

An Update from the Director on the Work of the Institute – August 2009



Paediatric Extensions to Supplementary Protection Certificates

The Institute has been in discussion with a number of stakeholders about present legal uncertainties surrounding applications for the 6-month paediatric extension to a supplementary protection certificate. In order to express concerns that have been expressed about the implementation of the scheme for the examination of applications for paediatric extensions, the Institute convened a meeting at the European Patent Office in The Hague. Delegates included representatives from patent offices all over Europe, officials from the regulatory agencies, and industry (the users).

Genevieve Michaux, a regulatory expert from Covington and Burling LLP set the scene by outlining the current, rather complex provisions, and there followed an extensive round table discussion among the delegates under the Chatham House rule.

A full report of the meeting will be issued at a later date, but one key issue arising from the meeting was the fact that there were differing views among the national patent offices concerning the documents to be submitted upon filing an application for an extension. It was argued that the end of procedure notification should sufficiently demonstrate the approval of a paediatric product in all Member States. However, the notification is not currently set out in a standard form and it may not include some of the information needed by the national patent offices: it was clear that it would be very useful to develop a common format for this document. This was just one of a number of issues discussed at the meeting which we will be following up in due course.

Forthcoming Events

BLACA / IPI Annual Seminar - Bird & Bird will host this year's joint lecture on 21st October. Details concerning the topic and speakers are still being finalised.

Carl Horton on "The Future of IP" – the Chief IP Counsel for GE Healthcare Biosciences will deliver the first view from industry in our high profile lecture series, on 29th October. Our hosts for this major event will be BATMark: IPI Chairman, Ian Harvey, will chair the proceedings. Anne Goldstein will be sending all details and an invitation closer to the day, but please put the date in your diary!

The 2009 Stephen Stewart Lecture – we will soon be inviting you to attend this year's flagship lecture. We do not yet know the date or the subject matter for the lecture, but we do know the venue (Slaughter and May, as ever) and, crucially, the speaker: Professor Lionel Bently, Cambridge University. We assume that having just this information will make you eager to attend! Anne will be in touch soon with all the details.

Research

Forum on the Economic Value of Intellectual Property – on 10th June this year, David Lammy, Minister of State for IP hosted a forum in London for leading opinion-formers engaged in IP. Economists, academics and industry representatives met to establish a programme of research to support policy-making in the IP arena. This is, of course, the key task for the Strategic Advisory Board for IP Policy, SABIP. A full report of the outcome of the day will be available in the autumn.

In the meantime, the Institute has submitted a tender to SABIP for a project examining the “Current Social, Economic and Business Issues for SMEs in the Enforcement of IPRs in the UK”. We will wait to see if our tender has been successful, and we will look forward to proposing other, future projects under the SABIP research agenda as it progresses.

We are also looking to initiate research projects in the following areas:

- the interplay between IP and standards
- an evaluation of enforcement policy in Europe
- the overall functioning of the trade mark system in Europe
- an innovation index for the public sector (with NESTA)
- a review of research / evidence concerning the role of IP in the development of environmental technology

What's New with You?

We are always keen to understand what IP issues are to the fore among our members so that we can work to address them, either through research or our seminar programme. Please contact us to let us know if there is anything specific from your point of view; we will help in any way we can.

I look forward to hearing from you.

Best regards,



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