

FEMIFI

Fédération Européenne des Mandataires
de l'Industrie en Propriété Industrielle

Europäischer Verband der
Industrie-Patentanwälte

European Federation of Agents
of Industry in Industrial Property

Established in 1971

FEMIFI c/o Siemens AG, CT IP, Otto-Hahn-Ring 6, 81739 München

Permanent Bureau
Hague Conference on Private International Law
Churchillplein 6b
2517 JW THE HAGUE
The Netherlands

secretariat@hcch.net

October 30, 2018

Re.: Hague Judgments Convention

Dear Madam or Sir

FEMIFI is the umbrella organization of European associations of patent attorneys active in industry. On December 8, 2017, we transmitted to you a Board Resolution of FEMIFI wherein we expressed our view that intellectual property rights should be completely excluded from the scope of the Hague Judgments Convention.

In the meantime, we have reviewed and discussed that latest revised draft of the Convention (Work Doc. No. 262 Rev E). We appreciate and thank you that a lot of the concerns regarding the inclusion of judgments ruling on IP rights have been addressed with the bracketed proposals. A number of breaks and security measures have been introduced. However, we feel that by doing so, the rules for inclusion of exclusion of IP rights have become too complex to be practically applicable.

Since legal certainty and foreseeability are key values for industry, we re-iterate our view that intellectual property rights should be excluded from the Hague Judgments Convention entirely.

Sincerely yours,



Beat Weibel
President FEMIFI