

Handelsblatt

Criminal charges at the Patent Office Uprising in Paradise getting worse

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Still no ceasefire: The European Patent Office won't calm down. Management and staff are sniping at each other, and the Munich State Attorney is pursuing criminal charges – a lot of them.

[Photo]

Benoît Battistelli

Dispute with the staff getting even worse.

(Photo: AFP)

Düsseldorf. The European Patent Office (EPO), one of the most important starting points for the protection of inventions, has been tearing itself apart for months in a bitter dispute between the President and sections of the staff. At issue are new promotional and sick leave arrangements, union rights, internal investigations, and sackings.

On 15 March, one day before an important meeting of his Administrative Council, President Benoît Battistelli suddenly started sending out peace signals. According to the Frenchman, 2016 will see a “general review of social rules and regulations”.

In the light of rumours that the Council might dismiss him from office due to the conflict, his overseers may have forced Battistelli's hand. But only under certain conditions: The squabblers would have to get together and “conscientiously and honestly work towards finding a solution”.

But now things start to become clearer: The much heralded peace turns out to be nothing more than a ceasefire. According to information available to Handelsblatt, the conflict at the EPO has actually involved the Munich I State Attorney's office since as far back as 2013, and there are still a good number of unresolved criminal cases being pursued.

[Photo]

EPO boss Benoît Battistelli

“Bullying and defamation causing massive disruption”

Benoît Battistelli is the boss of a public authority that is actually one of the most important for the entire European economy: The Patent Office. Critics call him the “Sun King” or “Stalin”. In an interview he speaks for the first time about the accusations made against him. More ...

The first of the charges was laid by Battistelli's Vice-President, and was aimed at a person or persons unknown. The main issue was an accusation of slander and defamation, as Munich I State Attorney's office confirmed when asked. The charge evidently related to the issues surrounding an Irish patent judge, whom Battistelli had suspended.

At the end of 2015 the Irishman himself then laid charges against Battistelli, on the grounds that his honour has been besmirched. There have been more criminal accusations made against unknown persons, among them by the sacked union executive Elizabeth Hardon. All those involved deny the accusations.

The EPO has been conducting internal investigations against the judge and Hardon since 2013. The Office suspected both of them of having waged a campaign against the President and his deputy.

According to an internal report, among other things, the judge was found to have defamatory letters in his possession. The EPO investigators also found in his office a number of clubs and suspected Nazi material, such as brochure bearing a swastika and entitled "Ich kämpfe".

Since then, the man concerned has stayed at home. Battistelli later also dismissed Hardon, the chief executive of the staff union Suepo, which he does not recognize. The accusation against her was of threatening non-union members.

***Innovation-friendly Europe
Development of patent applications***

165 000	160 022
152 500	
140 000	
2011	2015

Applications received in 2015 by sectors

<i>Medical technology</i>	12 474
<i>Digital communications</i>	10 762
<i>Computer technology</i>	10 549
<i>Electrical engineering/mechanical engineering/energy:</i>	10 198
<i>Transport</i>	7802

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Source: EPO

The attorney acting for both of them, Munich-based labour lawyer Senay Okyay, disputes the accusations, contending, among other things, that the clubs which the Irishman had were for gymnastic exercises. The grounds for the criminal charges laid by her client were the wrongful and defamatory accusations that he was a Nazi.

As well as all this, an application for criminal charges has also been made against persons unknown due to the EPO investigation report having allegedly been leaked to various media. "The group of persons entitled to receive this strictly confidential report is restricted to my client, the Administrative Council, and the President of the Office", says Okyay. Hardon has also sought to lay criminal charges against unknown persons due to her private E-mail account having allegedly been searched in the course of the investigations.

The EPO is unwilling to comment on the charges brought by the Vice-President. With regard to the judge, the word is that they became aware of this after Easter. The State Attorney's office will know how to deal with such things.

The State Attorney's office is emphasising that at present all the accusations are being looked into, and no further information can be forthcoming.

[Photo]

*Squabbles at the European Patent Office
Uprising in Paradise*

Allegations of death threats, a judge with clubs in his office: The European Patent Office is being crippled by internal brawls. The Office is already overdue with thousands of cases, and that is something the economy simply cannot afford. More...

Whatever the outcome, the criminal charges have been stirring things up even more with regard to the issues of social peace at the Office. One particular issue is what the Administrative Council knew about these events when it accepted Battistelli's peace offering on 16 March.

At the EPO the word is that the Administrative Council has been kept "regularly informed of all relevant events". The Chair of the Council, Jesper Kongstad, has no comment to make. Perhaps he's saving his voice. The next Council meeting is in June.