

## 29. Jutta Krellmann, Member of Parliament (DIE LINKE.)

To what extent can the Federal German Government confirm the “deteriorating working conditions” ([www.heise.de/ix/meldung/Europaeisches-Patentamt-droht-Gewerkschaftsfuehrung-2814245.html](http://www.heise.de/ix/meldung/Europaeisches-Patentamt-droht-Gewerkschaftsfuehrung-2814245.html)) at the European Patent Office under the management of President Benoît Battistelli, in respect of the employees and the union SUEPO, and what possibilities does the Federal Government see for defusing the situation and possibly bringing the conflict to an end?

Reply by Parliamentary Secretary of State Christian Lange of 8 October 2015

*The European Patent Office is an organ of the European Patent Organization (EPO). The latter is an international organization which was established in 1973, which now comprises 38 contracting states. As is usual with international organizations, the EPO has acquired an independent legal framework. This consists in particular of the European Patent Convention and other agreements under international law. For the persons who are engaged there, predominantly international public officials, there is also an independent public officials statute, as well as other internal regulations which serve to implement and formulate this statute.*

*A good working atmosphere at the European Patent Office is a matter of very great importance to the Federal German Government.*

In order to improve the situation, in particular the atmosphere for discussions at the EPO, the Federal Ministry of Justice and Consumer Protection has urged the Administrative Council at the EPO to stimulate resumption of the social dialogue. The intention is that this should take the form of a three-way interaction between the President, the Administrative Council, and the trade unions at the EPO, and serve to determine, in the interests of the staff, where it will be possible for the parties to come to terms on the present dispute issues.

The Federal Ministry of Justice and Consumer Protection is actively seeking to improve the situation. In the final analysis, however, it will be down to the parties involved at EPO themselves to take advantage of the possibilities being offered to hold talks, and thereby open up room for manoeuvre. In this context, an individual contracting state has no rights of instruction or supervision. Germany too, its concerns notwithstanding, must pursue the matter by way of the administrative bodies of the EPO, and is only one of 38 contracting states.