



Main sections

- Welcome to the FFII!
- Contact us
- News
- Brussels 9-10 Nov: Regulating Knowledge
- EU Democracy Day 2004-09-24



Conference Program



[Welcome](#)

[About the conference](#)

[Program](#)

[Watch live](#)

[Register](#)



Park Hotel, Brussels

The full program is also available in [PDF](#) and [Microsoft Word](#) format.

Tuesday, 09 Nov 2004

Location

Park Hotel Brussels, Av. de L'Yser 21, 1040 Brussels, Room Cinquanteaire.

Program

Arrival and registration (9h00-9h15)

Panel 1: Overview and update: The debate over software patents (9h15-10h45) ([mp3 audio recording](#), 1.4 MiB)

The debate over software patents has broadened far beyond its legal origins as interests outside the patent community have come to understand the importance of the issues. For societies and economies increasingly dependent on knowledge and knowledge processes, the stakes are high. Patents on abstract processes do not just affect particular businesses or professions but the procedures and means by which knowledge is generated, managed, and accessed or communicated.

Designed for policymakers, journalists, and other attendees looking a general grounding in the history of debate, this backgrounding session will provide an overview from different disciplinary and practical perspectives. It will give special emphasis to recent business developments that are likely to shape future debate on the directive and software patents in general.

Panelists:

- Brian Kahin, University of Michigan, formerly White House Office of Science and Technology Policy ([slides](#), 60 KiB)
- Dr. Jean-Paul Smets-Solanes, Nexedi (no slides)
- Jim Bessen, Boston University ([slides](#), 131 KiB)
- Florian Müller, Campaign Manager of Nosoftwarepatents.com (no slides)

Panel 2: Standards, interoperability and patents (11h00-12h30) ([mp3 audio recording](#), 12.6 MiB)

Discussion on how the process of forming standards is increasingly affected and often hindered by software patent issues.

Chair:

Rishab Ghosh, MERIT, University of Maastricht

Panelists:

- Philippe Aigrain, Society for Public Information Spaces
- Simon Phipps, Sun Microsystems
- Koen Martens, Sender Policy Framework (SPF/Sender-ID) ([slides](#), 131 KiB)
- Jean-François Abramatic, ILOG, former Chair of W3C

Panel 3: Lessons from software patent practice in the U.S. (14h00 - 15h15) ([mp3 audio recording](#), 21.0 MiB)

Debate around software patent directive in Europe often cites U.S. patent practice as a model. Initially, U.S. practice was envisioned by the Commission and advocates of software patents as a model for Europe to emulate, but as the problems of the U.S. system became more apparent it was often cited as a model to

avoid.

This panel will take a close look at the current state of patent practice in the U.S. from the practical perspective of firms seeking to both assert and avoid patents, including the state-of-the-art in searching for patents and managing patent-related risk. It will also discuss the implications for public policy in terms of the administration of the system and the consequences for differently firm sizes and business models.

Panelists:

- Dan Ravicher, Public Patent Foundation
- Bruce Perens, Perens LLC
- Len Newman, Open Source Risk Management
- Dr. David Martin, M-Cam Inc. ([transcript](#), no slides)
- Ian Lewis, Miller Insurance Services Ltd.

Panel 4: Divergent Directives: What do they say? What do they mean? (15h30-16h30) ([mp3 audio recording](#), 32.1 MiB)

The debate over the proposed directive "on the Patentability of Computer-Implemented Inventions" has been confused by the divergence between Commission/Council versions and the Parliament's version. This panel will examine the key differences between them -- in terms of operating language, intended purpose, and possible consequences, using concrete examples to engage a broader audience in this debate.

Panelists:

- Hartmut Pilch, FFII
- David Sant, European Patent Office (no slides)

Workshop: Opening the EPO cabinet: Samples and statistics how different directive texts define the scope of patentability (16h45-18h00)

- Jozef Halbersztadt, Polish Patent Office
- Jonas Bosson, Illuminet AB
- Hartmut Pilch, FFII

Park Hotel Buffet

On Tuesday 19:00 we would like to welcome you to buffet at Park Hotel.



Picture of and by the European Parliament

Wednesday, 10 Nov 2004

Location

European Parliament, Rue Wiertz, 1047 Brussels, Room ASP 1G3. For accreditation, please come in via the ASP (Altiero Spinelli Entrance) at **08:30**.

Program

Welcome address (9h20-9h30)

Daniel Cohn-Bendit, co-president of the Greens/EFA in the EP

Panel 1 (09h30-11h00)

The Lisbon agenda, the economics of innovation, and patents on knowledge-related processes([mp3 audio recording](#), 16.1 MiB)

Policy regarding software patents is a critical element of the Lisbon agenda, because software innovation is an important economic area. As an enabling technology, software also determines how information and knowledge is managed across all fields of innovation, and indeed in all forms of business and commerce. This panel will examine what economists know about patents and innovation, as well as the special issues related to patents on software-implemented innovations.

Speakers:

- Luc Soete, Director, Maastricht Economic Research Institute on Innovation and Technology, University of Maastricht ([slides](#), 307 KiB)
- Jim Bessen, Boston University ([slides](#), 162 KiB)
- Dietmar Harhoff, Director, Institute for Innovation Research, Technology Management and Entrepreneurship, University of Munich ([slides](#), 183 KiB)

Panel 2 (11h15-12h30)

Bottom up economics: defending SMEs and the public interest ([mp3 audio recording](#), 9.9 MiB)

Despite the often heard argument that patents benefit small companies, SMEs largely oppose software patents. This panel will examine the economic problems of dealing with patents from an SME perspective. It will look at new developments in the U.S. that show how patent holding companies behave in the ICT sector.

Speakers:

- Wendy Seltzer, Electronic Frontier Foundation ([slides](#), 573 KiB)
- Stefan Zickgraf, Secretary General, CEA-PME (no slides)
- Rita Heimes, Director, University of Maine Technology Law Center (no slides)

Panel 3 (14h00-15h15)

New developments in patent practice: assessing the risks and cost of portfolio licensing and hold-ups ([mp3 audio recording](#), 8.0 MiB)

The proliferation of software patent lawsuits has focused attention on the risks that patents pose to software developers and users. Open source and Free Software are often named as the most endangered entities, but small firms, non-profit institutions and public interest groups are all confronted with this issue. This panel will focus on how they are addressing this challenge.

Speakers:

- Dan Ravicher, Public Patent Foundation (no slides)
- Bruce Perens, Perens LLC/OSRM (no slides)
- Jonas Maebe, FFII ([slides](#), 1.5MiB)

Panel 4 (15h30-16h45)

Informing and reforming patent policy ([mp3 audio recording](#), 12.0 MiB)

There is widespread agreement that getting patent policy right is important to economic growth, yet there are no mechanisms in place for monitoring how the system is performing in practice. The controversies surrounding the software patent directive and the community patent suggest that existing institutions and political processes may not be up to the task of developing a sound patent policy. This panel will examine options for making the European patent system more accountable in terms of economic outcomes.

Speakers:

- Brian Kahin, University of Michigan, formerly White House Office of Science and Technology Policy ([slides](#), 114 KiB)
- Marianne van der Steen, Technical University of Delft, formerly Netherlands Ministry of Economic Affairs ([slides](#), 46 KiB)
- Susana Borrás, University of Roskilde ([slides](#), 244 KiB)

Conclusion (16h45-17h00)

EIF Conference on Computer Implemented Inventions (17h00-22h30)

The EIF (European Internet Foundation) organises [a panel discussion on Patentability of Computer Implemented Inventions](#), chaired by Erika Mann MEP. This event will take place in the Hotel Renaissance, 19 Rue du Parnasse, Brussels. Registration for this event is directly via EIF. Send an email with your name and affiliation to secretariat@EIFonline.org, or have a look at their [website](#) for more information.



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