

INTELLECTUAL PROPERTY AT THE HEART OF THE PCD 2012 INNOVATION WORKSHOP !

WorldPressOnline First Call - « How effectively to draft a patent to meet your aims ? » is a crucial issue both for brands and their suppliers. It will be addressed at the Innovation Workshop from three angles :

- A patent for oneself
- A patent against others
- Is the patent technical, legal, strategic, financial ?

Christian Derambure and Michel Fontaine, President of the CNE (National Packaging Council) will moderate this workshop on Wednesday, 8th February 2012, at 9h00, Espace Champerret, Porte de Champerret, Paris.

The viewpoint of Christian Derambure :

While patents on innovations are now an everyday matter that is often of paramount importance, many say they are at a loss when actually confronted with the issue.

Faced with a patent held by a third party, the question is how to evaluate the threat and assess feasible options. If a filing is being considered, is it useful, effective and what are the practical ways and means.

What is the goal of the patent ? The purpose of a patent is legally to forbid a third party to use what has been validly patented : by filing a patent, one limits the freedom of manoeuvre of competitors. However, in certain cases, filing a patent is not so much an offensive action against competition as a defensive, tactical, speculative, protective or financial move. A patent may therefore have many different uses, which condition its format.

What should a patent disclose and, conversely, what should it not disclose ? The question is subtle and may sometimes confuse the company and the inventor. A patent is neither a technical note nor a sales pitch nor the expression of an idea or a goal ; it does not set out the advantages obtained or the performances achieved. A patent is a legal text with a technical purpose and a rhetorical bent in order to withstand possible challenges from third parties, the passage of time, changes on the market and in technology. How will the patent be considered by the patent office where it is filed ? How will it be perceived by competitors and what will their reactions be ? How, in the end, will it be judged by a court in litigation on putative infringement ? These are the three key issues.

Christian Derambure, Derambure Conseil, Conseil en Propriété Industrielle – European Patent, Trademark & Design Attorney

www.pcd-congress.com

Do not hesitate to contact Elsa Duperrier & Jonathan Ouziel for further information : +33 1 48 91 89 89 « eduperrier@oriex.fr » - « jouziel@oriex.fr »