

# EXCO MEETING, CAPE TOWN

## 13 & 18 APRIL 2015

### COUNTRY REPORT

|              |   |  |
|--------------|---|--|
| TITLE:       | Country report for <i>BELGIUM</i>   |  |
| DRAWN UP BY: | <i>Philippe Overath</i>   |  |
| TABLED TO:   | FICPI delegates   |  |
| PURPOSE:     | For information and consideration   |  |
| SNIPPET:     | News from and activities of the FICPI national group in <i>Belgium</i> since the Barcelona ExCo in November 2014. |  |

### 1 SECTION A: ACTIVITIES OF FICPI ASSOCIATION/SECTION

The information supplied in Section A will remain confidential on FICPI's website after the ExCo (will require a password).

### SECTION B: CHANGES IN LAW

Information supplied under Sections B and C will be published on FICPI's website after the ExCo and will be available to the public.

#### B1. LEGISLATION

- Please provide details of any changes to IP legislation (patent, trade mark, design and other) in your country implemented or due to be implemented since you reported last in October 2014.

*Implementation of a possible Restitio in Integrum procedure for patents in case of failure in filing a translation within the 3 months from EPO publication date.*

#### B2. MAJOR CASES

- Please provide brief details of any new case law in the field of patents, trademarks, design or other IP of general interest.

*No information received*

#### B3. OFFICIAL PRACTICE

- Please provide details of any changes in official patent and trade mark office practice which would be of general interest to other members.

*New on-line possibilities*

#### B4. PROPOSALS FOR CHANGES

- Please provide details of any proposed changes in IP laws or practice and indicate if your National Association/Section is involved in providing comments to such changes.  
Would it be of assistance to have input from the CET on any proposed changes?

### SECTION C: OTHER INFORMATION

Please provide details of any other information pertaining to your country or region that would be of general interest to FICPI members and other IP practitioners browsing FICPI's website.

#### C1. QUALIFICATION AND THE RIGHT TO REPRESENT CLIENTS BEFORE A COURT

- Please describe the qualification process for becoming a patent attorney in your country/region.  
*National examination procedure*

- 1.2 Has the patent attorney qualification process changed in any way in the past 5 years?  
No
- 1.3 Does qualification as a patent attorney permit you any right of representation before any Court in your country?  
Only as assistant to a Legal Attorney
- 1.4 If so are there any special requirements or restrictions?
- 1.5 Are qualified lawyers in your country permitted to work in the patent field without any further qualification? Yes  
If so are there any restrictions on what they may do? No  
If so, please describe those restrictions.
- 1.6 Please describe what privilege attaches to patent attorney communications including any restrictions.
- 1.7 Please describe the qualification process for becoming a trade mark attorney in your country/region.  
Same as in Benelux
- 1.8 Has the trade mark attorney qualification process changed in any way in the past 5 years? No
- 1.9 Does qualification as a trade mark attorney permit you any right of representation before any Court in your country? No  
If so are there any special requirements or restrictions?
- 1.10 Are qualified lawyers in your country permitted to work in the trade mark field without any further qualification? Yes  
If so are there any restrictions on what they may do? No  
If so, please describe those restrictions.
- 1.11 Please describe what privilege attaches to trade mark attorney client communications including any restrictions.

## C.2 CET AND PEC SPEAKERS

- 2.1 Would your National Section/Association be interested in obtaining assistance from FICPI, through either the CET Work and Study Group or the Professional Excellence Commission (PEC), in providing speakers for seminars organized by your national group in your county? No
- 2.2 If your group does, or in the future might, require such assistance, please identify topics that might be of interest to your members, with a view to raising FICPI's profile and providing added value from membership of FICPI in your country. NA

## C.3 TOPICS OF INTEREST

- 3.1 Please list three IP topics that are of particular interest to you and/or your national section members.
- evolution of the IP profession in the "sub" countries
  - influence of the increased internet possibilities on the IP profession
  - IP rights on new developments made by internet user groups from all over the world ?

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