

Kluwer Trademark Blog

Top 3 Kluwer Patent Blog and Kluwer Copyright Blog law posts in February 2016

Kluwer Patent Blog · Tuesday, March 8th, 2016

To ensure you don't miss out on interesting IP law developments reported by our Patent and Copyright Law bloggers, we will, on a regular basis, provide you with an overview of the top 3 most-read posts from each of the blogs.

*Top 3 Kluwer Patent Blog posts
in February 2016*



1) Growing pressure on EPO president Benoît Battistelli ahead of AC meeting, by UPC Blogger

“The longstanding social unrest at the European Patent Office (EPO) seems to be heading for a climax. After years of tensions and conflicts with the trade unions, Boards of Appeal and others, EPO president Benoît Battistelli, criticized for his ‘tyrannical’ leadership, has now lost the crucial support of Jesper Kongsted, chairman of the EPO’s Administrative Council (AC).”

2) Basics of the Unitary Patent system. Part 1: What is a Unitary Patent? By Pieter Callens

“Europe is preparing for the launch of the new Unitary Patent and the Unified Patent Court (UPC). A provisional phase for the UPC is expected to start later this year, with a view to a full start of the system in the spring of 2017. In a series of articles, Kluwer IP Law explains the upcoming changes and the consequences they have for patent practitioners. The first blogpost: What is a Unitary Patent?”

3) Draft bill presented in Germany for ratification of Unified Patent Court Agreement, by UPC Blogger

“The Federal Ministry of Justice of Germany has presented a first draft bill on the ratification of the Unified Patent Court (UPC) Agreement. It is accompanied by a draft bill to implement the

Unitary Patent (UP) system at the national level.”

**Top 3 Kluwer Copyright Blog posts
in February 2016**



1) Linking to illegal content unlawful under copyright law, according to the German BGH, by Jan Bernd Nordemann

Decision of the German Bundesgerichtshof (“BGH”) of July 9, 2015, *file no. I ZR 46/12* (“*Die Realitaet II*”).

2) Denmark: Infopaq-case finally decided after eight years, by Maria Fredenslund

*“In a **recent judgment**, following the preliminary Infopaq-rulings of the European Court of Justice, the Danish Supreme Court ruled that extracts of newspaper articles comprising no more than 11 words can be works protected by copyright. The use of extracts that are the results of a process of data capture undertaken by the media analysis company Infopaq International A/S (now Infomedia) constitutes copyright infringement, unless prior consent from right holders has been obtained.”*

3) Football Dataco: skill and labour is dead! by Estelle Derclaye

“The crux of the judgment comes at paragraph 42 when the court clearly states that skill and labour in the selection or arrangement of the data, even if significant, is not sufficient as such to trigger copyright protection.”

*This morning, the Court of Justice delivered its judgement in **Case C-604/10**, Football Dataco & others v. Yahoo UK! & others and followed Advocate General Mengozzi’s opinion.*

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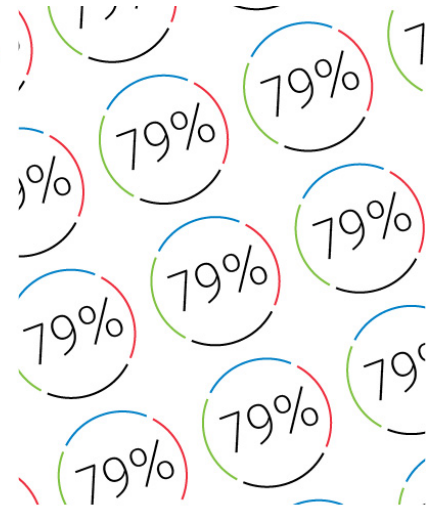
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