

Friedrich Rödler: The Stern Master of the Patent Office



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By Hanna Kordik

About five years ago, Friedrich Rödler was hoisted to the top of the Patent Office by FPÖ Minister Hubert Gorbach. Now his management style has given rise to a parliamentary inquiry.

For Friedrich Rödler, the matter is crystal clear: next spring, his contract as president of the Austrian Patent Office is up for renewal – and, apparently, there are many people who want to prevent that.

"It's all going on in a very small-minded way," says Rödler. *"There are all kinds of anonymous missives, claiming, for example, that I smoke too much,"* he says. But Rödler, of course, sees through it all: *"Apparently, the intention is to put the responsible infrastructure minister, Doris Bures, under pressure so that my contract won't be extended."*

By Rödler's definition, Green Party MP Gabriela Moser also probably qualifies as "small-minded." She is in the process of submitting a comprehensive parliamentary question on Friedrich Rödler. However, it's not about Rödler's excessive cigarette consumption. In her inquiry, Moser has dealt with Rödler's activities over a period of almost five years. Her report makes for heavy reading.

The reason for the parliamentary question is an amendment to the Patent Act, which passed through the Council of Ministers on Tuesday. First of all, there is nothing to be said against the amendment as such, because, amongst other things, it extends the scope of activities of the Patent Office. In the future, it will be possible for the Office to offer expert opinions on patents competition analyses for trademarks, and more.

"A service that is in demand by the business community," as Rödler likes to emphasise.

The head of the patent office knows this so well because he has been offering this service for quite some time - without legal authorisation. And that is precisely the point

at which the Greens take issue: "*The activities of Dr. Rödler (. . .) regularly exceed legal requirements,*" the parliamentary question states. And "*other limits*" as well.

The Greens find it "surprising" that Christian Weissenburger, the section head responsible for the Patent Office in the Ministry of Infrastructure, "*does not consider it appropriate to intervene in a corrective manner*" - and justify this with the "*friendly relationship*" between the two.

In any case, the "*impressive forbearance*" on the part of the ministry has already been demonstrated quite graphically in recent years.

But this first requires a look back to 2005. At that time, Rödler had four years behind him as Secretary General of the Ministry of Infrastructure - and apparently felt the need for new professional challenges. It was a good thing that Hubert Gorbach was minister at the time, because he never hindered his party-loyal employees in their career moves, rather the opposite. So Friedrich Rödler became head of the Patent Office amid loud cries of woe from the opposition.

He has since made a name for himself there. With an "unfortunate course of aggressive confrontation," as the Greens say. An exceedingly confrontational tone on Rödler's part is indeed undeniable - not only to the external world, but also within the Patent Office itself.

In early 2007, Rödler launched a war against the European Patent Office (EPO).

"*I had a mandate from our Minister of Transport and also the Minister of Finance to keep an eye on Austria's financial interests,*" Rödler justifies himself today. He complied with this via a warning press release. He was "*severely disappointed by the performance of the European Patent Office*", he said, which was "*increasingly preoccupied with its own internal concerns at the expense of its member states*". And, he found "*the discrepancy between salary level and output (of patent examiners, note) increasingly incomprehensible*".

The EPA must have been very taken aback. In any case, the EPO President at the time, Alain Pompidou, did not miss the opportunity to write a reply himself. Apart from the fact that Rödler's remarks were "*misleading in substance,*" it was stated that Rödler's style also earned him disapproval: "*I am happy to receive and discuss your criticism in the appropriate forum,*" Pompidou wrote, "*but I believe that such discussions should not be conducted through an exchange of press releases.*"

Rödler was not deterred in the slightest. He continued to issue such dispatches as he pleased. A course of action that finally prompted the infrastructure minister at the time, a certain Werner Faymann, to apologize officially to the EPO. He would like to assure, Faymann wrote, "*that Austria very much appreciates the EPO's work.*" And he promised to "*take care of an improved communication structure*".

Faymann does not appear to have followed through on his assurances, because a few weeks later, Rödler issued a yet another statement about the EPO's "debt quagmire".

But Rödler does not shy away from confrontation inside the Patent Office itself.

The Greens speak of "intimidation". The spectrum ranges from a private lawsuit against an employee to disciplinary charges against a staff representative who had assisted the employee. Rödler thinks that these are simply "*differences of opinion between employer and employees - such as commonly occur*". Nevertheless, at the end of 2007 the Staff Representation Supervisory Commission of the Federal Chancellery took action on the basis of six complaints. In all cases, Rödler was found to have acted in a manner that was "*not in accordance with the law*."

In general, Rödler seems to be interested in getting along well with its employees. That's why there are also regular so-called "junior employee retreats", to integrate junior employees into the office. Participants tell that they were asked there whether they had any problems with Rödler as a "*self-professed member of the FPÖ*".

"*I'm not aware of that*," Rödler says. Probably just intrigue.

- Inventions can be registered with the Patent Office in order to exclude others from the commercial production, sale or use. This right can then be transferred by sale or by granting licenses.
- Friedrich Rödler, 54, was appointed President of the Patent Office in Spring 2005. He had previously been Secretary General of the Ministry of Infrastructure under Hubert Gorbach. Rödler's management style has given rise to a parliamentary question from the Green Party.

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