

European Patent Office New Boss must be a Peacemaker

- By
- Thomas Magenheim-Hörmann
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Following the controversial figure of Benoît Battistelli, the European Patent Office in Munich has elected Portuguese António Campinos as President.

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As of 1 July 2018, the European Patent Office in Munich is getting a new President, the Portuguese António Campinos. Nothing particularly surprising about that. The 47-year-old was already tipped as the hottest candidate. But it was unexpected that the 38 Member States of the international authority were able to agree so rapidly on a new supreme executive in the world of patent protection. Campinos was already enthroned in the first round of voting with the three-quarters majority needed, as an insider let slip. At the time when the departing President Benoît Battistelli was elected, a good 30 rounds of voting were needed. But because the 67-year old Frenchman is leaving his house in such disorder, this is not a change of office like the others. The 7,000 patent specialists who make up the staff in particular are viewing the move with hope and anxiety alike.

After all, Battistelli has been in office for seven years, and his reforms have indeed ensured that last year almost 100,000 patents were issued, around 40 percent more than even as recently as 2015. But his methods have brought large numbers of the workforce literally to the barricades. Among other things, he fired the entire executive of the in-house staff union

Suepo, made strikes as good as impossible, and spied on the staff using spyware. Highly respected legal experts maintain that a lot of what the Frenchman ordered done was incompatible with German labour law. But as an international body, the Office is not subject to German laws.

For the first time - a representative of Southern Europe at the top

To drive it home to the members of the Administrative Council just how badly the inner peace of the Office has been destroyed, on the day Campinos was elected the in-house union, driven to the edge of extinction by Battistelli, organized yet another demonstration before the glass façade of the Office. “That was a cry for help to the Administrative Council, to make sure they don’t send us someone like that again”, was how one long-serving patent examiner viewed the demo. He was not prepared to be named for fear of thrown out, which says a lot about the mood in the Office.

The Administrative Council is well aware that a peacemaker is needed to head up the Office. In the job description for the new chief executive of the Office, an explicit requirement was given as “clear ability to conduct social dialogue, negotiating skills, and a talent for communications and public relations.” “Our decision is a very important matter, and in Mr. Campinos we have found an excellent candidate”, was the diplomatically reticent comment on the election by Christoph Ernst, German head of the Administrative Council and himself only in office since the beginning of the month.

The technical expertise of the Portuguese, who as from mid-2018 will be leading the European Patent Office for at least five years, is beyond dispute. He is currently at the head of the European Union Intellectual Property Office (EUIPO) in Alicante. Before that, as a trained jurist, he had been President of the Portuguese Patent Office, and for a number of years a member of the Administrative Council at the European patent authority in Munich. In other words, this is his business, which even Battistelli emphasises. “It is a victory for skill, competence, and impressive experience in the patent sector”, was his reaction to the election of his successor. With Campinos, for the first time a representative from Southern Europe has been made the President of the primary European patent authority.

But hopes are nevertheless fading for major change

Because for months everything has been pointing towards the 47-year old, staff representatives of the European Patent Office have already been finding out from colleagues in Alicante about the kind of person they were likely to have imposed on them. The answers raised doubts as to whether there really is going to be a new style of management forthcoming in Munich.

“He is said to be more skilful and more diplomatic than Battistelli, but otherwise he’s a chip from the same block”, is how one patent examiner summarised his research. He did not have a lot of hope, however, that things are about to change a great deal under Campinos.

Suepo representatives are not even prepared to make an anonymous comment about the election of Campinos. “No comment, it’s too dangerous”, is the response, completely repressed. At the beginning of the month the union sent a letter to the new leader of the Administrative Council Ernst, with the request that, in view of the tense situation in the Office,

they might be permitted to put a few questions to the candidates for the post of the new chief executive.

The staff wanted to know, among other things, how a new Office President intended to restore social peace within the establishment. To date there has been no response. Campinos would probably be well advised to take up the offer of discussions soon, and not to set at risk the chance of making a new start.

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