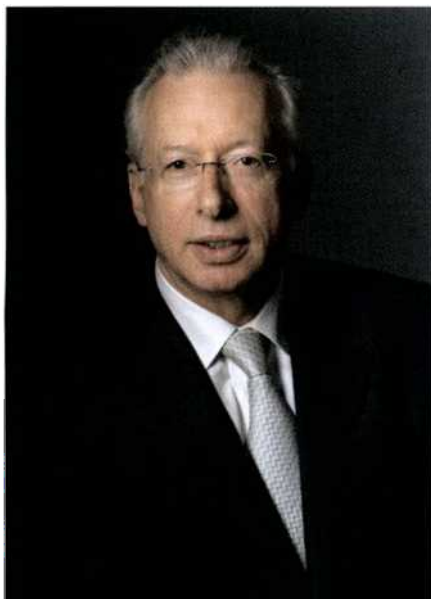




The Austrian Patent Office As Competence Centre For Intellectual Property?

Friedrich Rödler, President of the Austrian Patent Office, speaks out for an administrative reform including a merger of all institutes for protection of intellectual property in Austria (see also the interview in this magazine).

Invent has asked experts for their opinion.



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"The Austrian Chamber of Patent Attorneys welcomes every measure for strengthening industrial property rights and supports the Austrian Patent Office in strengthening its activities of managing the official register and of granting, managing and cancelling industrial property rights. Extending the activities of the Austrian Patent Office to additional fields of intellectual property would be a positive development. The prerequisites for such a development and for the planned restructuring of the Office will be:

- to clearly define the tasks of the Patent Office and of outsourced branches, if any, and to avoid conflicts of interests between the Patent Office's role as a decision-making authority and provider of consulting services
- to provide the Patent Office with the necessary qualitative, personnel, financial and organisational means

- a clear political and ministerial responsibility for industrial property rights.

The currently envisaged new organisation of the Patent Office's structure and of the regulation of appeals available after decisions made by it provides a good opportunity to create a future-oriented system.

Decision-makers are requested to present their ideas and to start exchanging views with the users of the system (patent attorneys, lawyers, inventors, trade and industry) as soon as possible. The key date 1 January 2014 (entry into force of the Amendment to the Administrative Jurisdiction Act 2012) has already come very close."

PETER PUCHBERGER
PRESIDENT OF THE AUSTRIAN
CHAMBER OF PATENT ATTORNEYS



Let us know your opinion

Currently, intellectual property matters in Austria are dealt with by different authorities: copyright law (Ministry of Justice), product piracy (Ministry of Finance) and industrial property law (Ministry for Transport, Innovation and Technology) are divided among three different ministries. In other countries, such as Hungary, Switzerland or Portugal, responsibilities for intellectual property including copyright law are concentrated in national patent offices. Should Austria also create a competence centre for intellectual property? We look forward to receiving your opinion by e-mail to stefan.zwickl@bohmann.at.



Peter M. Mayr

"In principle, it is a welcome fact that professional responsibilities are located at the same place where expert knowledge can be found. It is, in any case, important to ensure that there are well-working interfaces between the different areas and transparent processes. As long as processes are not unnecessarily delayed or legal certainty for patent applicants is not weakened, there is nothing wrong with having different responsibilities with regard to intellectual property. If those prerequisites are no longer fulfilled, a revision of the existing system as shown by European examples of good practice should be made in the not too distant future."

HANNES ANDROSCH,
RETIRED FEDERAL MINISTER AND
VICE CHANCELLOR, INDUSTRIALIST
AND CITOYEN