



FICPI SWEDEN

FICPI SWEDEN is the Swedish part of FICPI which is an international organization, with members from more than 80 countries. FICPI works for patent and trademark attorneys in the free profession, with issues relating to their daily work as well as IP law issues on a global scale.

The membership in FICPI SWEDEN, which is a prerequisite for membership in the international federation of FICPI, provides a global network of IP professionals, and a possibility to understand and participate in the development of IP law throughout the world.

FICPI SWEDEN runs regular seminars in Sweden focusing on current issues and trends in IP. The speakers are predominantly FICPI colleagues from other countries, within and outside Europe.

The seminars are open for all, but FICPI members enjoy a reduced registration fee.



Seminar on Patent Infringement in Europe

Stockholm Thursday 21 November 2013

Attractive price: 3,000 SEK for whole day seminar,
including lunch and documents

Price for FICPI members: 2,000 SEK

Followed by EPC current practice seminar next day, 22 November.



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Venue:

Piperska Muren, Scheelegatan 14, Stockholm (Kungsholmen, in the Western part of central Stockholm), see www.piperskamuren.se

Hotels:

There are several hotels nearby, the closest one being First Hotel Amaranten, Kungsholmsgatan 31, 112 27 Stockholm, see www.booking.com/First-Hotel-Amaranten.

Registration:

See our web page www.ficpiseden.se

Price:

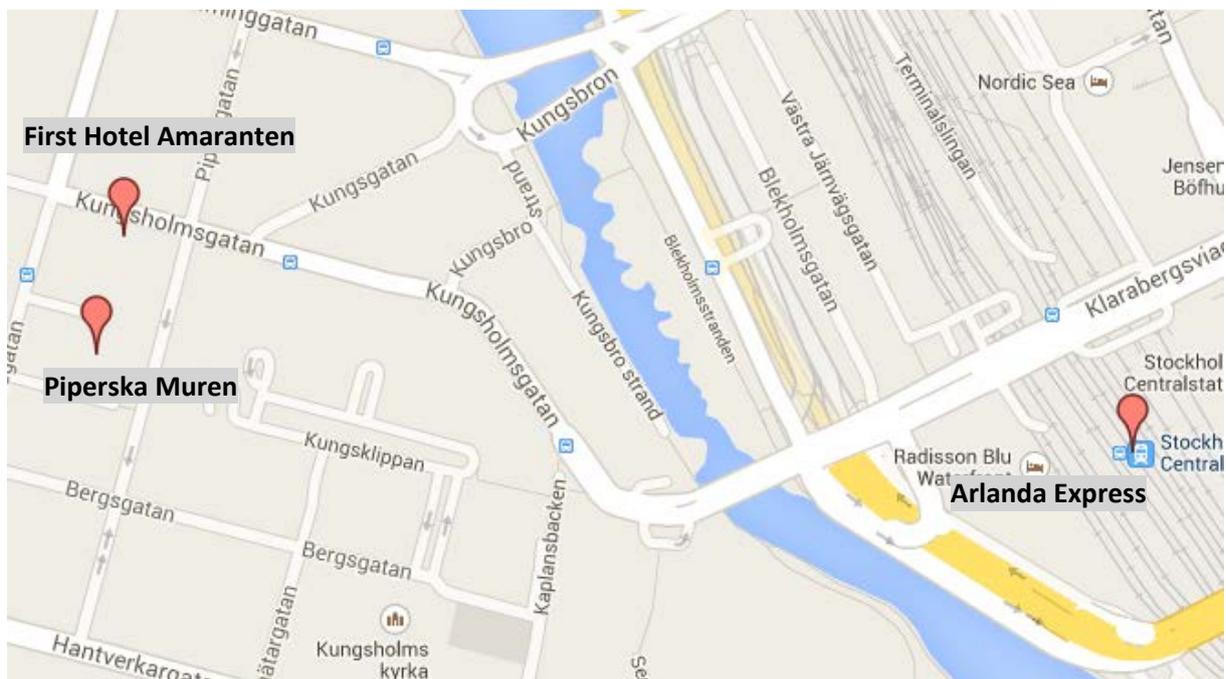
3,000 SEK (2,000 SEK for FICPI members), including lunch
An invoice will be sent to you after registration.

Informal mingle with light buffet after seminar:

300 SEK

Packet Price for two seminars:

4,200 SEK , including also a seminar on “Current EPC Practice” organized by the IP Academy on Friday 22 November, see the web page www.ipakademin.se.





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Program - Patent Infringement in Europe,

Thursday 21 November 2013
at Piperska Muren, Scheelegatan 14, Stockholm

(09.00 –10.00 Annual Meeting with FICPI Sweden, by invitation only)

10.00 – 10.30 Coffee Break and Registration

10.30 – 10.40 Welcome address Lennart Karlström, President, FICPI Sweden
Introduction Jan Modin, Program Manager, FICPI Sweden

10.40 - 11.10 Contributory Infringement

Eva Liesegang, Munich, Germany
Partner of Boehmert & Boehmert
“Contributory Infringement in Germany and Europe”



The presentation outlines the legal background of contributory and indirect patent infringement and illustrates the various criteria which need to be checked for finding indirect patent infringement. The theory is illustrated by a number of examples taken from case law. Also, there will be a discussion of some problems associated with the criteria for contributory infringement.

11.10 – 11.40 Insufficiency of Disclosure

Leo Jessen, the Hague, Netherlands
Patent Attorney and Partner of V.O. (Vereenigde Octroibureaux N.V.)
“Insufficiency of Disclosure as a Defense against Patent Infringement”



In patent infringement cases it is common that a patentee will allege infringement of his patent based on a product or a method that was not (specifically) disclosed in the patent but may be covered by the (broad) scope of the patent claims. As a counter claim to infringement, a nullity suit can be filed. One of the grounds for nullity can be insufficiency of disclosure of the claimed invention (compare Art 83 EPC, implemented in national patent laws).

For a patent to fulfill the requirement of Art 83 EPC,

- the patent should disclose at least one embodiment of the invention such that it can be worked by the skilled person, based on the teaching of the patent and his common general knowledge, and
- the disclosure should support the whole range/scope of the claims.

Especially the latter requirement can be useful for arguing nullity of the patent, at least that there will no longer be an infringement.

European and some national case law will be discussed by way of example.



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11.40 - 12.15 Doctrine of Equivalence

Arild Tofting, Oslo, Norway
FICPI CET Reporter General
Patent Attorney and Partner of Protector IP Consultants AS, and



Julian Crump, London, United Kingdom
FICPI Secretary General
Patent Attorney and Partner of the US-based law firm
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.



Arild and Julian will review some of the recent and most important court cases in both Norway and the UK, where the doctrine of equivalence has been an issue. They will also attempt to predict what the outcome of a case in one country would likely have been in the other country. The cases will span over different areas of technology.

12.15 - 13.30 Lunch

13.30 – 14.00 Doctrine of Equivalence, cont.

Moderator at the afternoon sessions: Rut Herbjørnsen, FICPI Sweden

Arild Tofting and Julian Crump, cont.

14.00 – 15.10 Case Law from Sweden

Peter Sande, Stockholm, Sweden
Attorney at Law at Sandart & Partners' law firm, Stockholm, and

Jonas Westerberg, Stockholm, Sweden
Attorney at Law at the Lindahl law firm, Stockholm

Peters' part of the session will be devoted partly to damages related to patent infringements and partly to preliminary injunctions: At what point of time does a passive patentee become barred from seeking damages? How are damages for patent infringements calculated in practice? Is it possible to obtain a preliminary injunction against an infringer who claims to have ceased all infringements but refuses to sign an undertaking to desist from further infringing activities?





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(Jonas Westerberg, cont.)

Jonas' part of the session will be partly devoted to preliminary injunctions: To what extent must the injunction reflect the allegedly infringing product/act? What is the liability for a right holder who has obtained a preliminary injunction but where it is eventually found that no infringement has occurred? Furthermore Jonas will report on an insolvency related case which can have implications for how you structure transactions involving sales of intellectual property rights in an international context.



15.10 – 15.40 Coffee/Tea break

15.40 – 16.30 Current Situation of the planned Nordic Division of the Unified Patent Court

Håkan Borgenhäll, Stockholm, Sweden
Attorney at Law at Advokatbyrån Vinge, Stockholm, and

Alexander Ramsay,
Swedish Ministry of Justice,
Vice Chairman of the Preparatory Committee of the UPC



Håkan and Alexander will give the latest news, from their respective perspectives, on the planned Nordic Division of the Unified Patent Court. The Nordic division will include the member states Denmark, Sweden, Finland, Estonia, Latvia, and Lithuania.

16.30 - 18.30 Informal mingle with light Buffet

