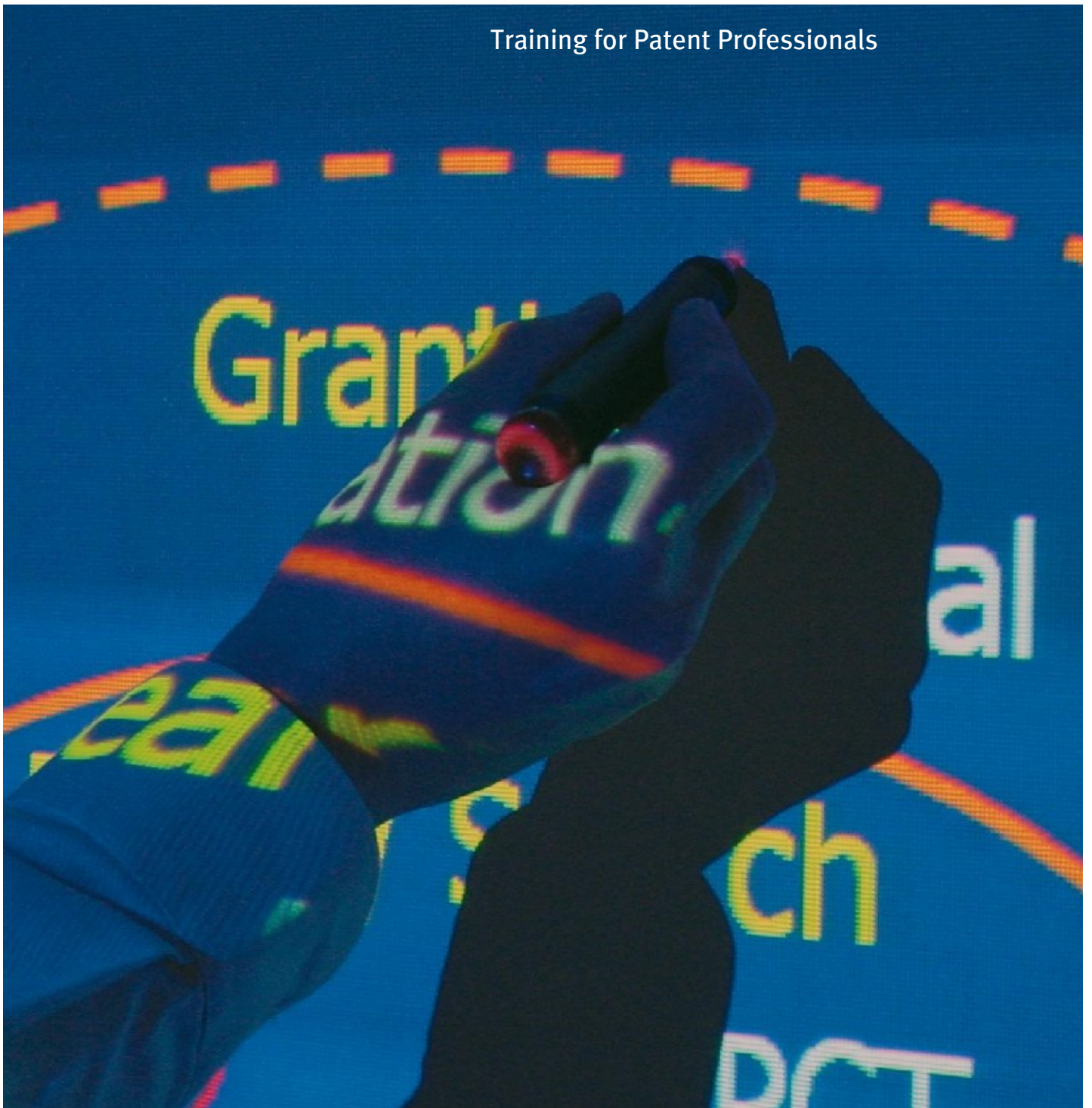


Training for Patent Professionals



## Computer-implemented inventions

## COMPUTER-IMPLEMENTED INVENTIONS

### Objective

To provide participants with the information they need to successfully draft and prosecute software-related patent applications before the EPO. As part of the DeltaPatents' continuous education program, the course is aimed at beginning as well as experienced patent attorneys.

### Background

Software has become a major drive of technological innovation, and companies naturally seek to protect the technologies they develop in this field. However, computer programs per se are excluded from patentability under Art. 52(2)(c) and (3) EPC. Consequently, patent applications relating to computer-implemented inventions have been given special treatment by the EPO, and a substantial amount of case law has developed to draw the line between patentable and non-patentable subject matter. Also, the exclusion from patentability has led to a specific treatment of novelty and inventive step for computer-implemented inventions.

### Key issues to be addressed

This one-day course about software-related patents focuses on the relevant substantive patent law and practical aspects of drafting and prosecuting. An overview of the relevant case law will be given. Attention will be given to recent legislative developments, including the Enlarged Board decision G 3/08, as well as upcoming developments. Moreover, do's and don'ts of software patents will be presented, also in the context of other jurisdictions.

#### How the EPO examines software patent applications

- ❖ Definition of 'invention' – Art. 52(2)(c) and (3)
- ❖ Assessment of novelty and inventive step
- ❖ Treatment of technical and non-technical features
  - Contribution approach
  - Features having a 'further technical effect'
- ❖ Implications of different claim categories
- ❖ Do's and don'ts of software related patents
  - Sufficient disclosure of invention
  - Different claim categories

#### Important and recent case law of the EPO Boards of Appeal

- ❖ G 3/08 – Enlarged Board – Programs for computers
- ❖ G 2/88 – Friction reducing additive / Mobil Oil III
- ❖ T 336/07 – Multi-play poker / IGT
- ❖ T 1543/06 – Adding a skill aspect to games of chance / Gameaccount
- ❖ T 912/05 – Recipient elected messaging services / Pitney Bowes
- ❖ T 688/05 – Event ticket auctioning system / Ticketmaster
- ❖ T 471/05 – Philips
- ❖ T 1351/04 – File search method and index file creation method / Fujitsu
- ❖ T 1284/04 – Loan system / King
- ❖ T 388/04 – Responding by a mailer to a notice from a postal service / Pitney Bowes
- ❖ T 306/04 – Automated finite capacity scheduler / Honeywell

- ❖ T 154/04 – Estimating sales activity of a product at sales outlets / Duns Licensing Associates
  - ❖ T 424/03 – Clipboard formats / Microsoft
  - ❖ T 258/03 – Auction method / Hitachi
  - ❖ T 172/03 – Order management / Ricoh
  - ❖ T 914/02 – General Electric
  - ❖ T 125/01 – Gerätesteuerung / Henze
  - ❖ T 641/00 – Mobile telephone systems / COMVIK
  - ❖ T 1194/97 – Picture retrieval system / Koninklijke Philips Electronics
  - ❖ T 1177/97 – Translation between natural languages / Systran
  - ❖ T 1173/97 – Computer program product / IBM
  - ❖ T 931/95 – Controlling pension benefits system / PBS Partnership
  - ❖ T 190/94 – Image rotating / Mitsubishi Denki Kabushiki Kaisha
  - ❖ T 204/93 – Generating software source code components / AT&T
  - ❖ T 769/92 – General purpose management system / Sohei
  - ❖ T 833/91 – Simulation of computer program external interfaces / IBM
  - ❖ T 38/86 – Text processing / IBM
  - ❖ T 163/85 – Colour television signal / BBC
  - ❖ T 208/84 – Method of operating a computer, computer loaded with a program / VICOM
- ❖ Further recent decisions 2009/2010

### Who should attend?

All Patent Attorneys in industrial patent departments and private patent offices who wish to familiarise themselves with software-related patents. 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).

### Approximate time schedule

9.30 – 11.00	How EPO treats computer-implemented inventions Definition of 'invention', novelty, inventive step
11.15 – 12.45	Definition of 'technical' Requirement of 'further technical effect'
13.45 – 15.15	Case Law
15.30 – 17.00	Do's and Don'ts

### Course language

All course material and tuition will be in English.

### Documentation

All participants will receive course material including all overhead sheets used during the course.

## Meet the Speakers

The training will be given by Jelle Hoekstra and/or Rolf Suurmond.



- Jelle Hoekstra is a founding partner of DeltaPatents, and an experienced tutor. He is a contributor to the DeltaPatents' Questions and Answers book for the EQE Legal Paper. He is also the author of "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](http://www.hoekstradoc.nl))



- Rolf Suurmond is a Dutch and European patent attorney at DeltaPatents. His specialties include electronics, computer-implemented inventions, and healthcare applications.

## Registration

The price for the one-day course is €500,00 (excluding VAT). A registration fee of €60,00 is charged for each booking. If more than one course is booked at the same time, only one administrative fee of €60 will be charged. The price includes tuition, course materials, refreshments and lunch.

For in-house courses please contact [training@deltapatents.com](mailto:training@deltapatents.com).

## In-house information

This course can also be given in-house. For prices and further details, please contact Mieke Zonjee at [training@deltapatents.com](mailto:training@deltapatents.com).

## European Intellectual Property Education Foundation

The course is offered by EIPEF, European Intellectual Property Education Foundation. The Foundation decides on the programme and price-setting of the offered courses. DeltaPatents provides the contents of the courses, the course material and the organisation.

# Registration Form

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You may register by **FAX** +31 40 2366708  
**MAIL** DeltaPatents B.V., Fellenoord 370, 5611 ZL Eindhoven, The Netherlands  
**WEBSITE** [www.deltapatents.com](http://www.deltapatents.com)  
**E-MAIL** [training@deltapatents.com](mailto:training@deltapatents.com)  
**DATE** to be announced  
**LOCATION** to be announced  
 The price for this course is €500,00 (excluding VAT).  
 The price includes tuition, course materials, refreshments and lunch.

first name	<input type="text"/>
family name	<input type="text"/>
company	<input type="text"/>
address	<input type="text"/>
city	<input type="text"/>
post code	<input type="text"/>
country	<input type="text"/>
billing-address <i>(if different)</i>	<input type="text"/>
tel no	<input type="text"/>
fax no	<input type="text"/>
e-mail address	<input type="text"/>
preferred date	<input type="text"/>
A registration fee of € 60 is charged for each booking. If more than one course is booked at the same time, only one administrative fee of € 60 will be charged. All prices are exclusive of 19% VAT.	

**Cancellation policy:** Cancellations must be received in writing at [training@deltapatents.com](mailto:training@deltapatents.com). For cancellations 3 weeks or more before the course starts, the course fee will be refunded less a cancellation fee of € 100, or transfer to a different course may be requested. Thereafter, up to 1 week before the course starts, a 50 % refund is offered or transfer at an additional charge of 25 %. For cancellations less than 1 week before the course starts, no refund will be given. In the event of circumstances beyond its control, or of over- or underbooking DeltaPatents reserves the right to alter programme, tutor, location and/or date, to cancel any bookings not fully paid or to cancel the course.

DeltaPatents - Fellenoord 370, NL-5611 ZL Eindhoven, Phone +31-40-7876030 - Fax +31-40-2366708 - [training@deltapatents.com](mailto:training@deltapatents.com)