

'I earn 300,000 Euro per year'

Interview with Benoît Battistelli, European Patent Office

President Battistelli of the European Patent Office reacts to the controversy

"My relationships are excellent."

Eppo König

4 March 2016

[photo]

Battistelli: "You mustn't see the patent office through Dutch eyes."

Are the reports that he is prepared to resign for a severance payment of 18 million Euro, ten annual salary payments, true?

"Completely unfounded," says Frenchman Benoît Battistelli (65) Thursday in Brussels. Then the president of the European Patent Office publicly states his salary, which is not a published figure. "I earn 300,000 Euro per year. And no bonus at all."

The patent office, for which a prestigious new building is currently being constructed in Rijswijk, has two realities.

On the one hand, there are the good annual figures that Battistelli, president since 2010 and reappointed until 2018, presented to the press on Thursday. The office (7,000 employees) approves patent applications and grants patents for around 40 member states in and around Europe and therefore protects businesses' and inventors' products. Whilst the number of patent applications increased by 5% last year, the number of products delivered (patent investigations etc.) increased by 14%. This is due to the reforms implemented by Battistelli, according to the office. Investments in IT, an internal reorganisation for efficiency and bonuses for performance instead of seniority.

On the other hand, employees are complaining about the high work pressure and an authoritarian regime. Last week, a document was leaked in which Battistelli's regulators, the Administrative Council, advocated to the member states that an external investigation should be conducted into the punitive measures taken against leaders of the SUEPO union: two of whom have been dismissed. This week, the patent office recognised a small union (FFPE-EPO) for the first time, but SUEPO refused to sign in protest.

At the insistence of the Netherlands and other member states, an independent investigation into working conditions at the patent office will be conducted this spring. This concerns, among other things, the pay system, the striking regulations, social democracy and the position of unions, according to Secretary of State Martijn van Dam (Economic Affairs, PvdA - Dutch Labour Party).

This Friday, Battistelli has a discussion with Secretary of State Van Dam, he says with mild irritation during the press conference. "I have a lot of questions for him," he says of Van Dam. "Primarily, whether he realises that the Netherlands benefits a great deal from the patent office. We are investing 250 million Euro in a new building. We create 1 billion Euro in

revenue for the Dutch economy. So I will ask him if he is aware of these elements. But I will be happy to inform him fully of the situation at the patent office."

You sound a little agitated. Do you consider it unjust or unfair that the cabinet wants to carry out an investigation?

"No, I just think: the Netherlands is a very important country for us. We invest a lot in the Netherlands. So if I see that there may be misunderstandings, it is important to speak to each other personally. I will ask him [Ed: Van Dam] what his preoccupations are with the patent office and will give him a response.

I have not decreased the number of staff members, I have not reduced salaries and the working conditions have not been cut back. What I have done is organise our working method better to increase our productivity.

These reforms were unanimously adopted by the Administrative Council. I remember that the Dutch representative was very active in promoting these reforms."

The Administrative Council has made a proposal for an external investigation into punitive measures against union leaders. Are you prepared to accept this?

"Our disciplinary measures are subject to specific regulations. We have a disciplinary committee, a management review, the possibility to appeal to the International Labour Organisation. I don't see how you can change these regulations. The provisional resolution you mention has been withdrawn, I believe. Such an investigation is a legal impossibility. I have indicated that I am open to revision of the regulations. One of the elements that is apparently very important for some people is external intervention in punitive measures. Why not? I am open to this too. If we have introduced that, it will be possible. But until then it is not."

So how is your current relationship with the Administrative Council? The leaked document stated that 'no meaningful dialogue' regarding the punitive measures could be held with you.

"Again, you refer to a document that has been withdrawn and therefore does not exist. My relationships are excellent. I have known these people for years. I have constant interaction with them. Over five years I have made more than 200 proposals to the Administrative Council. Only one has not been adopted."

This week, you have signed an agreement with a small union. A step, but not a solution to your conflict with SUEPO, which represents half of the employees.

"You mustn't judge the patent office through Dutch eyes. We are not Dutch, German or French. We are European, with different cultures and traditions. (...) We will continue the dialogue and recognition of unions who accept our legal framework. I sincerely hope that SUEPO recognises that their 'empty seat' is not in the interest of employees or the patent office."

Strong growth in patent applications from China and the US

The number of patent applications made to the European Patent Office increased by almost 5% last year, to 160,000.

The increase in European patent applications was *particularly high from China* (more than 22%) and the *United States* (more than 16%). The applications from the European member states remained almost unchanged, with growth of 0.7%.

This does not mean that Europe is lagging behind. European countries apply for almost three times as many patents in the US (91,700 in 2014) and seven times as many in China (34,900 in 2014) as the other way around.

The number of applications from the Netherlands has increased by 3.3% to 7,100: the strongest growth in the last seven years. Philips submitted the highest number of patent applications worldwide.