

Christoph Ernst: 'rigid regime' cloud over achievements EPO president Battistelli

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EPO president Benoit Battistelli has strengthened the overall position of the European Patent Organisation, but the social problems cloud these achievements. Christoph Ernst, chairman of the EPO Administrative Council (AC), has said this in an [interview with the German legal website JUVE](#).

According to Ernst, who has been AC member for years and succeeded Jesper Kongstad as Chairman in October, the 'working processes now run better, productivity is higher and the Boards of Appeal have been reformed. In addition, Battistelli has initiated a number of social reforms (...)'. However, he has criticism as well: 'The verdict on the success of reforms he achieved will certainly be clouded by the fact that President Battistelli has overseen a very rigid regime with a heavy-handed approach. I would have occasionally liked to see more compromise and more understanding for differing interests.'

Ernst, who has not seen any 'verifiable numbers' regarding complaints that patent quality has dropped due to Battistelli's efficiency drive (see also [this blogpost](#)), told JUVE that 'improving the social culture is quite clearly a relevant area to address' and that 'all 38 Member States are looking for action on this' from Antonio Campinos, currently Executive Director of the EU Intellectual Property Office (EUIPO), who was [chosen last month to succeed Battistelli](#) in July 2018. 'There is clearly a sizeable number of employees who are not happy.'



As chairman of the AC, Ernst expects willingness from the EPO's union SUEPO, 'to sit down with the new president and discuss objectives and how to achieve them'. Asked about the possibility to halt, as a gesture of goodwill, the disciplinary proceedings against an EPO judge, which has been dragging on for years ([Wikipedia](#)) and in which Battistelli intervened controversially, Ernst responded: 'legal obstacles remain before the case can be brought to a conclusion. We need to see whether we can overcome these hurdles in the time that remains.'

Sometimes, the JUVE interview ([start at page 37](#)) creates the impression that Benoit Battistelli's term in office is already over. In the meantime however, new controversial social reforms have been proposed by the EPO president, most notably a plan to recruit all new staff on renewable contracts of five years only, instead of permanent employment contracts. Last week, the European Public Service Union (EPSU) sent a [letter to Christoph Ernst](#) to protest against the plan: 'This is again a proposal that is not discussed and negotiated with the unions. It increases precariousness, insecurity and has negative consequences for the well-being of workers.'

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