

Re-establishment of Rights Proceedings at the EPO

Topics

- Criteria for re-establishment of rights
- EPO BoA: case-law summary, lessons to be learned
- Insights into the Boards' approach and reasoning
- (Re-)organization of a patent law firm/department: best practice discussion
- Workshop: analysis of detailed requests for restoration
- Petitions for review - overview

**Optional bonus: € 100 worth
- the standard reference
by Rainer Viktor!**

Your speakers



Christopher Rennie-Smith
Formerly Chairman of the BoAs, European Patent Office, Munich (Germany)



Rainer Viktor
European Patent Attorney,
Partner, Vossius & Partner,
Munich (Germany)

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Aims and objectives

Re-establishment of Rights proceedings at the EPO is a remedy of last resort to rectify a missed deadline. Failure to successfully re-establish a patent right represents not only a loss of the patent right but often an opportunity for financial gain. Therefore, every patent practitioner needs to know how to most effectively navigate this remedy which has been shaped by more than 400 decisions of the Boards of Appeal of the EPO.

Our speakers will not only give a systematic overview of the most relevant case-law but will also show recent trends. Attendees will gain valuable insights into the Boards' approach and reasoning. This seminar also provides critical guidance for organizing a patent law firm or patent department to both minimize the risk of missing a term and maximize the probability that a request for restoration will be successful.

Who should attend?

You are tasked with EP deadline management and would like to know how to best deal with a missed deadline? Then this course is intended for you. Knowledge of patents is required.

Optional bonus

Each attendee has the possibility to receive a copy of Rainer's standard reference 'Re-establishment of Rights', worth € 100 retail price.

Your speakers



Christopher Rennie-Smith
Formerly Chairman of the BoAs, European Patent Office, Munich (Germany)

For 15 years until 2014 Christopher Rennie-Smith was a member of the EPO Boards of Appeal in Munich, since 2005 a member of the Enlarged BoA and since 2010 chairman of a Technical BoA. He was a board member or chairman in hundreds of appeals and, since 2007, many petitions for review. Christopher was one of the draftsmen of the current Rules of Procedure of the Boards of Appeal and, for seven years, was involved in judicial training for new BoA members and judges from European national courts. Christopher advises and counsels parties to EPO proceedings and their representatives.



Rainer Viktor
European Patent Attorney,
Partner, Vossius & Partner,
Munich (Germany)

Rainer Viktor is a European Patent Attorney since 1999 and became a partner in the firm in 2000. Rainer advises his clients in prosecution of patent applications in the areas of medical devices, health care products, software, bioinformatics, business methods, and electronic devices, and has extensive experience in opposition and appeal proceedings in these fields. Rainer is in charge of re-establishment of rights proceedings of his firm and author of a respective manual for the patent practitioner.

14 November 2019, 09:00 - 17:00

Criteria for re-establishment of rights

- Eligible time limits
- Legal consequences

Summary of relevant case-law of the EPO Boards of Appeal and lessons to be learned

- Establishing a file
- Calculation of terms
- Docketing terms and cross-check
- File management software
- New staff member
- Office mail
- Correspondence by email
- The 'true intention' of the client; reminders - when and how many?
- Renewal fees - what to do, if not in charge of?
- Necessary information to other law firms

Best practice discussion about (re-)organization of a patent law firm/department

- Minimizing the risk of missing a term
- Maximizing the probability that a request for restoration will be successful

Case studies: analysis of detailed requests for restoration

- Rejected requests - what went wrong
- Granted requests - success factors

Workshop: analysis of detailed requests for restoration

- Rejected requests - what went wrong
- Granted requests - success factors

Overview: Petitions for review

- Requirements for petitions for review
- Relevant EPO case-law
- Petitions - some 'Do's and Don'ts'