



Diagnostic assays based on molecular markers

Discussion platform on patenting
procedures - exchange with NPOs

Programme

Draft

10 – 11 May 2016

Warsaw, Poland

In co-operation with:



PATENT OFFICE OF THE
REPUBLIC OF POLAND

Venue

Patent Office of the Republic of Poland
al. Niepodległości 188/192
00-950 Warszawa
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Seminar reference

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European Patent Academy

European Patent Office

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Wednesday, 11 May 2016

Public event: representatives of Polish industry, academia and patent attorneys, IP judges, Patent Office of the Republic of Poland and EPO examiners

08:45 Arrival and registration

09:00 Welcome speech

Alicja Adamczak, President of the Patent Office of the Republic of Poland
Niels Stevnsborg, Senior Content Expert, European Patent Academy, EPO

09:15 The European Patent Office

Speaker: Niels Stevnsborg, Senior Content Expert, European Patent Academy, EPO

09:30 Patentability of diagnostic assays based on molecular markers

Speakers: Małgorzata Kozłowska, Luiza Godecka, Patent examiners, PPO
specific issues concerning patentability including but not limited to:

- polymorphic markers and markers for expression
- diagnostic versus medical uses
- diagnostic methods supported by purely in-silico data
- microarrays and DNA chips
- personalised medicine

10:00 EPO case law related to diagnostic assays based on molecular markers

Speakers: Jan Gabriels and Henrik Knudsen, Patent examiners, EPO

10:30 Coffee break

10:45 Patenting of molecular markers in Poland and Europe – comparative case study and indications for Polish applicants

Speakers: Anna Grzelak and Rafał Witek, WTS, Patent Attorneys, Warsaw

11:15 Business activities based on patent applications and patents relating to molecular diagnostics

Speaker: Prof. Jan Lubiński, Inventor, Pomeranian Medical University, Szczecin

11:45 Discussion with the floor on patenting activities in the field of diagnostic assays based on molecular markers

- communicating with applicants/representatives on patentability issues
- recent decisions of the Boards of Appeal of the EPO in the field

12:30 Wrap-up by moderator

12:45 Closing remarks in the plenary

Piotr Czaplicki, Head of Patent Department, Patent Office of the Republic of Poland
Niels Stevnsborg, Senior Content Expert, European Patent Academy, EPO

13:00 Lunch

14:00 End of the public event

Speakers

Ms Małgorzata Kozłowska

Head, Biotech & Pharmacy Division
Polish Patent Office

Ms Kozłowska has a PhD in Chemistry from the University of Warsaw. She joined the Polish Patent Office in 2007 and works as a patent examiner in the field of biotechnology. Since 2008 she has been holding the position of Head of Biotech & Pharmacy Division. In addition to her ordinary duties as examiner and head of division, Ms Kozłowska coordinates numerous national and international projects, including the CPC Reclassification Project in the field of molecular diagnostics. She was also a speaker in many seminars, workshops and conferences relating to IPR protection.

Ms Luiza Godecka

Patent Examiner
Polish Patent Office

Ms Godecka holds an MSc degree in biotechnology from the Warsaw University of Life Sciences. She first worked at the Institute of Biochemistry and Biophysics PAS where she focused on the elucidation of the mechanisms of plant responses to stress. She joined the Polish Patent Office in 2007 where she works as a patent examiner in the field of biotechnological inventions. Ms Godecka has broad experience in classification, search and examination of biotech applications. She also participates in the CPC Reclassification Project in the field of molecular diagnostics.

Mr Henrik Knudsen

Examiner
Joint Cluster Biotechnology
European Patent Office, Munich

Mr Knudsen is a Danish citizen. He worked in the Danish Patent Office before joining the EPO as a patent examiner in 1990. At the EPO, he searches and examines in the fields of nucleic acid analysis and nucleic acid marker based diagnostics. He passed the European Qualifying Examination in 1995. In the last years, he has been active in harmonisation of search and examination practice in the field of biotechnology as a Quality Nominee and in BioPractice working groups. He is also involved in opposition procedures with oral proceedings in his working fields as primary examiner or chairman and has participated in many opposition cases in the field of antibodies.

Mr Jan Gabriels

Examiner
Joint Cluster Biotechnology
European Patent Office, The Hague

Mr Gabriels is a Belgian citizen. He obtained a degree as Bioengineer and as a PhD student, he worked in the Centre for Molecular and Vascular Biology in Leuven, Belgium, in the field of transcription regulation. At the EPO he works in the field of nucleic acid based analysis and diagnostics. He is involved in search and examination of patent applications, as well as in opposition procedures. Since 2006, Mr Gabriels is responsible for developing and maintaining the classification system in the field of nucleic acid based analysis and diagnostics.

Ms Anna Grzelak

Polish and European Patent Attorney, Partner
WTS Patent Attorneys, Witek, Śnieżko and Partners, Warsaw, Poland

Ms Grzelak holds a PhD in biology with a specialisation in genetics from the University of Warsaw, and a master's degree with a specialisation in microbiology from the University of Warsaw. She first worked as a scientist and after obtaining her PhD, as a biotechnology specialist in IP. Since 2008 she has been working as a Polish Patent Attorney and since she passed the European Qualifying Examination in 2014 she is also a qualified European Patent Attorney.

Ms Grzelak obtained a post-graduate diploma in Industrial Property Law at the Faculty of Law and Administration of the University of Warsaw. She has participated in postgraduate studies on European Patent Law at CEIPI, the University of Strasbourg, France. In 2015 she was a Praktika Intern in the European Patent Office in The Hague.

As a Polish and European Patent Attorney and Partner at WTS Patent Attorneys she services leading global biotechnological, pharmaceutical, veterinary and chemical companies as well as Polish scientific institutions, Universities and SMEs in matters relating to the protection of inventions. Ms Grzelak is a member of the Polish Chamber of Patent Attorneys and the Institute of European Patent Attorneys. For four years she was IP advisor for the University of Warsaw. She works in the Warsaw office of WTS.

Mr Rafał Witek

Polish and European Patent Attorney
Partner and co-founder of WTS Patent Attorneys Witek, Śnieżko and Partners, Warsaw, Poland

Mr Witek obtained his degree in biotechnology from the Wrocław University of Technology. He participated in postgraduate studies on industrial property protection at the Humboldt University in Berlin. He was granted a scholarship for research at the Max-Planck Institute of Industrial Property Protection and Tax Law in Munich. He specialises in the protection and commercialisation of inventions in the fields of biotechnology and pharmacy.

Mr Witek is a member of the Polish Chamber of Patent Attorneys and the Institute of European Patent Attorneys, an associate member of the EPI Committee on Biotechnological inventions and a former President of the LES Poland. He is also a member of AIPPI, FICPI and EPLIT. He has conducted many court proceedings before the Polish Patent Office and civil courts, in cases concerning patent invalidation as well as in matters concerning their infringement.

Jan Lubinski, MD, PhD

International Hereditary Cancer Center of Pomeranian Medical University, Szczecin, Poland

Prof. Lubinski is an author of approximately 600 papers on clinical and molecular genetics of cancers, author and coordinator of various EU projects and editor of a journal published under UICC auspices "Hereditary Cancer in Clinical Practice".

Prof. Lubinski contributed with his team to around 250 publications on hereditary cancers during the last 10 years. He has established the National Programme of Diagnostics and Management in Polish Families with Genetic Predisposition to Cancers.

Prof. Lubinski is co-author of numerous Polish and international patent applications. He developed the Laboratory of Molecular Diagnostics affiliated to Pomeranian Medical University based mainly on own patented discoveries/ inventions. Moreover, he has developed a registry unique at the worldwide scale of cancer family syndromes with various parameters.

Prof Lubinski is the head of Polish Technology Platform for Innovative Medicine and founder and CEO of Read-Gene SA, a spin-off company established in 2005. Since 2015, he is a member of the council of the Institute of Human Genetics, Polish Academy of Science.