



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN



FICPI

Acting for the IP profession world wide™



Connecting the World's IP Professionals.

FICPI, the International Federation of Intellectual Property Attorneys, is unique.

What is FICPI?

Founded in 1906, we are the only international IP organisation whose membership consists solely of intellectual property professionals in private practice. With approximately 5000 members in more than 80 countries and regions, with a strong European membership, FICPI can rightly claim to be a truly global body, representative of the free profession.

FICPI's members form a prestigious network of intellectual property attorneys of the highest standard. Our members are exceptionally trained, highly motivated and independent in spirit. Many actively contribute to the work of FICPI. Through stringent admission criteria and a code of professional conduct for all of our members, we uphold a high level of excellence for the organisation while also striving to maintain the standards of the profession worldwide.

Our Principal Aims

FICPI is committed to supporting its members in private practice and to bring value to intellectual property in a wider sense. We are passionate about our aims, which can be summarised as follows:

1. Enhance international cooperation within the profession of IP attorneys in private practice and promote the exchange of information and facilitate business relations between members.
2. Maintain the dignity of our members and the standards of the profession of IP attorneys in private practice on an international scale.
3. Express FICPI's opinions with regard to newly proposed international and national legislation that is of general concern to the profession; and to defend the interests of our members and their clients in maintaining a vigorous and effective system of intellectual property protection, with well-qualified IP attorneys in private practice to make that system work.
4. Promote training and continuing education of our members and others interested in intellectual property, by organising regular international meetings as well as local and regional ad hoc programmes.



Your Voice, Your Interests

With the expertise and practical experience provided by our membership and our presence as observers and advisors on many national and international platforms, FICPI is ideally placed to keep abreast of new developments, to keep you informed, to make an impact on future legislation and to ensure that your concerns as private practitioners are heard. FICPI members have assisted in the drafting of IP laws and treaties. We offer well balanced opinions, rooted in a wide range of experience and knowledge of the business needs of the IP system, on the interpretation of existing laws and the implementation of newly proposed international, regional or national legislation or practice guidelines.

Our views are highly respected by the IP authorities because they have come to appreciate that we are speaking with the experience of the entire free profession in support of the IP system for all users, both owners and third parties alike. The independent practitioner is a key part of the IP system; FICPI represents that part.

Your Involvement Matters

FICPI's activities are not dictated by a faceless management; FICPI is dependent upon the active support of its members to conduct, guide and support its activities. Many members participate in the work of FICPI's various commissions; others regularly attend FICPI's meetings. New members are welcome to join these commissions and to assist FICPI to continue its valuable work on behalf of the profession. As an independent practitioner, FICPI provides you with the ideal platform to make your contribution to the IP system on which your practice depends.

Who are FICPI Members?

Members of FICPI come from all aspects of private practice and represent clients ranging from individuals and SMEs to multi-national industries, as well as universities, governmental and non-governmental organisations and other institutions. Our members practise in patent, trade mark, design and other IP matters on behalf of clients who may be owners of IP rights or third parties.

Membership in FICPI is restricted to qualified and experienced IP professionals whose peers can confirm their qualifications and support their application for membership. An IP practitioner is one specialised in IP matters, with the right to represent a party before the authority responsible for granting an IP right, and who has passed any required qualification examination for that country, if there is one. Applications for membership of FICPI by candidates in a country where there is a national association should be made through that association. Candidates for FICPI membership not able to join an established national group are approved for membership by the Executive Committee, after existing FICPI members have had an opportunity to comment on the candidate's suitability. Membership information is found at www.ficpi.org.

WHAT DOES FICPI DO?

FICPI represents independent IP practitioners at the international level.

FICPI is different. Not only are we interested in the improvement of the laws and treaties that are the foundation of the IP systems, but by virtue of our exclusive membership, FICPI is also the only professional body that truly represents independent IP attorneys at the international level. FICPI ensures that the views of the profession are heard and supports the network of highly skilled and experienced professionals that clients and the IP system require.

FICPI meets regularly with the heads and senior officers of the Patent Offices in Europe, Japan, China and the U.S.A., as well as the European Commission, WIPO, WTO and OHIM, with plans to extend these regular meetings to other IP offices. FICPI also meets from time to time with senior officers of other important IP offices.

It is essential for the worldwide IP profession to maintain regular contacts with at least the most important national, regional and international IP authorities to ensure that proposals to amend IP laws are practical and are made in the interest of all users. FICPI has a particularly good relationship with WIPO and was the only international organisation invited by the EPO President to attend a workshop on the future fee structure at the EPO and one of only two NGOs to be invited to the Annual Meeting of the Trilateral Partners (JPO, USPTO and OHIM) in Tokyo.

Supporting and Shaping the IP World

FICPI's perspective and its influence internationally gives its members, particularly those from smaller countries, a better understanding of and an opportunity to influence developments in the IP world than if standing alone. FICPI has been active in the patent harmonisation process and is one of the very few organisations listened to by the Group B+ countries about substantive harmonisation.

FICPI has stood up for the public interest in developing and maintaining an IP profession throughout the world so that all clients have good access to skilled IP advisers in their own countries.

FICPI Achievements

Among its many notable accomplishments, FICPI has been and continues to be:

- The only organisation to bring an international perspective to the U.S. Supreme Court and the Court of Appeals for the Federal Circuit (CAFC) on standards for file history estoppel, the proper definition of the scope of invention, the protection of software, the requirement of written description, the broad application of prior art and the proper scope and reach of one country's patents into a foreign jurisdiction.
- A successful filer of Amicus Briefs with the EPO's Enlarged Board of Appeal, dealing with such topics as disclaimers, diagnostic and surgical methods, divisional applications, "essentially biological" processes, dosage regimens and the patentability of computer software. Decisions of the EBA expressly mentioned these amicus briefs, and the EBA has followed FICPI's position on basic questions of importance for our clients and for us, such as the correction of priority declarations, the requirement for claiming priority of the "same invention" and disclaimers.
- Instrumental in WIPO's Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) in ensuring that the rights of trade mark owners are protected in cyberspace. FICPI has also presented a list of "key design issues" that formed the basis for discussion at the SCT on the protection of designs internationally.
- The early voice of IP interests within ICANN, the body governing all domain name related issues on the Internet. FICPI played an important role in the foundation of the intellectual property constituency of ICANN and continues to be influential in that arena.

FICPI
Fédération internationale des conseils
de brevets industriels
internationales, association des
brevets, propriété intellectuelle,
innovation et création
industrielles et artistiques

Patent Office Backlogs

USPTO
Typical Delays
Efforts to improve examination & response

EPO
Extent of Backlog



FICPI meets regularly with senior officers of the EPO, USPTO and JPO, as well as the European Commission, WIPO and WTO.

WHAT HAS FICPI DONE FOR YOU?

FICPI's activities have been of great benefit to its members and to the independent or free profession worldwide.

Many of FICPI's efforts have been directed to maintaining a strong, independent, local profession in the face of efforts to centralise the filing and prosecution of applications in a small number of national and regional offices. Only an international organisation of the scope and stature of FICPI can represent the interests of the private practitioner before national, regional and international bodies. FICPI's ability to speak for all IP attorneys in free practice assists us in achieving our aim to improve the position of individual IP attorneys in all countries.

FICPI has:

- Fought to preserve the right in the Patent Law Treaty (PLT) to have local representation before a patent office. Without FICPI's efforts, the PLT may have drastically reduced the need for and role of local representatives, which would have been catastrophic to the profession in many countries.
- Supported the retention of local patent offices in the EU Green Paper on patenting in Europe and pushed for decentralisation of the European patent system.
- Lobbied strongly for the retention of translation requirements in Europe, for the benefit of local industry as well as the local professions, their clients and third parties.
- Removed potential liability from private practitioners through frequent interventions in the negotiations leading up to the Singapore Treaty on the Law of Trade marks (2006) to provide for the restoration of priority rights.
- Engaged in and turned the debate about patent costs away from criticism of European practitioners.
- Been at the forefront of the drive to initiate a right of privilege and confidentiality for clients in their interactions with IP attorneys and cross-border recognition of that right and is working closely with WIPO on this crucial matter. The right of privilege is of utmost importance to allow the IP profession to protect the interests of their clients.
- Worked against the Norwegian Proposal, tabled at the WIPO Madrid Working Group, to remove the requirement for a basic home application, which is fundamental to the Madrid system. FICPI will continue to intervene to ensure that the rights of trade mark owners and the welfare of the profession are not overlooked.
- Organised 6-month patent drafting courses (called SEAD and EUROSEAD) to provide training to young professionals in south east Asia and in Europe.
- Promoted the right of patent attorneys to represent clients during the drafting of Article 28 of the current European Litigation Agreement. FICPI continues to fight for the right of national patent attorneys in Europe to represent clients before Community courts in IP matters.
- Organised meetings for its members and others to consider topical issues, including a World Congress for all FICPI members every three years, Fora open to all in the intervening years, colloquia with sister organisations to bring the views of FICPI members to the attention of patent office officials and Symposia focussed on developments in IP issues in countries in Asia, such as China, Japan, India and Korea.



Without broad international representation of your interests by FICPI, there is a real danger that the interests of IP attorneys in private practice and their clients throughout the world, and indeed the IP attorney profession in general, will fall victim to bureaucratic ambitions and the hegemony of large international business.



How Does FICPI Work?

FICPI works to advance the interests of IP practitioners and their clients through several key commissions (committees).

Commission d'Etude et de Travail (CET) (Study & Work Commission)

The CET's 250+ members study issues in the field of IP law, especially those likely to influence the IP of tomorrow and the world of private practitioners. Membership in the CET is open to all FICPI members interested in and willing to contribute to the work of the CET.

For a more detailed view of the current CET work, including many issues that you can become involved in, please visit: www.ficpi.org.

The CET is presently composed of a number of sub-groups, including:

Trade marks: Madrid Agreement and Protocol, trade mark harmonisation, European and Community trade marks, geographical indications, licensing, domain name issues and use on the Internet.

Designs: industrial designs, copyright including EC Design Regulation & Directive, revision of the Hague Agreement

International patents: International patent questions including harmonisation, PCT, Paris Convention, GATT.

European patents: EPC, Community patent and EU patent litigation.

Litigation: IP enforcement, including dispute settlement & arbitration.

IP asset management: licensing; technology transfer; acquisitions, divestitures and mergers; due diligence; collaborations; freedom to operate; IP asset valuation; IP ownership issues; and IP insurance.

Specialist sub-groups deal with IP issues in the fields of life sciences and chemistry, traditional knowledge and expressions of folklore, software and business methods and e-commerce regulation.

Admission Commission

The Admission Commission has worked in conjunction with the Contact Commission to establish recent national sections of FICPI in Singapore, China and India to represent the interests of the free profession in those countries.

European Union Members Commission of FICPI (EUCOF)

Is the Commission that represents FICPI before the European authorities, such as the EU Commission.

Training and Education Commission (TEC)

TEC has responsibility for promoting the training and continuing education of members of FICPI and others interested in intellectual property protection.

Professional Excellence Commission (PEC)

The PEC Commission addresses issues of interest to the daily work of IP firms and is working to promote excellence among IP firms, including initiatives such as developing standards for communication between IP firms as a way to reduce the risk of misunderstandings and possible loss of rights to clients. PEC is also working on the creation of a mentoring system to assist in the management of IP firms.

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that represents the interests of the
IP attorney in private practice.

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