

DEMONSTRATION



**Wednesday 13 December at
12:30 Isar building**

On 13 and 14 December the Administrative Council of the EPO will meet in Munich. The agenda can be found in micado as CA/105/17.

The meeting is likely to be tense:

- Mr Battistelli and Mr Topic have repeatedly accused a Member of the Boards of Appeal of defamation. They even introduced a private complaint for “Beleidigung” (insult) in a German court. The court **dismissed** the complaint as time-barred. In the second instance the German second instance court, apparently annoyed with the complaint, went further and also **dismissed the complaint on the substance**. A similar complaint filed in Croatia by Mr Topic has been withdrawn by the accuser, who presumably feared a similar fate.
- The suspended Member of the Boards of Appeal filed several complaints at the ILO-AT. The first two have now been decided. The Tribunal found that the President had a personal interest in the case and was **partial**. It further stated that the Administrative Council erred in **not** finding that the President had a conflict of interest in the matter.
- The Tribunal ordered the Office to reinstate the Member of the Boards of Appeal and lift the house ban imposed upon him with **immediate** effect. The problem: his contract expires at the end of the year and has not been renewed so the “reinstatement” will in practice be for less than two weeks.
- The case is on the agenda of the Council as point 1.7. It is a “C” point meaning that it will again be discussed behind closed doors, again *solely on the basis of information provided by the President, including confidential documents that have not been shared with the accused*, and without the Board of Appeal Member being heard.

Mr Battistelli is still showing a total and utter lack of respect not only for his staff and their rights but also for the Administrative Council and for the Tribunal.

SUEPO Munich calls for a demonstration in front of the Isar building on the first day of the meeting of the Administrative Council. The aim is to signal to the Council that their governance is needed – if they want to avoid further criticism from the Tribunal.