

EICTA statement on patentability of “computer-implemented inventions”

<http://swpat.ffii.org/papers/eukonsult00/eicta/index.en.html>

Workgroup

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In the name of the European Information and Communications Technology Industry Association, an anonymous patent lawyer explains that software patents are good for innovation and competition and even helpful and fair for opensource software, because opensource companies can use patents to impose their business model on others. Moreover the study of Bessen & Maskin is based on old data and wrong models, the patent expert says. The style and content of these statements attributed to EICTA indicate that the anonymous patent lawyer is Fritz Teufel, chief patent politician of IBM in Germany and Europe. A look at the EICTA website, as of 2002-02-24, shows that EICTA has not published this paper nor any other paper on software patents. The association has evidently not engaged in any discussions on this subject, which so far was not of great concern for the European software industry.

Contents

Teufel has been until 2000 the head of the industrial property workgroup in EICTA's strongest member organisation, Bitkom of Germany. At Cebit 2001, his successor, Ms Bremer, told Hartmut Pilch that the Bitkom members were divided on the subject of software patentability and had therefore abstained from participation in the consultation but instead EICTA had participated. Later, Bremer submitted a paper to a German Parliamentary hearing which is evidently by the same author, PA Fritz Teufel. We

know this from many meetings and panel discussions in which Teufel argued in the same peculiar way.

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