

## Suicides, espionage, nepotism... The European Patent Office is a powder keg

The unions claim that an atmosphere of terror has been created at the European Patent Office, which has brought about suicides, sick leave, and repression. The scandal has reached the level of Government itself.



Benoît Battistelli, President of the European Patent Office. (EPO)

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Reading time 6 min

26.11.2015 – 05:00 H.

**Florian Mueller**, a world authority on the granting of patents, [says](#): “The most recent information we’re getting describes a situation that would be inconceivable anywhere in the civilized world, but then the European Patent Organization, quite simply, is not a part of the civilized world”. It has even been [said](#) that the Office today is the last **dictatorship** on European soil.

So what is Mueller, a German, talking about? Nothing more and nothing less than the fact that an atmosphere of **panic at work** and **psychological terror** has been created among many of the 7,000 or so employees of the European Patent Office (EPO). Union representatives claim that in the past few years at least five suicides have occurred (one employee jumped out of the window in July 2013 at the office in The Hague), and many others have been suffering from enormous **psychological pressure**, resulting in patents being granted without their technical quality being properly verified.

The important thing, according to the sources, is productivity, even though some patents have subsequently been invalidated. There are [accusations](#), backed up by internal documents from

the Patent Office itself, which reveal that a number of big corporations are benefitting from **preferential treatment** over small companies when it comes to the examination procedures.

Some 2,000 employees recently took to the streets of Munich to demonstrate against the management of the President and the executive team.

The latest incident happened on 13 November, a Friday, when two employees, one of them Spanish, **Jesús Areso**, and the other French, **Laurent Prunier**, were summoned to make statements at the Office at The Hague before the EPO Investigation Unit sent by the President, Frenchman **Benoît Battistelli**. The union [SUEPO](#), which represents the employees at the Patent Office, [claims](#) that after these interrogations, which had a clearly intimidating purpose, both the people concerned had to be taken to hospital as emergency cases. One of them had suffered a major nervous attack, and the other, for similar reasons, had to be admitted. Prunier continues to be on sick leave.

And there is more. Some staff members have been suspended from work, and others have laid claims before the courts about the persecution which they are suffering. At least three staff representatives have been suspended in Munich, [Elisabeth Hardon](#), **Ion Bromme** and **M. Weaver**, and others at The Hague. The parliamentary deputy for French citizens abroad, Socialist **Pierre-Yves Le Borgn'**, [has demanded](#) public explanations from the President of the EPO with regard to the climate of repression, and has made official representations to the French Minister of the Economy, **Emmanuele Macron**, in letters on the matter.

## Malpractice

[Le Borgn'](#) claims in his letter that intense interrogations have been carried out with “**unusual violence**”, which have left some employees in a state of 'shock' and resulted in their needing medical treatment. Neither human rights nor labour laws can be allowed to remain outside the headquarters of the European Patent Office, the high-ranking Frenchman says in his letter, and demands that the member countries condemn these practices.

Some officials have been suspended from their duties, and others have laid claims before the courts about the persecution which they are suffering at work.

The situation has reached extremes that are unheard of in this type of international institution, where officials from many different countries work, with very different cultures. Some 2,000 employees recently took to the streets in of Munich to demonstrate against the President, who is, incidentally, supported by Spain, and his executive team, whom they accuse of **nepotism** and **irregularities** involving the buying of votes. Essentially, as a source who prefers to remain anonymous points out, the vote of a representative from **Albania** or **Georgia** counts the same as that of Germany, which makes it easy for the people concerned to be compromised in the form of travel, expenses, medical services, or “extra-ordinary” income. Something which finds an echo in events at FIFA, in the decision-making process, where countries with little resources are complaining about decisions taken with money being exchanged.

The scandal [has spilled](#) onto the pages of a number of big European newspapers, and the German Commission for Data Protection has demanded that the European Patent Office respect the rights of its employees. The Dutch press, too, [maintains](#) that a reign of terror has

been established in the EPO, to deal with personnel who voice dissent about the **arbitrary decisions** being taken by their superiors.

## Nazi propaganda

The President of the EPO, Benoît Battistelli, rejects these accusations, and in a letter to the French Minister of the Economy he attributes the incidents to the staff representatives themselves, and to a “**campaign of defamation**” against him personally. He also says that a senior functionary of the EPO was suspended from his position because he had been involved in the leaking of confidential documents, as well as having kept weapons and Nazi propaganda in his office.

A number of members of the European Parliament have taken an interest in the atmosphere of panic at work which has invaded the EPO, surrounding, according to the unions, the French functionaries close to the President, who form his “Praetorian Guard”. A complaint has gone as far as Strasbourg that a number of computers with public access have been fitted with cameras and **spyware** in order to record what employees are writing. The EPO [has also been accused](#) on a number of occasions of not maintaining a sufficiently independent **board of appeal**. This is the body before which appeals are presented against decisions by the patent organization itself.



A number of Euro MP's have shown an interest in the matter. (EPO)

The Office is an organization of an international nature, created under the auspices of the European Patent Convention of 1973, which [propogates](#) its own conditions of work and maintains centres in Munich, The Hague, Berlin, and Vienna. The member states are all the members of the European Union (EU), plus a number of other European countries (Switzerland, Norway, Turkey, Albania, or Georgia), and [since 2010](#) it has been directed by Frenchman Batistteli, who is at the eye of the hurricane, and who enjoys the **backing** of Spain.

Batistteli was in fact been bestowed with the title of doctor honoris causa by Menéndez Pelayo University in July 2014. The Spanish representative at the EPO is **Alberto Casado**, [elected](#) as vice-president for five years in 2012, and former director general of the European Patent and Trademark Office. The current director general is **Patricia García-Escudero**,

sister of the president of the Senate, who acceded to the position amid some [controversy](#) over the appointment. She was appointed without having served other administrative terms.

As the German press maintains, the problem is that the European Patent Office is a state within the State, **which functions with its own laws**. The President, according to the Statutes, is availed of wide powers, and the only body which can exert legal supervision over him is the Administrative Council, on which 38 member states are represented. Accordingly, the **court rulings** which apply in the Netherlands or Germany cannot be imposed on the EPO. In the words of someone who knows the organization well from the inside, the EPO “has set itself outside any control”.