

No need for hasty reforms:
EPC 52.2 already provides ample protection
for software-related inventions

Ingo Kober, President of the European Patent Office
at the London Conference on software patents
<http://www.patent.gov.uk/softpat/en/1420.html>

April 1998

...

We know the enormous amount of time, money and resources which have to be invested in order to achieve a viable software product, and that, as in any other industry, if there is not the prospect of fair return on this investment, the incentive to innovate will suffer. I hope to convince you that far from being anti-software, we have been at pains to ensure that the European patent system remains fully in tune with the needs of the software industry.

But we have a duty to discharge - we must grant patents only for those inventions which fulfil the statutory criteria. Whether the law is in need of reform - that is something we will have to decide together in light of experience and the publication of last year of the European Commission's Green Paper on the future of the patent system in Europe has prompted a very vigorous response, but we should not be too quick to assume that the current position is totally defective and we must rush to act. We should avoid knee jerk reactions. It is my contention that even under existing law and practice, there is today amply scope for the protection of software-related inventions in Europe.

...