

Program overview

IP Summer Course

Obtaining, Enforcing and Evaluating Intellectual Property Rights
in Europe



IP
Summer Course
2023

Dates and venue

June 29 – July 01, 2023

Part 1: Patents and beyond – trade marks, designs, copyright, trade secrets

July 3 – 8, 2023

Part 2: Patents, utility models, designs

Hotel Vier Jahreszeiten Kempinski

Maximilianstrasse 17, 80539 Munich, Germany

Part 1: Patents and beyond – trade marks, designs, copyright, trade Secrets

Day 1 - Thursday, June 29, 2023

Session I

9:00 a.m. – 9:10 a.m.
Carl-Richard Haarmann

Opening address

9:10 a.m. – 11:15 a.m.
Carl-Richard Haarmann

Obtaining trademark protection in
Europe – systems and approaches

11:15 a.m. – 11:30 a.m.

Coffee break

11:30 a.m. – 12:30 p.m.
Andreas Dustmann

Design vs. patent – protecting function
by appearance? How designs can
substitute patents

12:30 p.m. – 1:30 p.m.

Lunch break

Session II

1:30 p.m. – 2:30 p.m.
Silke Freund

Copyrights – how to protect creative
works including software

2:30 p.m. – 3:15 p.m.
Anja Ruge

Unfair competition / passing off –
additional means to protect intellectual
property

3:15 p.m. – 4:30 p.m.
Marianne Grabrucker

Recent developments in German
trademark case law – Federal Supreme
Court and Federal Patent Court

7:00 p.m.

Opening reception and dinner



Part 1: Patents and beyond – trade marks, designs, copyright, trade secrets

Day 2 - Friday, June 30, 2023

Session I

9:00 a.m. – 10:00 a.m.
Christian Schalk

Regulatory challenges for trademark development for pharmaceutical products

10:00 a.m. – 11:15 a.m.
Eckhard Ratjen

Licensing and licenses – the European approach

11:15 a.m. – 11:30 a.m.

Coffee break

11:30 a.m. – 12:30 p.m.
Sebastian Engels

Research & development, tech transfer – contractual issues

12:30 p.m. – 1:30 p.m.

Lunch break

Session II

1:30 p.m. – 2:30 p.m.
Fabio Adinolfi

Protection of trade dress – alternative and supplementary protection for technical inventions

2:30 p.m. – 3:30 p.m.
Peter Gross

Trade marks in Non-Latin characters – approach of the EUIPO

3:30 p.m. – 4:15 p.m.
Lars-Oliver Eggersdorfer

Damage calculation, damage compensation, recall of products – the consequences of IP infringement



Part 1: Patents and beyond – trade marks, designs, copyright, trade secrets

Day 3 - Saturday, July 1, 2023

Session I

9:00 a.m. – 10:00 a.m.
Carl-Richard Haarmann

How to defend against IP-based attacks?

10:00 am. – 10:15 a.m.

Coffee break

10:15 a.m. – 12:15 p.m.
Carl-Richard Haarmann and Volker Schmitz-Fohrmann

Infringement of trade marks, copyright and trade dress – a case study

12:15 p.m. – 1:00 p.m.

Lunch break

Half day excursion

1:00 p.m.

Half-day excursion to Bavarian countryside, including boat ride on Lake Starnberg



Part 2: Patents, utility models, designs

Day 1 - Monday, July 3, 2023

Session I

Moderator: Michael Hartig

9.00 a.m. – 9.10 a.m.
Heinz Goddar

9.10 a.m. – 9.45 a.m.
Heinz Goddar

9.45 a.m. – 10.15 a.m.
Karl-Heinz Metten

10.15 a.m. – 11.15 a.m.
Sebastian Schlegel

11.15 a.m. – 11.30 a.m.

11.30 a.m. – 12.30 p.m.
Michael Hartig

12.30 p.m. – 2.00 p.m.

Opening address

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

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

EPO procedure (search, examination, grant, validation, incl. patent prosecution highway, and obtaining an EPC Patent and/or a Unitary Patent)

Coffee break

Novelty and inventive step under EPC

Lunch break

Session II

Moderator: Heinz Goddar

2.00 p.m. – 2.45 p.m.
Giulio Schober

2.45 p.m. – 3.45 p.m.
Andreas Dustmann

3.45 p.m. – 4.00 p.m.

4.00 p.m. – 5.15 p.m.
Melanie Müller

7.30 p.m.

Utility models in Germany – a useful weapon in patent litigation

Design protection in Europe

Coffee break

Protection of secret know-how in Europe

Opening reception and dinner
at Hotel Vier Jahreszeiten Kempinski,
Munich

Part 2: Patents, utility models, designs

Day 2 – Tuesday, July 4, 2023

Session I A – IP & IT

9.00 a.m. – 9.45 a.m. Steffen Schmidt	Patenting of software related inventions in Europe
9.45 a.m. – 10.30 a.m. Jakob Valvoda	Patenting of FinTech instruments in Europe
10.30 a.m. – 10.45 a.m.	Coffee break
10.45 a.m. – 11.30 a.m. Matthias Hofmann	The EPO's approach towards artificial intelligence
11.30 a.m. – 12.30 p.m. Alexander Thamer	Software protection under copyright law and licensing software in cyberspace - selected issues

Session I B – Biotech and Pharma

Moderator: Markus Engelhard

09.00 a.m. – 09:45 a.m. Markus Engelhard	Introduction to patentability of biotechnological subject matter under the EPC and the German Patents Act (PatG) – the legal machinery and case law/selected decisions
09:45 a.m. – 10:30 a.m. Ute Kilger	Plausibility, sufficiency of disclosure and inventive step of biotechnological inventions
10:30 a.m. – 11:00 a.m. Lara Gwinner	Antibody and epitope patent claims
11.00 a.m. – 11:15 a.m.	Coffee break
11:15 a.m. – 12.00 p.m. Sibylla Grahn, Jose Pfizer	Scope of protection of chemical and pharmaceutical patents
12:00 p.m. – 12:45 p.m. Laura Haas, Oleg Lebedev	SPCs and patent term extensions (PTEs)
12:45 p.m. – 2.00 p.m.	Lunch break

Session II

Moderator: Heinz Goddar

2.00 p.m. – 3.00 p.m.
Christian W. Appelt

Drafting and amending of EP claims

3.00 p.m. – 3.15 p.m.

Coffee break

3.15 p.m. – 4.15 p.m.
Christian W. Appelt

Opposition and appeal procedures at the EPO

4.15 p.m. – 4.45 p.m.
Felix Hermann

Preparation of EPO oral proceedings of July 5



Part 2: Patents, utility models, designs

Day 3 – Wednesday, July 5, 2023

Session I

Moderator: Felix Hermann

9.00 a.m. – 12.00 p.m.

Attending EPO oral hearings
(videoconference)

At the office of
BOEHMERT & BOEHMERT
Pettenkoferstr. 22
80336 Munich

12.00 p.m. – 2.00 p.m.

Lunch break
at Hotel Vier Jahreszeiten Kempinski,
Munich

Session II

Moderator: Heinz Goddar

2.00 p.m. – 2.45 p.m.
Beatriz Conde Gallego

2.45 p.m. – 3.30 p.m.
Felix Hermann

3.30 p.m. – 4.00 p.m.

4.00 p.m. – 4.45 p.m.
Georg Reitboeck

4.45 p.m. – 5.30 p.m.
Martin J. Adelman

5.30 p.m. – 6.00 p.m.
Aida Dolotbaeva

Standards vs. patents – competition law
and access to technologies

Patent protection in Europe in the age of
IoT and industry 4.0

Coffee break

America Invents Act (AIA): The effect on
U.S. patent litigation

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

Issues discussed at the Standing
committee on the Law of Patents (SCP) of
WIPO



Part 2: Patents, utility models, designs

Day 4 – Thursday, July 6, 2023

Session I

Moderator: Christian W. Appelt

9.00 a.m. – 9.45 a.m.
Christian W. Appelt

9.45 a.m. – 10.30 a.m.
Michael Rüberg

10.30 a.m. – 11.00 a.m.
Carl-Richard Haarmann

11.00 a.m. – 11.15 a.m.

11.15 a.m. – 12.00 p.m.
Stefan Schohe

Patent litigation – the German bifurcation
system

Unified Patent Court – European Patent
litigation procedures

Defence measures against enforcement of
patents – preliminary injunctions, customs
procedures, criminal actions

Coffee break

Patent enforcement in Germany against
partial infringement

12.00 p.m. – 12.30 p.m.
Andreas Lucke

Patent invalidation in Germany

12.30 p.m. – 1.30 p.m.

Lunch break

Session II

Moderator: Heinz Goddar

1.30 p.m. – 2.15 p.m.
Melanie Müller

The status of legislation and court practice in accordance with the 2nd patent modernization law in Germany – things to be done by 3rd Patent Modernization Law?

2.15 p.m. – 3.00 p.m.
Chiara Accornero

Mediation and arbitration in patent disputes – the WIPO approach

3.00 p.m. – 3.15 p.m.

Coffee break

3.15 p.m. – 4.45 p.m.
Stefan Schohe
Keiko Kawakami
Georg Reitboeck

Claim construction and doctrine of equivalents – a comparison between Germany, Japan and U.S.A.

4.45 p.m. – 5.30 p.m.
Chloe Tai
Georg Reitboeck
Keiko Kawakami

Scope of protection of product claims, process claims and product-by-process claims – a comparison between Germany, Japan, United Kingdom and U.S.A.



Part 2: Patents, utility models, designs

Day 5 – Friday, July 7, 2023

Session I

Moderator: Heinz Goddar

8.45 a.m. – 9.15 a.m.
Heinz Goddar

Ownership of inventions – employees' inventions in Germany

9.15 a.m. – 10.00 a.m.
Sebastian Engels

Legal and commercial aspects of license agreements

10.00 a.m. – 11.00 a.m.
Florian Kirschenhofer

Max Planck Innovation GmbH – The technology transfer organization of the Max Planck Society

11.00 a.m. – 11.15 a.m.

Coffee break

11.15 a.m. – 12.00 p.m.
Peter Berg

IP strategies in semiconductors

12.00 p.m. – 12.45 p.m.
Elke Achhammer

Industry-university cooperation – TU Munich as an example

12.45 p.m. – 1.45 p.m.

Lunch break

Session II

Moderator: Heinz Goddar

1.45 p.m. – 2.30 p.m.
Sebastian Engels

Technology transfer in Europe – competition law aspects

2.30 p.m. – 3.30 p.m.
Heinz Goddar

Valuation of intellectual property rights - license analogy based approaches according to employees' inventions remuneration calculation in Germany

3.30 p.m. – 3.45 p.m.

Coffee break

3.45 p.m. – 4.45 p.m.
Georg Kreuz
Anton Wallner

IP management and strategy in a global environment
- Business strategy needs IP strategy
- IP business management tools

4.45 p.m. – 5.30 p.m.
Nikolaus Thumm

SEP/FRAND developments on EU level

7.30 p. m.

Closing Dinner at Paulaner am
Nockherberg, Hochstrasse 77, 81541
Munich



Part 2: Patents, utility models, designs

Day 6 - Saturday, July 8, 2023



Full-day excursion
to Bavarian countryside,
including Castle
Neuschwanstein.

Departure

Hotel Vier Jahreszeiten
Kempinski, Munich, at
8.00 a.m.
Back at hotel at about
5.00 p.m.