



DELTA PATENTS

Training for Patent Professionals

**IP MASTER CLASS
2-DAY WINNING
OPPOSITIONS**

DELTAPATENTS WELCOMES YOU

Why DeltaPatents?

DeltaPatents is a patent attorney firm based in the Netherlands with a passion for quality. The firm was founded in 2001 in Eindhoven, one of Europe's leading technology cities. We provide the highest quality advice and service to public and private companies at various stages of growths from start-up to Fortune 500. All our patent specialists have a deep technological knowledge and extensive industrial experience at companies like Philips, NXP, ASML, AstraZeneca and Shell.

We are proud to be a leading training organization for the European Qualifying Examination (EQE). Our renowned courses can be followed throughout Europe. We are the only training organization with a complete range of courses and high quality training material for the EQE. The knowledge and experience gained during more than a decade of EQE training provides a solid basis for our comprehensive range of training courses in different areas, from starters in the IP world to experienced patent attorneys and patent managers.

"It was a pleasure to study with such a skilled and nice instructor"

In 2006 we started training IP support staff, culminating in a full training program preparing for the official Dutch Formalities Officers exam. The program is audited by the Dutch Platform Formalities Officers. The training modules are now offered throughout Europe.

Our training focuses on giving insight and understanding, and ensuring that the acquired knowledge can be practically applied. Unique for DeltaPatents is that we thoroughly train and guide our tutors. For our tutors, training is a profession, mastered by teamwork and frequent involvement in courses. We take feedback of attendants seriously and act on it. For us, quality and customer satisfaction are essential.

Through our education activities, we stay ahead in terms of law changes, case law and procedural requirements.

DeltaPatents' personal touch

We believe in teaching and treating candidates with a personal touch. You will be trained in small groups, giving ample opportunity to discuss unclear issues in more detail and get personal assistance.

Hospitality is important to us. For candidates staying in Eindhoven for a couple of days, we always organize a social event, such as a dinner or a trip to a local place of interest.

We welcome e-mail contact with our tutors to ask follow-up questions, to clarify course materials or to report mistakes.





IP MASTER CLASS

2-DAY WINNING OPPOSITIONS

Objective

Becoming proficient in opposition proceedings is not easy – actions may be months to years apart, and most attorneys handle only relatively few cases. The chances of ultimately winning are significantly affected by your submissions and conduct during the proceedings. This course will increase your confidence handling these cases, allowing you to adapt your tactics as appropriate during opposition.

Who should attend?

All Patent Attorneys in private patent offices and industrial patent departments who wish to increase their confidence when dealing with oppositions. The course is ideally suited for participants who have a good working knowledge of the EPC. It is potentially relevant for national continuous education, including CPD hours for CIPA Fellows (UK), permanent education hours for NIPA members (NL) and PVU hours for IPS hours (SE).

Very useful training which certainly raised my level of knowledge.



Course Concept

This course focuses on practical aspects in filing oppositions and defending patents in opposition. The course incorporates recent legislative developments and Case Law.

The course provides support in respect of substantive matters, based on the experience of the speakers in hundreds of cases. In particular:

- the ground of lack of inventive step is raised in almost every opposition, but hardly ever leads to revocation or maintenance in amended form,
- the ground of insufficiency of disclosure is often not even raised although it may sometimes lead to revocation,
- the ground of extension of subject-matter is often spotted as a possible threat against the patent, but often poorly reasoned,
- in respect of the ground of novelty, often little attention is paid to the requirement of interpretation.

A second objective of the course is to create an awareness of important procedural issues in opposition proceedings which, if not properly observed, may spoil a party's case even though it was promising from a purely substantial point of view. This includes, in particular, late filing of documents, requests or grounds of opposition as well as aspects related to proof.



The following topics will be covered

Brief summary of the procedures

- Opposition procedure
- Intervention procedure
- Overview Opposition-Appeal procedure

The Basic Rules

- Party status – joint parties, transfer, withdrawal
- Using a “straw man”
- Representation and authorizations
- Proof
 - Standards of proof
 - Burden of proof
 - Shifting of the burden of proof
- Evidence
 - Hearing witnesses and experts
 - Sworn statements and declarations
 - Taking of evidence
 - Evaluation of evidence
- Appeal – parties as of right, reformatio in peius

Key substantive topics – practiced on cases

- Priority
- Added subject-matter, extension of scope, trap
- Claim interpretation
- State of the art, novelty
- Inventive step – problem-solution approach
- Use of common general knowledge
- Sufficiency of disclosure
- Attacking broad claims

Opposition in depth

- Strategies for filing oppositions, third party observations, strategies for responding to an opposition, negotiations, monitoring grant of competitor’s patent
- Determining the desired outcome
 - Infringement, Freedom-To-Operate, licensing
- Preparing for filing an opposition, prior art search, non-patent literature, checking the prosecution history
- Grounds for notice of opposition
- Extent of opposition
- Ensuring admissibility
- Avoiding unnecessary limitations in notice
- How to argue
- Drafting the notice of opposition
- Introducing new arguments, new grounds, new evidence
 - Prima facie tests
- Strategies for responding to late filed submissions
- Amendments in opposition, ways to narrow down
- Main and auxiliary requests, late filed requests (written, oral)
- Possible decisions

Oral proceedings

- Legal framework and basic rules
- Chances for postponement
- Preparation and tactics
 - Preparing the initial plead, what to focus on
 - Scripting scenarios and rehearsing
 - Preparing legal basis for possible issues coming up in the proceedings
- Dealing with the absence of the other party
- Bringing clients, witnesses and other experts
- Strategies for letting accompanying persons speak
- Tactical considerations during the proceedings
 - How to attack/defend against procedural or substantive issues
- Advantages and disadvantages of auxiliary requests
- Establishing grounds for a future appeal or Petition For Review
- Requesting apportionment of costs
- Possible decisions

Documentation

A comprehensive set of high quality, up-to-date materials will be provided, including:



- All overhead sheets used during the course.



- Flowcharts explaining key legal topics.



- Checklists for writing oppositions and appeals, and for preparing for oral proceedings.

The copyrighted course material is provided for the personal use of the participants.

Alternative training

This course is part of our **IP Master classes and Patent Law Update** program. The program provides practicing patent attorneys with up-to-date and in-depth knowledge to fine-tune their existing skills. Detailed brochures for these courses can be downloaded from www.deltapatents.com.



Course Highlights

This 2-day program concentrates on the practical aspects and the in-depth legal knowledge, which are not normally addressed during preparation for the EQE.

Competing courses are often given primarily from a single viewpoint. Our speakers combine experience from industry, private practice and the EPO's Opposition Division in one integrated approach.

In-depth explanation of key legal topics, supported by recent and important case law, ensures full understanding and allows the strength and weakness of legal arguments to be assessed. Recent trends in the approach of the Boards of Appeal and Opposition Divisions are also addressed.

Oral proceedings are dealt with extensively. Topics covered include fully preparing and presenting the case, speaking when necessary, and reacting to the requests and arguments of the other party.

Course Location and dates

Dates and locations for 2014 to be announced.

Course Language

All material and tuition will be in English.

Attendance Limited to 20

A maximum of approximately 20 participants can take part in the course. This limitation will give the speaker the opportunity to discuss unclear issues in more detail and to answer any other questions.

Certificate

All participants will receive a certificate after attending the course.

Registration

The price for the "2-day Winning Opposition" is **€1.100** (excluding 21% VAT). The price includes tuition, course materials, refreshments and lunches.

A registration fee of €122 is charged for every booking. If more than one course is booked at the same time, only one administrative fee of €122 will be charged. Please register online or use the form in this brochure. Please contact us for a quote for an in-house course.



Training locations

We do not only provide training in our base in Eindhoven, the Netherlands, but many of our training modules are available at several locations in Europe to minimize your travel costs.

In-house training

All courses can also be given in-house. If required, a module can be tailored to your local organizational needs. Please contact us if you are interested in inviting us to your office.

Cancellation policy

Please check our website (www.deltapatents.com) for our cancellation policy.





Jelle Hoekstra
DeltaPatents



Willy Haaken
EPO Rijswijk



Pete Pollard
DeltaPatents

Meet the Tutors

- **Jelle Hoekstra** is founding partner of DeltaPatents, and an experienced tutor. He is author of the book “Methodology for Paper C”, which explains the application of relevant case law when writing oppositions for the EQE Opposition Paper. He is also the author of the book “References to the European Patent Convention” (www.hoekstradoc.nl).
- **Willy Haaken** is an experienced examiner in Examining Divisions and Opposition Divisions of the EPO. Besides, he is a Bachelor of Law and a specialist in opposition matters.



Mieke Zonjee

Contact

For more information please visit the DeltaPatents website (www.deltapatents.com) or contact Mieke Zonjee at DeltaPatents (training@deltapatents.com).



REGISTRATION FORM

FOR COURSES OFFERED IN THE NETHERLANDS, DENMARK, FRANCE, GERMANY, ITALY, SWEDEN AND UK

You may register by **fax** + 31 40 2366708 **mail** DeltaPatents B.V., Fellenoord 370, 5611 ZL Eindhoven, the Netherlands
website www.deltapatents.com **e-mail** training@deltapatents.com

name

company

address

billing-address (if different)

billing email or phone

purchase order

VAT-number

tel. no.

e-mail address

A registration fee of €122 is charged for each booking. If more than one course is booked at the same time, only one administrative fee of €122 will be charged. All prices are exclusive of 21% VAT. No VAT will be charged if a VAT-number is provided on this form.

2-day **Eindhoven €1.100**

Winning

Oppositions

Cancellation policy: please check our website (www.deltapatents.com) of our cancellation policy