

(GROW)

From: [REDACTED]@twobirds.com>
Sent: 02 November 2015 22:16
To: [REDACTED] (GROW); [REDACTED] (GROW); [REDACTED] (GROW); [REDACTED] (JRC)
Cc: [REDACTED]
Subject: RE: OS SIS ICD IPRs - new version in the form of a covenant [B&B-M.FID8136383]

Dear [REDACTED] and team,

As an aside, there is one additional feature on which I have not added any wording so far, because of a concern not to change too much to the draft, but which nevertheless deserve your attention, i.e., reciprocity.

It would be indeed useful to provide for a clause by which the Authorised Person is prohibited from asserting rights against the EU and the other Authorised Persons as long as that Authorised Person enjoys the Authorisation. For instance, its Authorisation falls if the Authorised Person asserts its own rights. The same way as it falls when the Authorised Person challenges the validity of the EU's IPRs. That prohibition would also be applicable on rights that cover improvements on the EU's IPRs.

If you share our view that such a clause would be useful, we will propose a wording as well.

With kind regards,

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From: [REDACTED]
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To: [REDACTED]@ec.europa.eu'; [REDACTED]@ec.europa.eu;
[REDACTED]@ec.europa.eu; [REDACTED]@ec.europa.eu
Cc: [REDACTED]
Subject: OS SIS ICD IPRs - new version in the form of a covenant [B&B-M.FID8136383]

Dear [REDACTED] and team,