

Client Information and News

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technologies

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geographical indications for craft and

industrial products

VIEW ARTICLE

Good News at WITTEWELLER: Ali Yesil appointed as

Office News: EPO, WIPO, G7 meeting on intellectual property partner and Awards **ZUM ARTIKEL** 2023 **ZUM ARTIKEL**

EPO Study - Rapid growth in patent filings in 3D printing technologies average annual rate of 26.3% between 2013 and 2020.

A study published by the European Patent Office (EPO) in autumn 2023 shows that the number of patent applications filed in the field of additive manufacturing (3D printing) has grown eight times faster than the average in all other technology fields. According to the EPO study, patent filings in the field of 3D printing increased by an Trends in patenting in 3D printing technologies 9 000 8 000 7 000 6 000

Source: European Patent Office Source: European Patent Office As world leader in patent filings related to 3D printing between 2001 and 2020, the US ranks first, accounting for 40% of all international patent families (IPFs), followed by Europe (EU and EPO member states) with 33%. Germany shows the biggest part of Europe's share with 41%. Countries of origin for international patent families in 3D printing technologies, 2001-2020 Others 6.6% Germany 13.4% P.R. China 3.7% United Kingdom 3.8% Japan 13.9% Europe (EPC-39) 32.9% Switzerland 2.6% Netherlands 2.4% Other EPC-39 states 6.8%

Source: European Patent Office In the **company ranking** of the top leading applicants in the field of 3D printing, General Electric ranks on first place, followed by Raytheon Technologies and HP. Six European companies rank among the Top 20. Several of the patent applicants listed in the ranking are represented by WITTEWELLER. Top 20 patent applicants in 3D printing technologies, 2001-2020 Raytheon Technologies (US) HP (US) 1362 Siemens (DE) Fujifilm (JP) 573 3M (US) 448 Rolls Royce (UK) BASF (DE) 417 Epson (JP) 371 364 Boeing (US) 354 Xerox (US)

US 39.8%

Source: European Patent Office

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500 1000 1500 2000 0 Source: European Patent Office Source: European Patent Office Additive manufacturing, commonly known as 3D printing, has evolved from a niche technology for prototyping to a common production process for customized mass production and even serial production in a growing number of industries. Compared to traditional manufacturing methods such as drilling, milling and casting, 3D printing offers significant advantages, including saving resources as well as manufacturing complex shapes and individual designs easier, faster and costeffective. Since 2010, 3D printing processes have gained significant momentum, particularly in the field of healthcare and medicine as well as in the transport area (including aerospace and automotive engineering). Furthermore, 3D printing is increasingly being used in other industries, such as energy, electronics, construction and the food industry, which can be attributed to the fact that 3D printing technologies have been developed for a wider range of materials, for instance, plastics, metals, ceramics, and even organic cells.

As a result, additive manufacturing continues to grow in importance. It has already

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News on Unitary Patent - Unified Patent Court - first

With effect of 1 June 2023, European patents with unitary effect, so-called Unitary

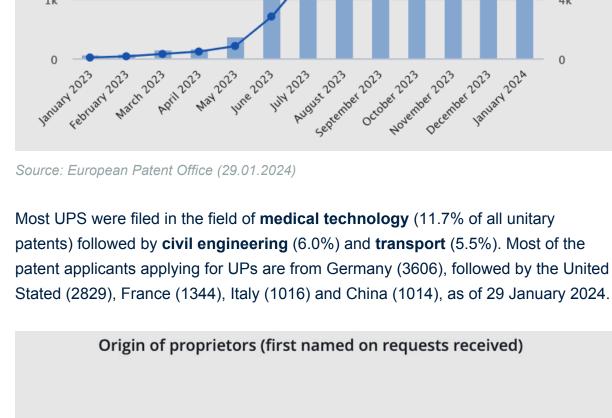
Patents (UPs), can be registered with the European Patent Office (EPO). These patents do not decay into national bundle patents but will become effective in 17 member states of the European Union. At the same time, the Agreement on the **Unified Patent Court (UPC)** entered into force. The UPC will be responsible for deciding on the infringement and validity of unitary patents and European patents. After more than six months of operation, **first statistical evaluations** are now available. The EPO has published a **dashboard** providing an overview of all requests for unitary effect. It reflects the status of registration and the evolution of the requests, the patent proprietor's country of origin, the technology fields (IPC) related to their patents, the procedural language and finally the language in which their European Patents were published and subsequently translated. Status of registration Procedural language Translation language 3946 (21.1%)

20k 16k 4k 12k Cumulative 8k Monthly 2k

The dashboard also provides an overview of the evolution of all requests for unitary effect received since February 2023. Since May 2023, the number of requests has

Evolution of requests received

increased continuously. As of 29 January 2024, 18.612 unitary patents were



It has to be acknowledged that the UPC started operating very quickly and competently, and, besides, has already issued decisions in various preliminary injunction actions. It is expected that the UPC will play an increasingly important role. It is also expected that the number of patent disputes before the national courts will possibly decrease. A variety of criteria, however, has to be taken into account

proceedings and the time pressure due to fixed deadlines, which, however, also

It remains to be seen how the UPC jurisdiction will develop in the near future and whether other countries will join the UPC Agreement. In any case, the UPC's start

> Stephan Keck, Partner **VIEW PROFILE**

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would put higher pressure on the defendant.

has been very successful.

Further information

EPA DASHBOARD

UPC NEWS

EU Commission: New EU regulation on the protection of geographical indications for craft and industrial products The protection of geographical indications has become increasingly important. Geographical indications and regional specialties have already been protected in the EU for a long time. Up to now, , however, this has only been related to agricultural products and food. On 16 November 2023, a new **EU regulation 2023/2411** on the protection of geographical indications for craft and industrial products (CIGIR) entered into force. The new regulation will introduce EU-wide protection of geographical indications directly applicable to craft and industrial products such as jewellery, textiles and glass, complementing the already existing regulation in the EU for the protection for geographical indications in the agricultural sector. This provides similar protection for geographical indications for industrial or craft products that can be attributed to their geographical origin, for instance Christmas decoration from the Erzgebirge (Eastern Germany), Bohemian crystal (Czech

Republic) and porcelain from Limoges (France), as well as for regionally produced food and beverages. Producers and manufacturers or these products will be able to

Until now, there have been various regulations related to craft and commercial

and the EUIPO of all existing national names intended to be recognized and

Protection of the indication of origin comes into force after registration in an EU

register has been completed. A two-step EU examination procedure is provided to

the applicant. The first examination will be carried out by the national authorities,

followed by a request and registration of the title by the EUIPO.

products. However, the national regulations have not yet been harmonized and vary

With the introduction of the EU regulation, existing national regulations will expire on 2 December 2026. EU member states will have to notify the European Commission

request protection of geographical indications as of 1 December 2025.

in terms of level of protection, fees and administration.

registered under the new EU regulation.

Further information

Office News

Board of Appeal.

applications.

Further information EPO OFFICIAL JOURNAL

Further information WIPO NEWS (Greece) WIPO NEWS (Italy)

Further information

GPTO NEWS

JAPAN IPO NEWS

space.

predecessor of the Hague Agreement.

EUIPO NEWS

EPO: New delivery rules The European Patent Office (EPO) has abolished the practice of requesting and sending postal acknowledgements of receipt with effect of 1 February 2024. This measure is intended to reduce administrative burden for both the EPO and its users. Users will continue to receive an electronic receipt immediately for submissions filed via one of the EPO's online services. As a consequence of the abolition, all **summons and decisions** issued on or after **1** February 2024 by the Receiving Section, the Examining or Opposition Divisions, the Legal Division or the Unitary Patent Division, will no longer include acknowledgements of receipt (EPO forms 2936[1] and 7936).

Notifications issued by the Boards of Appeal concerning decisions, summons or

will also no longer include acknowledgements of receipt. Accordingly, in return,

will be withdrawn. The same applies to communications issued by the Enlarged

communications related to formal deficiencies or to noting a loss of rights as well as other communications issued by the Boards of Appeal in relation to a specific case,

users will no longer be asked to acknowledge a communication. The EPO form 3936

Similarly, the practice of offering users the possibility to receive acknowledgements for documents subsequently filed on paper, will be discontinued for filings received

after 1 February 2024. This procedure will not apply to new European patent

WIPO - Greece and Italy join Geneva Act of the Hague Agreement

Greece and Italy will join the Geneva Act of the Hague Agreement for the

Both countries have long been members of the so-called Hague Act, the

G7 Heads of IP Offices Meeting on Intellectual Property in Metaverse

In December 2023, the heads of the patent and trademark offices of all G7 countries issued a **joint statement** on intellectual property in digital contexts in the Metaverse

The Metaverse is a virtual room/space where people, as avatars (artificial figures),

International Registration of Industrial Designs, respectively. The entry into force for

Greece is scheduled for 13 February 2024, followed by Italy on 14 March 2024.

can interact, communicate and cooperate with each other, as well as trade and own goods. Several well-known companies are currently offering goods for sale. There are already initial disputes over trademark infringement and possible product piracy in the Metaverse. On the occasion of the G7 IP offices meeting, the President of the German Patent and Trademark Office (GPTO), Eva Schewior, underlined the significance of IP protection in digital contexts. '[....] IP rules continue to apply unchanged in the virtual world. The Metaverse is not an outside the law area, authorizing people to do whatever they want. As a leading industrial nation, we want to strengthen this awareness.'

Ali Yesil joined WITTEWELLER 's headquarters in Stuttgart at the beginning of his patent attorney training. He advises and represents international enterprises as well as small and medium-sized companies in in all areas of Intellectual Property law. He is mainly focused on patent applications and grant procedures, trademark and design matters as well as opposition procedures against granted patents. Ali Yesil is authorized representative before the German Patent and Trademark Office (GPTO), the Federal Patent Court (BPatG) and the European Union Intellectual Property Office (EUIPO).

4 000 3 000 2 000 1000 833

Safran (FR) 338 Mitsubishi Corp (JP) 326 325 Airbus (NL) 308 Siemens Energy (DE) Ricoh (JP) 307 Canon (JP) 298 MTU Aero Engines (DE) 276 Samsung Electronics (KR) 237 Hitachi (JP)

evaluations

Source: European Patent Office (29.01.2024)

registered.

Further information

EPO STUDY (Summary) EPO STUDY (Full Study)

EPO NEWS

become indispensable in the industry.

WITTEWELLER NEWS 2020 (3D printing and IP law)

1k 4k

3k Source: European Patent Office (29.01.2024) Johnson & Johnson, Siemens, Qualcomm, Samsung and Ericsson are the top 5 patent proprietors accounting for the highest number of UPs. So far, the UPC has been well received by patent proprietors and plaintiffs in revocation actions. According to a UPC publication of December 2023, the UPC received **160 cases** in total, 67 of which were filed as infringement actions and 24 as revocation actions. 23 infringement actions were filed at the local division in Munich, 11 in Düsseldorf and Mannheim, 7 at the local division in Paris, 4 at the Nordic Baltic regional division, 3 in Hamburg, Milan and the Hague, respectively, and 1 in Brussels and Helsinki. The central division in Paris received 21 revocation actions, and the central division in Munich received 4. Additionally, 48 counterclaims for revocations and 19 applications for provisional measures, preserving evidence and orders for inspection were filed with the UPC. German is the predominating language (49%) in UPC proceedings followed by English (40%). before a decision for either national litigation proceedings or proceedings before the UPC can be taken, not only in view of the higher costs related to UPC litigation

Requests per first proprietors

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Trademark owners who intend to offer and sell their products in the Metaverse should pay careful attention to ensure that their trademark is protected for use in the virtual space. As virtual versions of real goods are also program codes, most offices worldwide, including the GPTO, consider them to be digital data in class 9 of the Nice **Classification**. Digital goods are often secured by an NFT (non-fungible token), in other words a non-exchangeable data section secured in a blockchain. Possible

wordings in official lists of goods are, for instance, 'virtual smartphones authenticated by NFT' or 'computer software for blockchain technology'.

Ali Yesil has a master's degree in aerospace engineering and gained practical professional experience, particularly in the field of aerospace engineering, general mechanics, packaging technology, conveyor technology, energy storage systems and fluid mechanics. Having spent six months with NASA in Silicon Valley, California, he had the chance to gain considerable experience in international cooperations and development projects. TO TOP OF PAGE

patent law firms in the category Patent Filing Germany 2023. as being highly recommended. JUVE further recognizes WITTEWELLER's special mechanics as well as process and mechanical engineering. The global business magazine **Financial Times** lists WITTEWELLER as one of Europe's Leading Patent Law Firms 2023, especially in the category electrical engineering and physics.

WITTEWELLER Awards in 2023 property rights. Heuckeroth, Stephan Keck and Mark Wegener. order to deliver top performance to our clients.

WITTEWELLER News Congratulations on partnership! WITTEWELLER is pleased to announce that **Ali Yesil**, patent attorney, has joined the team as a new partner as of 1 January 2024. Our IP-Boutique with headquarters in Stuttgart is expanding its team of patent attorneys to 18 partners. With Ali Yesil on board, WITTEWELLER continues its longstanding tradition of supporting young scientists and engineers on their way to partnership by providing a great variety of training. We are very pleased to announce that in 2023, WITTEWELLER again received several awards for outstanding achievements in the field of patent law and industrial The German business magazine **Handelsblatt** awarded WITTEWELLER as 'Germany's BEST Lawyers' in the field of industrial property rights. The Handelsblatt particularly recognizes the expertise and work of patent attorneys Dr. Volker Furthermore, WITTEWELLER was listed once again by **JUVE** as one of the leading

Witte, Weller & Partner Patentanwälte mbB Königstr. 5 (Phoenixbau)

Christian Steil, Dr. Volker Heuckeroth and Stephan Keck are particularly mentioned expertise in the fields of pharma and biotechnology, medical technology, electronics, We are very proud and highly appreciate these awards and consider them as an affirmation and motivation to continue to provide our clients with our expertise in TO TOP OF PAGE

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