

European Patent Office: Conflict between Management and Staff rapidly coming to a Head



The European Patent Office has suspended the Staff Union leadership; now the situation threatens to escalate. The Office President has branded the staff representatives as "Mafia"; they speak of "institutional violence".

The atmosphere between the management cadre and the staff union at the European Patent Office (EPO) is getting more and more toxic. In the dispute over the efficiency drive by Office President, Benoît Battistelli, he has now launched a venomous flood of rhetoric on the international staff union of the institution (SUEPO) and challenged their legitimacy.

Atmosphere of Terror

Frenchman Battistelli is quoted by the online service "Politico" as insisting that the union is not a representative body but a "Mafia-like" organization. At the same time he refutes the allegation that he himself has created an "atmosphere of terror". One member of staff had anonymously claimed that the staff felt they were being "squeezed like lemons", which was affecting their health.

Over the past three and a quarter years, five of the around 7000 staff members have committed suicide, the last incident being in August. Suepo are insisting that the deaths

should be independently investigated, in the light of the changed working conditions. Battistelli has been the chief executive of the Office since 2010.

An EPO spokesperson has complained to the WIPR service that, on a lower level, leading management and executive personnel have been increasingly confronted with “personal attacks”, excessive references in blogs and leaflets, and even “calls for violence”.

Cheap accusations

Of course, the union is not going to take this lying down. These “cheap accusations” are blatant inventions to arouse sympathy for the Office leadership, now that it is increasingly coming under closer scrutiny by the media. But it is not the managers who are the victims; on the contrary, it is they who are introducing “institutional violence”, in particular against those who have not declared themselves to be in agreement with “certain regulations”. Overall, this tactic is said to be being used to challenge the integrity and worth of honest employees, who have in no way deserved this.

Suepo has again called for a “peaceful demonstration” on Thursday at the Office headquarters in Munich. The protest is aimed in particular at the “sustained attacks” against staff representatives, which are said to have now reached a peak with the suspension and the [initiation of disciplinary measures against the union executive](#).

Last Thursday, and the week before, according to figures from Suepo and the police, some 2000 staff members have already taken part in similar gatherings. The EPO union has support from colleagues at the Office for the Harmonization of the Internal Market (OHIM), the counterpart to the Patent Office in matters relating to Community trademarks. In a press release the staff representatives there expressed their “deep concern” about the situation at the EPO, which needs to be addressed urgently.

Fear of retribution

The Administrative Council of the Office is apparently now being approached, so that union officials can once again address the concerns of the staff members without fear of repercussions. The additional protection of their votes, which are critical to the issue, is said to be essential if an abuse of power is to be prevented. The EPO leadership is accusing the suspended Chair of the Union, Elizabeth Hardon, among other things, of having talked too much, and to have threatened and bullied Union members.

In the local (heise) online “Accusation letter”, the talk is of “sniper” methods, said to have been used against Hardon. As well as that, it seems evident that even the private E-mail accounts of the SUEPO executive have been monitored.

There had already been earlier complaints of a comparatively new “Investigation Unit” of the Office [having used keyloggers and cameras](#) and of having worked with somewhat murky service providers such as the British “Control Risk Group”, to spy on staff members. Hardon herself refutes the accusations against her entirely, and has lodged an appeal with the EPO data protection supervisory authority.

Waving patents through in a rush

Battistelli has meanwhile lavished praise in a local (heise) online circular on the ongoing efforts by the employees, which he claims have led to increasing effectiveness and greater productivity. In concordance with the new performance-based assessment system, in 2015 a total of 18.4 million Euro was distributed by way of bonus payments to the workforce. This is said to be 20 percent more than in the previous year. Suepo contends that the remunerations are hardly an issue, and in any event are only a “perverse incentive” not to examine patent applications adequately and wave them through as rapidly as possible. ([kbe](#))