

European Patent Office: Union seeks reckoning with the executive in 95 theses

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Staff union SUEPO has had no hesitation in borrowing from Martin Luther when it came to a manifesto about the social unrest at the European Patent Office. The accusations against the management range from being deaf to the staff through to favouritism.

As a suitable tribute to Reformation Day, on Tuesday the international union at the European Patent Office [SUEPO](#) borrowed freely from Martin Luther in “nailing up” 95 theses at the Office’s headquarters in Munich. In the six-page paper, which is available at [heise online](#), the staff representatives set out serious accusations against the management, and in particular against the [President Benoît Battistelli still in office](#). According to the organization, he has been “deaf and blind to the concerns” of the workforce, and has [persecuted their representatives by disciplinary action](#). Such a course of confrontation is “doomed to failure”.

At the core of the criticism is the assessment system largely imposed by Battistelli, which is said to be [primarily aimed at productivity and “demands higher figures every year”](#). Such an approach creates false incentives and “leads to excessive pressure at work”, which in turn causes superficiality and errors, and is accordingly actually [detrimental to greater efficiency](#). Patent which are issued with mistakes [unfairly impede competition and are rich feeding grounds for trolls](#). This causes the European economy to suffer as a whole, and small and medium-sized companies in particular.

From servant to chief executive

The core task of the European Patent Office ([EPO](#)), in line with the European Patent Convention ([EPC](#)), is the “factual and formal examination” of applications, as the union emphasises. This must not be neglected simply in order to boost productivity and the income of the EPO and its contracting states. This is said to be aggravated by favouritism: The closest

confidants of the President have rapidly risen from servants of the administration to chief executives. They are accused of having amassed “substantial salary increases” and professional liberties by tampering with the career system. Battistelli himself keeps his salary and the supplements and costs reimbursements paid to him a closely guarded secret.

Half of the directors in the “factual examination” sector, and “all of the managers in patent administration” have been relieved of their functions, the accusations continue. The President is even cutting back on public holidays, by cancelling a day off in 2017 to mark Reformation Day, as well as All Hallows and Corpus Christi Day in 2018. The fact that Battistelli is promoting a “package to denigrate his officers” under the label of “Social Democracy” is said to demonstrate indifference and a lack of respect towards the staff.

SUEPO keen to see Battistelli go - rapidly

The authors of the manifesto complain that the EPO does not see itself as bound either to national or European labour law or data protection directives, nor even to international agreements such as human rights conventions. In the eyes of the management, it enjoys almost [absolute immunity from jurisdiction](#) and the rule of law imposed by national authorities. That is why SUEPO is pressing for Battistelli to go before the official end of his term of office next June, and for wide-sweeping reforms to be introduced. The Frenchman personally has long regarded himself as [being falsely discredited by a “Mafia-like” campaign on the part of the union](#) and regularly rejects the accusations. (*Stefan Krempl*) / ([axk](#))