



## New EPO presidency vote set for February as Brimelow deplores lack of transparency

The Administrative Council of the European Patent Office [has announced](#) that it will hold an extraordinary general meeting at the beginning of February 2010, at which it will attempt to elect a new president of the office. [Jesper Kongstad](#)'s withdrawal from the race is also confirmed.

Earlier, a message sent to office staff on the EPO intranet reported that at the recently concluded [council meeting](#) Alison Brimelow had, among other things, condemned the [lack of transparency](#) in the vote to find her successor. She also made an offer to continue in her role for a further six months in order "to ensure a smooth handover" once her successor is finally chosen. This offer looks to have been accepted.

The full text of the intranet report reads as follows:

*Strong intervention by President Alison Brimelow on governance in the AC*

*The morning of the last day of the AC session started with an unexpectedly strong intervention by President Brimelow. She began with the words "As President and the guardian of the EPC, I have to bring a problem to your attention."*

*She deplored the fact that those outside the group participating in the C-point discussions (the election of a new President) have no clear idea of what has been decided - and that these decisions are not available to the wider public. In her opinion, clarity and confidence about these decisions is important.*

*In her statement, the President raised the following points:*

- *chairmanship of the AC. There was a degree of doubt about the consistency of allowing Mr Kongstad taking the chairmanship. Doubts were being expressed as to whether such a decision was legally sound and consistent. This was serious because if these doubts were confirmed, all subsequent decisions taken by the Council under his chairmanship might be invalid.*
- *further round of elections in January. Ms Brimelow mentioned that such a special session of the AC would cost the Organisation up to 250 000 EUR. Beside the cost question, she raised the point that, because of the timing, the Office might not be in position to provide the AC with high level legal support.*
- *The President then wondered what might be the reasons for moving away from the intention expressed at the October session of the AC to start a new procedure in December if no decision was reached at this meeting. She stressed that that the outside world had a legitimate interest in understanding what happens around the election of a new President.*
- *And as a last point, the President somewhat reluctantly raised the question of her own personal situation in all this. She reminded the Council that in announcing at an early stage that she would not seek a new mandate, she had given ample time to identify a new President. In order to ensure that the process moved forward with appropriate urgency, she had thought it better not to give a sign that she would be prepared to accept an extension of her mandate by six months. Before this morning's session had reconvened, she had spoken to the Chairman of the AC, stressing that*
  - *for the sake of the efficient management of the Office*
  - *for personal planning reasons**she and the Office needed to know before the end of this current year whether she would be given such a six months extension.*

*In conclusion, she submitted three points to the AC:*

- You need to make sure that your governance is in order.*
  - You need to consider the transparency of the procedure you are embarking on.*
  - Would you please do me the honour and the courtesy consider extending me till the end of next year? Whoever becomes the new President, I will co-operate to ensure a smooth handover.*
- She concluded by saying that "This Office has to be run and please remember that it is running well."*

*After a brief discussion, the AC decided to take up the questions raised by Ms Brimelow in closed session.*

*We will keep you informed of the outcome.*

## Joff Wild

Author | Editor

[jwild@GlobeBMG.com](mailto:jwild@GlobeBMG.com)



## TAGS

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