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13 JUNE 2018
MUNICH

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OPT OUT vs. OPT IN

Procedure – criteria – strategy

*Should you
take your patents
out of the future
UPC system?*

- Status of “Unitary Patent” and UPC
- European Patent with Unitary Effect
- Unified Patent Court
- Comparison: National Courts vs. UPC
- Opt out in detail

Dr. Ulrich Blumenröder, LL.M.
*Attorney, Partner, GRÜNECKER
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Learn why you have to make your decision before the new systems will start!

AIMS AND OBJECTIVES The future Unified Patent Court (UPC) will have jurisdiction over not only European Patents “with Unitary Effect”, but also over traditional European Patents without this effect. If a patent owner wishes to avoid such jurisdiction, they have to “opt out” for the patents they wish to reserve for the national courts.

This seminar will give practitioners an understanding of the future “European Patent with Unitary Effect” and the Unified Patent Court (UPC). On the basis of a comparison between the present and the future system, this seminar will prepare attendees for their decision of whether or not to opt out. The attendees will learn about possible criteria for their decision-making and will discuss different case studies. Furthermore, they will be given key information on the procedure, deadlines, preparation and execution of an opt out.

WHO SHOULD ATTEND?

- Members of Corporate Patent, IP and R&D departments
- Inhouse Legal Counsels
- Patent Attorneys
- Representatives before the EPO
- IPR Attorneys and external Counsels

You will meet colleagues from different European countries and will be able to network and profit from their experience and perspective.

AGENDA

Status of the “Unitary Patent” and the Unified Patent Court

- Number of Ratifications
- Consequences of Brexit of the
- The Constitutional complaint before the German Federal Constitutional Court
- Timeline

European Patent with Unitary Effect

- Legal basis
- Grant of the patent
- Applicable law
- Scope of protection

Unified Patent Court

- Structure and Jurisdiction
- Introduction to Rules of Procedure
- Official languages to be used, judges to be expected
- Transitional period

Comparison: National Courts vs. UPC

- Duration of proceedings
- Costs and reimbursement of costs
- How “good” will the UPC work?

Opt out in detail

- Procedure, deadlines
- Importance of the “sunrise period”
- Preparing the Opt out
 - Jointly owned patents
 - Many licensees
 - Registered vs. real owner of the patent
 - Authorization to file the opt out declaration
 - UPC database management system
 - Withdrawal of opt out, second opt out?

Strategy and possible criteria for your decision

- Strength and importance of patent
- “If in doubt, opt out”

Dr. Ulrich Blumenröder, LL.M.

*Attorney, Partner, GRÜNECKER
Patent- und Rechtsanwälte, Munich*



Ulrich Blumenröder practices patent litigation in all German courts, notably the courts in Düsseldorf, Mannheim, and Munich. He has a long experience in cross-border litigation as well as organizing and conducting multi-national litigation and arbitration. He lectures on patent litigation at various institutions and international conferences across Europe, Asia and the US. Since 2012, Mr. Blumenröder has been focusing on the Unitary Patent and the Unified Patent Court. He also is a published author on the topic.

QUOTES FROM FORMER PARTICIPANTS

6 December 2017 in Munich:

- “Excellent“
- “Very useful“
- “Very good“
- “Shows his experience“
- “Small group, much interaction“
- “Supporting and useful documentation“

ANNOUNCEMENT

GERMAN AND UPC PATENT INFRINGEMENT LITIGATION PROCEEDINGS

13 - 15 June 2018 in Munich
Seminar code: 18 06 GP160

- Substantive law
- Strategic and prejudicial aspects
- Patent infringement litigation
- Comparison between the German and the future UPC system

- **Dr. Christof Augenstein**
Attorney, Partner, Kather-Augenstein
Rechtsanwälte, Düsseldorf
- **Dr. Klaus Grabinski**
Judge, German Federal Court of Justice
(Bundesgerichtshof), Karlsruhe
- **Gabriele Mohsler**
Vice President Patent Development at
IPR & Licensing, Ericsson, Stockholm
- **Dr. Matthias Ziggan**
Presiding Judge, Regional Court Munich I
(Landgericht München I)

ANY QUESTIONS?

Don't hesitate to contact me. I am gladly at your disposal.

Stephan Haas, Managing Director

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OPT OUT VS. OPT IN

REGISTRATION FAX: +49 6221 65033-29

REGISTRATION FORM

NAME

DATE
Wednesday, 13 June 2018
9 am – 5 pm
Registration from 8:30

FIRST NAME

SEMINAR CODE 18 06 GP148 W

POSITION / DEPARTMENT

FEE

€ 990,- (+ 19% VAT). The fee includes
conference documentation, refreshments,
and lunch.

COMPANY

ADDRESS

DISCOUNT

A second participant and all further participants
coming from the same company will receive a
discount of 10 %.

POSTAL CODE / CITY

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GENERAL TERMS AND CONDITIONS

Our general terms and conditions apply and are
available on our homepage [www.akademie-
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E-MAIL

ASSISTANT'S NAME

An English version is available upon request.

DATE / SIGNATURE

VENUE

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A limited number of rooms have been reserved at the hotels and
are subject to availability. All bookings should be made directly
with the hotel quoting the seminar to obtain a discounted fee.

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