



FÉDÉRATION INTERNATIONALE DES CONSEILS  
EN PROPRIÉTÉ INTELLECTUELLE  
INTERNATIONAL FEDERATION OF  
INTELLECTUAL PROPERTY ATTORNEYS  
INTERNATIONALE FEDERATION  
VON PATENTANWÄLTEN



# 12th Open Forum

Munich, Germany, September 8-11, 2010

## **IT IS YOUR OPPORTUNITY**

To listen to and debate with the experts recent international developments in intellectual property protection and their impact on day-to-day practice.

## **OPEN TO ALL**

FICPI members, non-members, intellectual property practitioners, colleagues from industry and official bodies.

# Friday, 10th September - DAY 2 - Working Programme

**PATENTS**

**GENERAL**

**TRADE MARKS/DOMAIN NAMES/DESIGNS**

10:30-11:00 COFFEE BREAK

11:00-12:30 SESSION 6

**“In re Bilski and the Brimelow questions (G3/08)”:  
What is patentable?**

On both sides of the Atlantic, ground-breaking decisions have been made by the leading courts responsible for questions of patentability. Both decisions - the Bilski case in the US and the G3/08 for the European system - deal with the patentability of business methods and computer programs. However, the questions analysed in these cases go much deeper: What is the nature of a patentable invention: does it have to be “technical” in the widest sense? Or is it necessary to expand the role of the patent system in order to fulfil its task to promote and reward innovation? What is the danger of enlarging the field of patentable inventions? Is there a danger at all? What will be the practical impact of these decisions on the day-to-day practice?

In this session, not only the fundamental or even philosophical questions concerning the role of the patent system are illuminated, but also the consequences of these decisions for the practitioner on how the filing, prosecution and enforcement strategy for such inventions will or should change. The panel also deals with the question as to how other types of inventions than software or business methods are affected by these decisions.

Moderator: Alexander Esslinger (DE)

Speakers: J Michael Jakes (US)

Stephen Krouzecky (AU)

12:30-14:00 LUNCH