

EU Prize for Patent Troll of the Year? Owner of broad e-commerce claims nominated “European Inventor of the Year” .

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<http://eupat.ffii.org/10/03/inventor>

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UPDATE 2010-04-28: Winners: Landrock is not among them.

On the EPO's Youtube channel there are now a few filmlets where nominees of the European Inventor Award are interviewed inter alia about the importance of patents for stimulating progress, and the answers meet the expectations.

As can be heard from his interview, Peter Landrock, nominee 2010 for lifetime achievement, obtained patents for more or less cryptography-related business methods in the area of e-commerce, e-government and the like, and has built a company around these patents. He explains that patents are crucial for innovation in his field. According to Landrock, good ideas are scarce and come only as occasional inspirations on the basis of long-term investments which therefore need patent protection.

Most other nominees and all corporate ones transmit the same message, when prompted by an EPO question about the “importance of IP” for their work.

- Nominee 2010 (Non-European countries): Danny Epp and Ben Wiens: “In high technology companies patent protection is crucial, ...” [without patents no investment ...]

While enthusiasm for the EPO's products will not harm anyone's chances to be chosen as winner of the EPO's beauty contest, the message that patents were helpful to the patentees interviewed by the EPO here is probably genuine. But the conclusion, which a naive audience is induced to jump to, that patents were helpful to innovators and innovation in general or in each of the industries represented here, is patently wrong.

The very argument of Landrock can be turned against the conclusion: if good ideas come as occasional by-products of toil and sweat, it would be bad policy to grant monopolies on those ideas. Instead it is better to secure people's ownership of the fruits

of their toil and sweat by means fast, cheap and narrow IP rights such as copyright, trademarks and business secret, and to allow free competition to gradually devalue and disseminate the ideas, which more and more players will discover independently of one another as time passes.

It would be interesting for us to look more closely at the EPO patents and the enforcement practise of Mr. Landrock and Cryptomanthic at this occasion.

From the information gathered so far, a nomination for “lifetime achievement” in the NoSoftwarePatents Award is not to be excluded either. One candidate might be the main claim of his base patent:

A method of issuing an electronic negotiable document (END) comprising: creating as data an END and storing this in a tamper-resistant document carrier, the document carrier containing a unique public-secret key pair for signing and verifying and a unique document carrier identifier; signing the unique document-carrier identifier, the END and an END identifier using the secret key of the public-secret key pair and storing the result in the document carrier.

To be investigated further.

1 Resources

- EPO 2010-03-08: Nominees Announced for the European Inventor Award 2010
- EPO: European Patent Forum with the European Inventor Award 2010
- Cryptomanthic 2009-03-12: Cryptomathic has initiated litigation in Oslo against BBS AS for infringement of a fundamental patent related to securing e-banking and e-government transactions by means of digital signatures. Landrock uses the opportunity to tout previous nominations: ”This core technology contributed to Cryptomathic earning a nomination as one of the 40 most innovative companies in the world at the World Economic Forum in Davos in 2003.” He is probably misleading the public about the nature of the infringement when he writes “Our approach is based on research and development carried out over many years, and we feel strongly that we deserve fair acknowledgement from companies and organisations using our patented technology.” There are many people out there who have good ideas all by themselves and thereby fall afoul of someone’s broad patent claims, without ever having used any of his technology.
- Security Document World 2010-03-08: Cryptomanthic boss shortlisted for European award
- CryptoLounge: Peter Landrock – the biography shows some involvement in cryptographic research but doesn’t seem to offer much support for the claim of the nominators that “many of todays cryptography algorithms are based on the pioneering work of Mr. Landrock”.

- Dr. Roy Schestkowitz: Patents Roundup: Lawyer Takeover, Failed Reform, and Policy Laundering with ACTA – discusses the Landrock candidature and its predecessors, also quoting FFII as a source.