Proceedings Before the European Patent Office

A Practical Guide to Success in Opposition and Appeal, Second Edition

2nd edition

Elgar Practical Guides

Marcus O. Müller, Chairman of Board 3.3.02, European Patent Office, Munich/Haar, Germany and Cees A.M. Mulder, European Patent Attorney and Professor of European Patent Law in a Global Context, Maastricht University, the Netherlands

The second edition of this acclaimed and widely-used book has been thoroughly updated in light of, among others, the revised Rules of Procedure of the Boards of Appeal, which entered into force in January 2020. It provides the first detailed understanding of these new rules and their influence on opposition and appeal proceedings. Dealing with all stages of proceedings before the European Patent Office, this book provides fresh insight into how best to act at each stage to successfully complete a case in opposition and appeal, detailing how opposition divisions and boards of appeal approach the cases before them.

‘... highly informative on the entire process of obtaining enforceable patents, defending them, or attacking them effectively. This makes the book an interesting read not only for those patent attorneys that are or will be involved in future opposition and appeal proceedings, but for anyone having an interest in this field. We would not hesitate to include clients, outside council, attorneys-at-law, and even EPO staff as potential readers who could benefit from this book.’

– epi Information

‘The book is an excellent read for anyone preparing for their first oppositions or appeals, as it gives a very good overview with practical tips as well as common pitfalls to avoid. For the more experienced ones, the big benefit of the book is the abundant references to case law. A section I particularly appreciated was the very clear and explicit explanation of hearing of witnesses. Another big bonus is of course the references to the 2020 Rules of Procedure of the Boards of Appeal.’

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‘This excellent book brings together the theory and practice of opposition and appeal at the European Patent Office. The expert authors explain the legal framework in an accessible manner and provide numerous tips which are based on many years of experience. This book helps you to make the right choices already during drafting the patent application and in opposition so that you will be in the best possible starting position for your appeal under the 2020 Rules of Procedure.’

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