

Bavarian State Minister of Justice – 80097 Munich

Dr. Elizabeth Hardon  
An der Hauptfeuerwache 4  
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Your Ref., your communication of su15109ml – 0.4.2 of 7.12.2015	Please quote in reply Our Ref., our communication of D5 – 3620 E – I – 13807/2015	Date 4 January 2016
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**Demonstration by the Staff Union of the European Patent Office (SUEPO) on 10 December 2015  
before the Palace of Justice**

Dear Dr. Hardon,

Many thanks for your letter in reference, in which you provided further details with regard to the background to the SUEPO demonstration on 10 December in front of the Munich Palace of Justice.

I can readily empathise with the burden being placed on you and your colleagues by the situation at the European Patent Office which you describe. I must however ask for your understanding inasmuch as I am unable to voice an opinion in these matters, given that the Bavarian State Ministry and the Free State of Bavaria have no jurisdiction in this instance. As you are aware, the European Patent Office (EPO) is an international organization with its own constitutional legal framework. Germany is only one of 38 contracting states, and is represented in the administrative bodies of the EPO solely by the Federal Republic.

On 8 October 2015 the Federal Government stated, in a reply to the written question submitted by a Bundestag deputy (BT-Drs 18/6301 (new), p. 23 f.), that it viewed a good working atmosphere at the European Patent Office as a very important concern. In order to improve the situation, in particular, the climate with regard to discussion and negotiation, the Federal Ministry of Justice and Consumer Protection (BMJV) is said to have instigated a revival of the social dialogue in the Administrative Council of the EPO, and the Ministry appears to be actively concerned in improving the situation.

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In the context of a discussion with the Federal Minister of Justice and Consumer Protection, Mr. Heiko Maas, on 18 December 2015, I expressly raised the issues concerned. The Federal Minister of Justice has given his assurance that he will also be engaging with the issues which you are currently raising.

Best regards

Prof. Dr. Winfried Bausback, MdL