

# Features of the Training Program for the Candidates Selected in the Pre-selection Procedure



**SVEA HOVRÄTT**  
SVERIGES DOMSTOLAR

# The Advisory Panel

- Task: to assist in 1) assessing the qualifications and experience of candidates and 2) setting the training requirements;
- Call of expression of interest by the Preparatory Committee;
- Response;
- Purpose at this stage: to give a basis for the Preparatory Committee in deciding on the arrangements for training.

# Summary on the Needs for Training

- Legally Qualified Judges (LQJs): training in basic patent law (patentability, infringement, revocation, injunctions, damage calculation etcetera);
- Technically Qualified Judges (TQJs): to be considered: training about actually being a judge (basic rules of fairness, controlling proceedings, evaluating evidence, questions of conflict of interest);
- Training in procedural law of the UPC (the Agreement and Rules of Procedure).

# Eligibility Criteria – Legally Qualified Judges (LQJs)

- Qualifications for appointment to judicial offices in a Contracting Member State;
- Proven experience in the field of patent litigation (may be acquired by foreseen training);
- Good command of at least one official language of the EPO.

# Eligibility Criteria – Technically Qualified Judges (TQJs)

- University degree and proven expertise in a field of technology;
- Proven knowledge of civil law and procedure relevant in patent litigation;
- Good command of at least one official language of the EPO.

# Outcome – LQJs

- *Very few* not eligible;
- *A lot of* candidates with a vast experience of patent litigation as well as sufficient language skills, and thus deemed *particularly eligible*.

# Outcome – TQJs

- *Very few* not eligible;
- *A lot of* candidates with vast experience of patent litigation (and relevant knowledge of civil law), and thus deemed *particularly eligible*.

# Summary on the Needs for Training

- LQJs: training in basic patent law (patentability, infringement, revocation, injunctions, damage calculation etcetera);
- TQJs:to be considered: training about actually being a judge (basic rules of fairness, controlling proceedings, evaluating evidence, questions of conflict of interest);
- Training in procedural law of the UPC (the Agreement and Rules of Procedure).



# Organization of Training

- The European Patent Academy;
- Internships at Patent Courts of Contracting Member States;
- Universities;
- Facilities offered by national governments by way of training in basic patent law;
- Preparatory/Administrative Committee should have the overarching responsibility for the steering, arranging and approval of these training.