

The **i**INTERPATENT newsletter



JUNE 2025

INTERPATENT'S TEAM WELCOMES GIORGIO CONTADIN AND OPENS A NEW OFFICE IN VICENZA

We are glad to announce that, starting from 3 June 2025, **Giorgio Contadin**, a professional engineer with over twenty years of experience in the world of Intellectual Property, **has joined our team.**

Giorgio graduated in management engineering at the University of Padua and is a member of the Italian Industrial Property Consultants Institute. He is a licensed patent attorney before the European Patent Office (EPO) and a professional representative for trademarks and designs before the European Union Intellectual Property Office (EUIPO). He is also a European Patent Litigator admitted to practice before the Unified Patent Court and a substitute member of the Disciplinary Committee at the Italian Industrial Property Consultants Institute, as well as a member of the International Federation of Intellectual Property Attorneys (FICPI).

Giorgio currently deals with patents, designs, trademarks, technical consultancy relating to infringement actions and patent validity and

contracts relating to Intellectual Property and will operate from **our new office located in Vicenza, via E. Moneta 216, Spazio Pomari 216, telephone: +39(0)4441276333, e-mail: g.contadin@interpatent.com or vicenza@interpatent.com**, recently opened to ensure a wider presence of our firm over the territory and to offer our clients an even closer and more customized range of services.

We had a brief chat with him to get to know him better. Here are some of the questions we asked him.

Q: Can you give us a brief description of your background?

A: "In 1999 I graduated in Management Engineering at the University of Padua with a dissertation on Product Certification. After working for about 3 years as a technical-commercial and production planning officer in industries of the Veneto Region, in March 2002 I began to operate in the field of Intellectual Property, acquiring over the years the role of Italian and

European patent and trademark consultant and, lastly (in 2018), the qualification of European Patent Litigator which enables a patent consultant to operate before the newly created Unified Patent Court. I have worked for some of the leading IP consultancy firms - at first with local firms in Veneto and then with firms of wider (I would say, without exaggerating, national) importance - and now I am facing, with great and renewed enthusiasm, this new 'adventure' in INTERPATENT, where I have found very careful management and a young team, with motivated spirit and varied skills."

Q: How did you come to be IP consultant?

A: "I got acquainted with the subject of patents and trademarks during some lessons held by an esteemed IP attorney at one of the degree courses of the engineering faculty I attended. I was immediately fascinated by the subject and as soon as the opportunity arose, offered by the firm of which that same IP attorney was the owner, I did not let it slip away."

Q: Do you work both on the trademark side and the patent and design side?

A: "Yes, I deal with all issues related to Intellectual Property which, as is known, includes not only patents, trademarks and designs but also copyright. I also offer my technical assistance to clients in legal disputes related to industrial property rights, in close collaboration with the clients' lawyers, and I sometimes also provide my contribution in drafting contracts related thereto (although in this case, always with the indispensable assistance of a lawyer)."

Q: What are the main industrial sectors of interest for Industrial Property in Veneto?

A: "In Veneto, the most active industrial sectors with respect to Industrial Property, at least as far as I am concerned, are the industry of machinery dedicated to the treatment of leather (tanning sector in general), the industry of product packaging, the goldsmith industry, the industry of household or gardening articles, the industry of machines for winding welding wire, the compressor industry, the catering industry, the industry of machinery for the

cultivation of vines (sprayers, atomizers, pruning machines), just to name the main ones."

Q: What are the critical issues for the future of Industrial Property for clients and consultants?

A: "For clients, it will be a commonplace to say, the most critical issues are globalization and the spread of potentially counterfeit products through the web: it is a challenge that clients must fight with great self-denial and conviction, otherwise they will inevitably succumb. For the consultant, the most complex challenge is that posed by the proliferation of services provided by unqualified subjects, now also exploiting AI, which increasingly end up debasing the importance of the professional contribution and the figure of the professional in Industrial Property. I truly believe that AI can be used as a first aid tool for IP professionals but will never be able to replace or surpass not only the professional skills of IP consultants but also their ability to relate and communicate directly with their clients."

We are confident that Giorgio's contribution will be invaluable in helping us reach new goals together and further enrich our working environment.

Welcome aboard, Giorgio!



CONGRATULATIONS TO SIMONA MANTOVANI FROM OUR TEAM ON HER NEW ROLE WITHIN THE ECTA SUPERVISORY BOARD

We are glad to share with you some exciting news about Simona Mantovani, Italian and European Trademark Attorney and member of Interpatent's team since 2018.

Starting from 2021, Simona has been an active member of the international association **ECTA**, participating in the Programme Committee, of which she will still be a member for the third consecutive term.

The main task of the **Programme Committee** is to monitor interesting developments in the field of IP and to identify hot topics which are relevant for future conferences, workshops and roundtables organized by ECTA as well as to identify suitable speakers for those events, thus ensuring a high professional standard in the educational offer of the Association.

From next 1 July 2025 Simona will be part of the ECTA Supervisory Board as a new elected member representing Italy until 2027. The policy of the entire association is in the hands of the Supervisory Board which, being the elected body of the association, is the only body fully representative of the members.

Among the main assignments of the ECTA Supervisory Board are the selection and nomination of candidate members of the Board of Directors, the submission to the General Meeting of proposals for the modification of the Articles of Association, the evaluation of

the functioning of the Board of Directors and all other powers expressly granted to the Supervisory Board by the Articles of Association.

We are confident that Simona, thanks to her active participation, commitment and dedication demonstrated so far, will be able to best represent the interests of the Italian and non-Italian members of ECTA and share with us colleagues at Interpatent news on highly topical issues.

Let's wish Simona the best of luck in her new role!



A BREAKTHROUGH IN PATENT INTERPRETATION: DECISION G 0001/24 OF THE EPO ENLARGED BOARD OF APPEAL REDEFINES THE CRITERIA FOR READING CLAIMS

On 18 June 2025, the Enlarged Board of Appeal of the European Patent Office issued one of the most anticipated and significant decisions of recent years in the field of European patent law: **Decision G 0001/24**.

This ruling, which originates from the referral made by the EPO Technical Board of Appeal in Case **T 0439/22** between Philip Morris Products S.A. and Yunnan Tobacco International Co., Ltd., addresses and clarifies a

crucial issue for patentability examination: the interpretation of claims.

The Central Issue: How to Read the Claims?

According to Art. 69(1) EPC, the claims define the extent of the protection conferred by a European patent, but the description and drawings shall be used to interpret the claims. National courts as well as the Unified Patent Court (UPC) typically adopt said principle in patent infringement and nullity actions.

However, the EPO, in assessing the patentability of an application or the validity of a patent, has taken **conflicting positions** on this issue over the years, with some decisions based on an interpretation of the claims alone, resorting to the description and drawings only in cases of ambiguity or lack of clarity of the claims, and other decisions in which, instead, the claims have been interpreted on the basis of the description and drawings.

Decision G 0001/24 clarifies this sensitive issue, establishing that **description and drawings must always be taken into account when interpreting claims**, regardless of the apparent clarity of the claims.

This breakthrough is intended to ensure greater consistency in the EPO's approach and uniformity between said approach and that of the national courts and UPC operating downstream of the EPO.

Key Principles Established by the Decision

The Enlarged Board of Appeal ruled that:

- The interpretation of the claims cannot disregard the overall context of the patent,

not only when assessing the scope of patent protection (Article 69 EPC and corresponding Protocol of Interpretation) but also when assessing the patentability of the claims.

- Description and drawings are indispensable interpretive tools, even when the wording of the claims appears clear.

Conclusions

Decision G 0001/24 by the EPO Enlarged Board of Appeal is not just a technical clarification: it is a paradigm shift. **Anyone who wants to protect an invention in Europe will now have to pay more attention to the integrated drafting of claims, description and drawings.** Above all, it will be essential to rely on qualified professionals who can draft solid, coherent patent applications that are ready to face successful examination and possible judicial challenges.

In an increasingly demanding patent system, **the competence of the patent attorney is not an option**, but a necessity.



HOW TO RESOLVE INTELLECTUAL PROPERTY DISPUTES IN A QUICK, COST-EFFECTIVE AND SAFE MANNER WITH MEDIATION

Even in the area of Intellectual Property (IP), disputes can become lengthy, costly and complex. However, there is an effective and increasingly used tool for resolving conflicts: **mediation**.

What Is Mediation?

Mediation is a voluntary extrajudicial process that allows parties involved in a dispute to reach an agreement with the help of a neutral and qualified mediator. It is an alternative

solution to the traditional court process, designed to be faster, cheaper and more confidential.

Why Choose Mediation?

- **Time saving:** Mediation can be concluded in a few months, i.e., much faster than the long times of ordinary justice.
- **Cost reduction:** By avoiding high legal fees and court costs, mediation is more economically viable than the traditional court process.
- **Total control:** It is the parties who build the solution together, with the guidance of an experienced mediator, without leaving the decision to an outside judge.
- **Confidentiality:** Everything discussed remains confidential, protecting the reputation of the parties involved and company secrets.
- **Flexibility and customization:** Mediation offers the possibility of finding tailor-made arrangements, including through innovative solutions not provided by law.
- **Legal effectiveness:** the agreement reached has binding force and can be enforced immediately.
- **Important tax advantages:**
 - the mediation agreement is exempt from payment of registration tax up to a value of 100,000 euros;
 - the acts, documents, and orders related to the mediation are exempt from stamp duty and any other taxes or fees;
 - tax credit is given on both the compensation paid to the mediation body and the legal fees, if the procedure ends with an agreement.

Mediation Before EUIPO

In 2023 the European Union Intellectual Property Office (EUIPO) established a **Mediation Center** dedicated to Alternative Dispute Resolution (ADR) on European Union trademarks and designs.

Thanks to a process of gradual strengthening of mediation services offered by the EUIPO, which culminated on 2 June 2025, parties involved in any inter-partes proceedings before the EUIPO, whether first- or second-instance opposition or cancellation proceedings related to European Union trademarks or invalidity proceedings for European Union registered designs (EUDs), can now request mediation to

resolve their dispute amicably and effectively.

In addition, mediation services – initially reserved for certain categories (such as SMEs) – are now more accessible and efficient, having been made available to all parties involved and accessible entirely online, through the dedicated ADR platform.

EUIPO has also promoted greater awareness of the importance of mediation as an alternative method of dispute resolution, encouraging parties to consider it as a first option.

During mediation, pending proceedings are suspended, allowing the parties to focus on finding an amicable agreement. The Mediation Center offers qualified mediators and procedures in a variety of languages, ensuring a fast, confidential and specialized path to the protection of IP rights at the European level.

Another aspect that cannot be overlooked is the ability of mediation to include, in addition to trademark and design disputes, parallel conflicts involving the same parties and other intellectual property rights (such as copyright, domain names, and patents), or any other related dispute pending between the parties in any jurisdiction.

This flexibility makes mediation an even more strategic tool for resolving complex, cross-border issues in a single forum, fostering comprehensive, rapid, and tailored solutions that take into account the entire relationship between the parties, reducing the risk of fragmented conflicts and conflicting decisions between different jurisdictions.



Mediation Before WIPO

WIPO (World Intellectual Property Office), through its [Arbitration and Mediation Center](#), has long offered an international service aimed at resolving, through alternative methods, disputes relating to intellectual property, including **trademarks** and **patents**.

The procedure before WIPO is flexible and suitable for complex cross-border disputes, which may include technical issues, for example related to technology evaluation, engineering aspects or the definition of specific contractual terms in the context of licensing and technology transfers. WIPO mediators have global expertise to address these issues. In addition, in the event of failure to reach an agreement, arbitration is possible, ensuring a comprehensive and integrated solution of disputes.

Mediation in Italy

Mediation can also be requested before the **UIBM (Italian Patent and Trademark Office)** to resolve disputes relating to trademarks and patents.

Since the coming into force of the 'Cartabia Reform', the Italian civil mediation system – also applicable to disputes in the commercial and **intellectual property** fields – provides for the possibility of introducing mediation as a clause in IP-related contracts that makes it mandatory for the parties to attempt a mediation process before taking legal action in court and thus promotes more participatory and rapid justice.

In recent times, Legislative Decree 216/2024 (the so-called 'Cartabia Corrective'), which became effective on 25 January 2025, introduced some important innovations in the matter of mediation, including:

- Maximum duration of the mediation procedure, which has been extended from 3 to 6 months, with the possibility of an additional 3 months extension upon written agreement of the parties; and
- The possibility of participating in mediation meetings via remote audiovisual connection has been introduced, ensuring mutual audibility and visibility of the parties, with precise rules on the signing of documents

and the approval of agreements.

The aforementioned decree has made the use of alternative dispute resolution tools, such as mediation and arbitration, more attractive for companies operating in the intellectual property sector. Furthermore, these tools, thanks to their flexibility, adapt to international contexts, proving to be particularly effective for cross-border disputes since they facilitate agreements that overcome the complexities of multiple jurisdictions.

Mediation before UPC

Also at the Unified Patent Court (UPC), the court specializing in disputes concerning European and Unitary patents, currently common to eighteen EU Member States, it will be possible to resort to alternative procedures to resolve disputes, thanks to its [Patent Mediation and Arbitration Centre \(PMAC\)](#).

The PMAC, which operates with **two offices in Ljubljana (Slovenia) and Lisbon (Portugal)**, will provide institutional support and facilities for the resolution of patent disputes falling within the jurisdiction of the UPC and other disputes relating to European patents with unitary effect.

The PMAC is currently moving towards full operation, expected in early 2026, by finalizing the rules, which should include the possibility of **fully online proceedings, flexibility** to adapt to specific individual cases, and special provisions for disputes involving **essential patents (SEPs) and FRAND licenses**.

Although the main scope of competence of the PMAC coincides with that of the Unified Patent Court, including 'classic' European patents, European patents with unitary effect and supplementary protection certificates (SPC), it is not excluded that the PMAC may also handle related issues involving other intellectual property rights or competition rights (such as abuse of dominant position), promoting a global resolution of disputes.

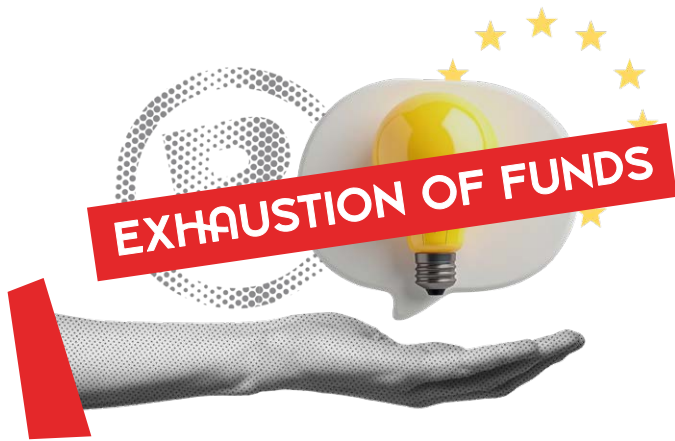
In summary, what is noticeable is a general trend towards supporting and promoting alternative dispute resolution tools, such as mediation and arbitration, with an expansion and modernization of the services offered, both at European level with the EUIPO and the

UPC, and at Italian national level, with particular attention to digitalization, duration and flexibility in the ways in which procedures are carried out.

Our consultants will be able to assist clients in obtaining more information on this matter and in starting and managing mediation before the

competent authorities, helping them to choose the solution that best suits their needs and to protect their intellectual property rights without having to face long and uncertain disputes.

SME FUND 2025 – EXHAUSTION OF FUNDS FOR VOUCHER 3 (PATENTS)



As you may recall, starting from June 2nd, the SME Fund - which allows to obtain vouchers that give access to a partial reimbursement of the expenses incurred for the protection of intellectual property rights - was reopened in relation to Voucher 3 (Patents) and Voucher 4 (Plant Varieties).

However, due to the high number of applications, the **funds of Voucher 3** for national patents and European patents) are **once again exhausted**.

Voucher 1 (IP Scans – not applicable to Italy), Voucher 2 (Trademarks and Designs) and Voucher 4 (Plant Varieties), instead, are still open.

More details about these Vouchers can be found in the [February 2025 issue](#) of our newsletter.

As part of our full-range IP services, we at Interpatent are available to provide further information and guidance to SMEs in navigating through the EUIPO SME Fund 2025.

WIPO GLOBAL AWARDS: AN ACKNOWLEDGEMENT FOR INNOVATION CHAMPIONS

Each year, **WIPO (World Intellectual Property Organization)** presents the [WIPO Global Awards](#) to recognize small and medium-sized enterprises, start-ups and university spin-offs that have achieved significant commercial goals and improved society by exploiting innovations and creations protected by intellectual property rights.

In particular, the initiative aims to reward the transformation of research and ideas into successful commercial initiatives, business growth through IP-based strategies, and the development of innovations that contribute to the United Nations Sustainable Development Goals.

Winning companies are awarded a **tailored mentoring program** designed to help them continue their journey to commercialize their IP-protected innovations and creations and reach new sources of funding, as well as benefit from the **visibility** offered by the initiative.

The award ceremony for the 2025 edition, which has been very successful, receiving over **780 nominations from 95 countries**, will be held on 11 July at the Geneva headquarters of WIPO. During the ceremony, trophies made by

glass artisans on the island of Murano, symbols of excellence, will also be awarded.

For companies that consider Intellectual Property a strategic asset to give value to their innovations and creations, the WIPO Global Awards represent not only a prestigious recognition, but also an important opportunity to strengthen their visibility on the international scene. A concrete incentive to continue on the path of protected innovation and to seize new opportunities for growth and networking in a global context.



The aim of this newsletter is to keep our Clients and Associates updated about developments in the sector of Intellectual Property in general and our firm in particular. In this way, we wish to provide a broader view of the tools that the field of trade marks, domain names, patents, designs and related rights offers to entrepreneurs to enhance and protect their efforts in researching and developing new solutions and ideas.



Members of FICPI and AIPPI

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Company Register of Torino 08327040013 - Fiscal Code and VAT Registration Number 08327040013
REA (Economic and Administrative Index) Number 963838

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