



Patenting procedures relating to medical devices at OEPM and the EPO Flipped Classroom

Programme

Discussion platform

Event OT03-2020

28 October 2020

Organised by

Spanish Patent and Trademark Office (OEPM)
Paseo de la Castellana, 75
28046 Madrid

in co-operation with

European Patent Academy
European Patent Office
Bob-van-Bentham-Platz 1
80469 Munich
Germany

Patenting procedures relating to medical devices at OEPM and the EPO Flipped classroom

Online

Wednesday 28 October 2020

Roundtable: Spanish industry, academia and patent attorneys
OEPM
EPO

Organised by OEPM in cooperation with the European Patent Academy

Powerpoint presentations (PPTs) are made available to the participants before the Virtual Classroom session.

PPT 1 (EPO) & 2 (OEPM)

Inventions in the field of medical devices: how to retrieve data and find prior art

- What can be included in “medical devices”?
- Classification
- Filing figures and their evolution over time
- Technological trends

Anna Kajzar, patent examiner, EPO

Antonio Cárdenas, OEPM

PPT 3 (EPO) & 4 (OEPM)

Prosecution of patent applications in the field of medical devices: how to meet patentability requirements. Search and examination practices at the EPO and the OEPM - résumé of procedures (main steps)

- Exceptions to patentability, in particular methods for treatment of the human or animal body by surgery or therapy and diagnostic methods practised on the human or animal body

Marjorie Chopinaud, patent examiner, EPO

Leopoldo Belda, OEPM



PPT 5

Patents and patent applications in the field of medical devices at the EPO: legal aspects

- Decisions by the EPO's Boards of Appeal
Marjorie Chopinaud, patent examiner, EPO

PPT 6

OEPM patent information in the field of medical devices

- Technology Watch Bulletins and Technological Alerts
Javier Collado, patent examiner, OEPM

Recorded videos 10 minutes (OEPM interviewing)

Experience of a Spanish company in the field of “Medical devices”
Lluís Chico

Managing Partner, Neos Surgery S.L.

Experience of a Spanish company in the field of “Medical devices”
Rafael Vidal Rodríguez

CEO at INDESMED

Recorded video 10 minutes (OEPM interviewing)

Experience of a Spanish research centre in the field of “medical devices”
Francisco Galo Peralta

*Managing Director at Fundación Instituto de Investigación Sanitaria Valdecilla (IDIVAL),
Coordinator of the Plataforma de Innovación en Tecnologías Médicas y Sanitarias (ITEMAS).*

VIRTUAL CLASSROOM SESSION 28 October 2020 10.00 – 11.30h

Moderated by Marjorie Chopinaud, EPO and Leopoldo Belda, OEPM

Participants may send questions in advance or during the session via the Messenger, the moderators will collate and put to the speakers during the session.

Introduction to the format and group building exercise – 10 minutes

Moderators

Summary of PPTs and main topics – 10 minutes

Moderators

Discussion on patenting activities in the field of medical devices

Issues to discuss but not limited to the following:

- Patenting practices and field-specific hurdles as perceived by the audience
- Impact of Spanish Patent Law 24/2015 on patenting practices
- Disclosure of the invention before filing of a patent application.
- Communication between examiners and applicants

Moderators plus

Anna Kajzar, patent examiner, EPO

Antonio Cárdenas, patent examiner, OEPM

Manuel Illescas, MANUEL ILLESCAS Y ASOCIADOS, MIA PATENT AND INNOVATION

Speakers

EPO

Marjorie Chopinaud
Team manager, Sector Healthcare, Biotechnology and Chemistry
European Patent Office, Munich



Marjorie Chopinaud studied mechanical engineering in France, Germany, USA and Switzerland.

She has worked as a patent examiner in the field of medical technology since 2012. Since April 2020, she is leading a team of 13 examiners in the field of filters/membranes.

In addition to her examiner duties, she has held presentations on intellectual property protection and the granting process at the EPO in front of companies, national patent offices and Universities.

Anna Kajzar
Patent examiner, Sector Healthcare, Biotechnology and Chemistry
European Patent Office, Munich



Anna Kajzar is a PhD of biophysics. She worked in a research institute (Forschungszentrum Jülich) as a scientist before joining the EPO as a patent examiner in radiation therapy.

At the EPO, she works in the fields of particle and light therapy and surgery. She is involved in search and examination of patent applications, as well as in opposition procedures.



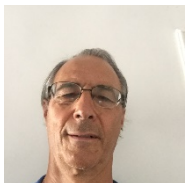
OEPM

Leopoldo Belda
Head of Division General Mechanics and Construction
Patent and Technological Information Department
Spanish Patent and Trademark Office (OEPM)



Leopoldo Belda is Head of patent examination in the field of General Mechanics and Construction at the Spanish Patent and Trademark Office. He studied Industrial Engineering in Madrid and after joining the OEPM, worked as a patent examiner for 10 years. He has international experience as Spanish Delegate in various committees regarding patent law (WIPO, EPO, Group B+).

Antonio Cárdenas
Patent examiner, Area Physics and Electrical Engineering
Spanish Patent and Trademark Office (OEPM), Spain



Antonio Cárdenas studied Veterinary (U. Complutense, Madrid) and Telecommunication Engineering (Technische Universität, Berlin). He works as a Patent Examiner and has collaborated in several international seminars organized by WIPO on Industrial Property.

Javier Collado
Patent Examiner
Spanish Patent and Trademark Office (OEPM), Spain



Javier Collado studied chemistry and has a PhD in Biology. He worked as a senior biologist at the Centro de Investigación Básica de España (CIBE), a branch of Merck Research Laboratories (Merck & Co, USA). In 2012, he joined the OEPM as a patent examiner in the fields of biochemistry and biotechnology. Currently, he is working at the Technological Information Unit and his duties encompass technological information services as well as search and examination of patent applications.

External speakers

Manuel Illescas
MANUEL ILLESCAS Y ASOCIADOS, MIA
PATENT AND INNOVATION



Manuel Illescas studied Biology and has a PhD in Biochemistry and a Master's Degree in Environmental Engineering. He worked as a patent examiner for 8 years at the Spanish Patent Office (OEPM). In 1993, he joined one of the largest IP firms in Spain, which he left in 2007, as a senior partner, to found his own IP boutique firm, specialized in inventions related to the biomedical sector. He is a Spanish Patent Attorney and European Patent Attorney, after having passed the corresponding qualifying examinations in 1998 and 2007 respectively. He is currently involved in the prosecution of patents involving biomedical inventions before OEPM and EPO, and also intervenes in patent litigation before Spanish courts.