **Scope of protection of chemistry/pharma patents – product, process, and product-by-process claims**  
Ute Kilger
- 11.45 – 12.30 p.m.**      **Where are pharma patents going? – the interplay of patents, exemptions and regulatory issues in Europe**  
Lüder Behrens/David Kутtenkeuler
- 12.30 – 2.00 p.m.**      **Lunch break**

## Day 2 – Tuesday, July 2

### Session II

**Moderator: Heinz Goddar**

2.00 – 3.00 p.m.

**Novelty and inventive step under EPC**  
Nils T. F. Schmid

3.00 – 3.15 p.m.

**Coffee break**

3.15 – 4.15 p.m.

**Opposition and appeal procedures at the EPO**  
Christian W. Appelt

4.15 – 4.45 p.m.

**Preparation of EPO oral proceedings of July 3**  
Felix Hermann

## Day 3 – Wednesday, July 3

### Session I

**Moderator: Felix Hermann**

9.00 – 12.30 p.m.

**Visit to EPO (oral proceedings at EPO)**

12.30 – 2.00 p.m.

**Lunch (at Hotel Vier Jahreszeiten)**

### Session II

**Moderator: Heinz Goddar**

2.00 – 2.45 p.m.

**Standards vs. patents – competition law and access to technologies**  
Josef Drexler

2.45 – 3.30 p.m.

**Patent Protection in Europe in the age of IoT and industry 4.0**  
Felix Hermann

3.30 – 4.00 p.m.

**Coffee break**

4.00 – 4.45 p.m.

**America Invents Act (AIA):  
The effect on US patent litigation**  
Edgar H. Haug

4.45 – 5.30 p.m.

**The jury system in U.S. patent litigation – an inevitable “must” or can it be avoided?**  
Martin J. Adelman

## Day 4 – Thursday, July 4

### Session I

**Moderator: Heinz Goddar**

- 9.00 – 9.45 a.m.**      **Patent litigation –  
The German Bifurcation System**  
Christian W. Appelt
- 9.45 – 10.30 a.m.**      **Defence measures against enforcement of  
patents – preliminary injunctions, customs  
procedures, criminal actions**  
Carl-Richard Haarmann
- 10.30 – 11.00 a.m.**      **Patent enforcement in Germany against  
partial infringement**  
Stefan Schohe
- 11.00 – 11.15 a.m.**      **Coffee Break**
- 11.15 – 12.00 p.m.**      **Patent invalidation in Germany**  
Joseph Straus
- 12.00 – 12.30 p.m.**      **Patent invalidation in Germany –  
comments from the trenches**  
Eva Liesegang
- 12.30 – 1.30 p.m.**      **Lunch break**

### Session II

**Moderator: Christian W. Appelt**

- 1.30 – 2.15 p.m.**      **Counter measures against  
Non Practicing Entities (NPEs) in Europe**  
Heinz Goddar
- 2.15 – 3.00 p.m.**      **Mediation and Arbitration  
in Patent Disputes**  
Ignacio de Castro
- 3.00 – 3.15 p.m.**      **Coffee Break**
- 3.15 – 4.30 p.m.**      **Claim construction and doctrine of  
equivalents – a comparison between  
Germany, Japan and U.S.A.**  
Stefan Schohe, Keiko Kawakami,  
Edgar H. Haug
- 4.30 – 5.30 p.m.**      **The Unitary Patent (UP) and Unified Patent  
Court (UPC) project – the status in the wake  
of BREXIT**  
Daniel Alexander

## Day 5 – Friday, July 5

### Session I

**Moderator: Heinz Goddar**

- 8.45 – 9.15 a.m. **Ownership of inventions – employees' inventions in Germany**  
Heinz Goddar
- 9.15 – 10.00 a.m. **Legal and commercial aspects of license agreements**  
Heinz Goddar
- 10.00 – 11.00 a.m. **IP Management in the era of IoT and Industry 4.0 – the viewpoint of a global technology player**  
Jürgen Koch
- 11.00 – 11.15 a.m. **Coffee break**
- 11.15 – 12.00 a.m. **Max Planck Innovation GmbH – The technology transfer organization of the Max Planck Society**  
Florian Kirschenhofer
- 12.00 – 12.45 p.m. **IP strategies in OLED**  
Thomas Baumann
- 12.45 – 1.30 p.m. **Industry-university cooperation – TU Munich as an example**  
Alexandros Papaderos
- 1.30 – 2.00 p.m. **Lunch break**

### Session II

**Moderator: Heinz Goddar**

- 2.00 – 2.30 p.m. **Technology transfer in Europe – competition law aspects**  
Ulrich Lohmann
- 2.30 – 3.00 p.m. **Licensing software and databases in cyberspace: selected issues**  
Björn Bahlmann
- 3.00 – 3.30 p.m. **Principles of IP valuation**  
Ulrich Moser
- 3.30 – 3.45 p.m. **Coffee break**
- 3.45 – 5.00 p.m. **IP management and strategy in a global environment**  
- **Business strategy needs IP strategy**  
- **IP business management tools**  
Bertram Huber, Lothar Steiling
- 7.30 p.m. **Closing Dinner**

## Day 6 - Saturday, July 6

**Full-day excursion to Bavarian Countryside, including Castle Neuschwanstein (optional)**