

Protest against ‘intimidation’ at European Patent Office



The European Patent Office in Rijswijk Marc Hamer / NOS

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Employees of the European Patent Office (EPO) in Rijswijk are taking to the streets today. The employees are protesting the dismissal of two colleagues and the demotion of a third. Among the employees is the Dutch chair of the union, Elizabeth Hardon.

Lawyer Liesbeth Zegveld representing the union speaks of “outright intimidation”. The location in Rijswijk is the largest international organisation in the Netherlands, with 2,700 employees.

The punished employees all work for the European Patent Office union from its headquarters in Munich. According to the protestors, they are facing the consequences of the fact that they dared to criticise the “tyrannical” head of EPO, Frenchman Benoît Battistelli.

Head of the organisation Battistelli has an entirely different interpretation. According to him, he was forced to strike hard as the three employees did not follow internal rules in various ways and discredited their own organisation.



Lawyer Zegveld: 'They are protesting against a culture of intimidation'

Tensions within the European Patent Office have been there for quite some time, but the issue now appears to be escalating. “It seems that constitutional rights just don’t apply here,” one of the employees said, who wishes to remain anonymous out of fear for reprisals. “We even have a kind of secret service that monitors the employees.”

The only supervisory entity at the top is the so-called Management Board, which consists almost entirely of the directors of the national patent offices of the 38 EPO countries. But they have yet to take a stand, according to the Suepo union. When Hardon appealed to the Management Board for help leading up to her dismissal, they just referred her back to Battistelli. He then not only kicked her out, but also cut her accumulated pension rights as an extra sanction.

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European Patent Office employee

A representative of the French parliament for French citizens abroad, Pierre-Yves Le Borgn', called the sanctions imposed on the employees “[a disgrace](#) and highly unjust”. Member of the Dutch House of Representatives John Kerstens (of the Labour Party) wants “the Dutch cabinet to do everything in its power to ensure normal work relationships”. Kerstens: “Employee rights that are seen as completely normal cannot be infringed upon to such a degree that employees feel threatened and intimidated.”

Today’s protest march in The Hague will go from the French to the German embassy. The disgruntled employees hope to get the governments of both countries to intervene, and hope the Dutch government will do the same.

Rutte

The Dutch cabinet has yet to make a clear statement on the issue. In [response to questions](#) from the House of Representatives, Minister Asscher previously underlined that part of the problem is that the board of management of the European Patent Office has legal immunity. That means, among other things, that the Dutch Inspectorate (I-SZW) cannot be granted access to the offices in Rijswijk as long as Battistelli does not allow it.

The European Patent Office is currently building a new office near the current building in Rijswijk, costing €205 million. Prime Minister Rutte helped Battistelli lay [the first stone](#) in the summer of 2014. [On its website](#), the city of Rijswijk states that the EPO “makes an important contribution to the Dutch economy by providing jobs to tens of thousands of people in The Hague area”.

Yesterday, the NOS asked the European Patent Office for a response to the criticism surrounding head of the organisation Battistelli. But as of last night, they had yet to respond.

The ‘charge’: slander campaign or constructed?

According to Benoît Battistelli, he is the victim of a targeted action led by his own staff. “We can now openly say that over the past two or three years, we have been the victim of an orchestrated campaign of which the goal was to destabilise and discredit the organisation,” the EPO president said last October in an interview with *Financieele Dagblad*.

The dismissed Dutch chair of the office’s own union in Munich is suspected of things including helping another colleague in that campaign. She is also said to have threatened colleagues and expressed that an internal procedure was being carried out against her. The latter is prohibited at the EPO as well.

According to union lawyer Liesbeth Zegveld, this is clearly a constructed charge against union chair Hardon. For example, documents examined by the NOS show that the ‘threat’ entailed no more than warning a colleague that they would be criticised if they accepted a certain position.

Nevertheless, Battistelli is cracking down hard on Elizabeth Hardon. She is not only being fired; she is also losing 20% of her accumulated pension rights. The latter is stricter than the advice the president received from an internal ‘disciplinary committee’ that examined her case.

That applies even more strongly to the case against the ex-chair of the Suepo union. His disciplinary committee recommended leaving most charges against him alone, but in his case Battistelli also opted for dismissal. The union treasurer’s salary went down by eight pay scales.