

Rich pickings at the European Patent Office

Completely out of control, this little-known but extremely rich organization treats its staff like in the old days – but not the good ones.

Imagine an offshore enclave, but in the heart of Europe, a sort of micro-state which dictates its own laws, completely out of control. Don't imagine any more: It exists.

The European Patent Office (EPO) is a discreet but extremely rich international organization, which answers to no-one. And no-one more so than its President, who turns out to be a Frenchman, and a graduate of the prestigious National School of Administration. Since he took over at the EPO in July 2010, Benoît Battistelli has behaved, according to his many detractors, like some kind of oriental potentate. Under his reign the Office has turned into a sort of North Korea.

On paper, working at the EPO is a good deal. The 7,000 officials, who are responsible for registering the patents for 38 countries, feature as among the best paid in Europe. More than half of them take home an average monthly wage packet of 11,000 Euros, and that's after tax. Established forty years ago, the EPO, which sports a budget of two billion Euros, has never cashed in as much as it does under Battistelli's iron rule, chalking up a profit of 300,000 Euros annually.

Strikes and pickets

But there's a problem: Money doesn't buy happiness. Last year, angry employees demonstrated in front of the headquarters in Munich, protesting against the management methods of the President, which are far from being patented. This has never happened before in the history of the organization. The staff union representing the majority of the employees, Suepo, pointed up the suicide of four staff members, two of which occurred at the workplace. What a coincidence; a number of Suepo representatives were then singled out for disciplinary procedures. To muzzle the competition better, the President of the Office, who in his off-duty moments is a Republican municipal councillor in Saint-Germain-en-Laye, decided to shut the union down. Faced with a democratic backlash, the National School of Administration graduate, who also holds the award of the Legion of Honour, also imposed restraints on the right to strike.

From now on, if the union wants to call a stoppage, it has to ask the management nicely, who will then arrange for the strike to be supervised. In order for a strike to be authorised, a majority of the staff members have to vote in favour of the principle, with a participation rate of 40%, if you please. And if, by some miracle, the strike is authorised, it cannot, under any circumstances, go on for longer than one month.

This Friday, the High Court of Appeal of the Netherlands will be ruling on the complaint lodged by Suepo, advised by the French advocate William Bourdon, on the grounds of "Violation of fundamental rights against the rulings regarding the right to strike".

Bercy backing all the horses

The French government is massively irritated by a situation which could damage the image of France abroad. Christophe Sirugue, Secretary of State for Industry, gives assurance that he “*views with great disquiet the social climate which prevails within the Office, and which has seriously deteriorated over the past two years*”. He hopes this will get up Battistelli’s nose – but Battistelli doesn’t give a damn.

With his six bodyguards, his diplomatic passport, and his CD plates on the official limousine, Battistelli is a lot more powerful than some under-minister.

One stash, more than one double deal

To help him run things, the President of the Office has recruited a dozen Frenchmen, close on half of whom come from the National Institute of Industrial Property (Inpi), of which he was the director for many years. It’s with them in tow that he is running the EPO milch cow in his own inimitable style. A veritable cornucopia, which in 2016 generated a profit of 560 million Euros. On the Administrative Council, the main management body, those who risk questioning the directives from the top are rare indeed.

“*The only thing that matters to the members of the Administrative Council is that their countries get their cut from the patents registered with the EPO*” was the sarcastic response from one EPO official, who preferred to remain anonymous. An annual manna of 500 million Euros. Germany alone, European champion when it comes to patents, pockets 150 million Euros every year. For having dared to stir things up, France has itself had to pay a price. French patents straight away went to the bottom of the pile....

That’s what you call a patented method.

Christophe Labbé