



Brussels, 7 March 2005 – The Computing Technology Industry Association (CompTIA) today welcomed the decision by the European Council of Ministers to formally approve the 18 May 2004 Political Agreement on the Directive on Computer Implemented Inventions (CII), and urged the European Parliament to speedily endorse the agreement as the text begins its second reading.

Hugo Lueders, European director of public policy for CompTIA said. “The Council’s Common Position stands to benefit virtually all innovative European companies, citizens, and governments. It works to protect intellectual property (IP) developed for CII – one of Europe’s most valuable assets. The agreement, far from delivering a patent free-for-all, reflects a careful and thoughtful compromise over the scope of patentability, which we wholeheartedly urge the European Parliament to expeditiously approve.

“Reaching a Common Position has been exhaustive and exceedingly thorough. Further delays will only disadvantage innovative companies in all sectors and industries. Efforts to reverse, undermine or otherwise unravel the compromise reached endanger the prospect of a final agreement, a development which would have a profoundly negative impact on the future of innovation in Europe.”

This is what the Common Position will accomplish:

- Allow the patentability of computer implemented inventions – i.e., inventions relying on a computer application.
- Apply strictly to inventions that are non-obvious, have an inventive step and make a technical contribution / solution to a problem.
- Confirm existing – and limited – EPO practice.
- Harmonize CII patents and legal rights across the EU.
- Enable others to study and see how a given invention works.

This is who / what will benefit:

- Small and medium-sized companies – provides a “one stop” patent process placed at the EPO.
- Small and medium-sized companies – enables them to secure their IP and thus better license, raise funds and / or sell the IP to the highest bidder.
- EU innovators / innovation – nurtures Europe’s creative class and its main commodity – IP – allowing it to more readily take risk and lead in the development of innovative products and services that the world demands.
- Consumers – delivers a continuous stream of consumer-oriented innovation.
- EU jobs – grows jobs that use or rely on IP in their development and sale.
- EU governments – creates a property protection regime that will help keep EU investment, developers, their jobs and tax revenues in the EU.

This is what it specifically seeks to avoid:

- Business process patents – i.e., Amazon’s “one-click” method.
- Patenting of algorithms, symphonies or the like.
- The promotion of any one type of software development model over another.
- Harm on small and medium-sized enterprises.

“As the CII Directive moves to the Parliament, we remain hopeful that the MEPs clearly recognize the benefits, and endorse the Council position,” added Lueders. “The Council’s text provides a strong basis for EU inventors to lead through innovation, not stagnate through imitation.”

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About CompTIA

CompTIA is a global trade association representing the business interests of the information technology industry. For more than 23 years CompTIA has provided research, networking and partnering opportunities to its 20,000 members in 102 countries. The association is involved in developing standards and best practices, and influencing the political, economic and educational arenas that impact IT worldwide. More information is at www.comptia.org