



beau de Loménie

European and French Patent Attorneys

European and French Trademark and Design attorneys



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”The inventive mind is always dissatisfied with its progress, because it sees beyond”

« L'esprit qui invente est toujours mécontent de ses progrès, parce qu'il voit au-delà »

Jean d’Alembert
(1717-1783)

Philosopher and scientist, Member of l’Académie Française

We accompany our clients through all the procedures associated with Intellectual Property, and help them capitalize on what they know, to prepare for the future, to “see beyond” in the words of Jean d’Alembert.

We have achieved leadership in France and in Europe thanks to our highly qualified professionals. In attaching great value to quality and professional ethics, our teams have built up the reputation of Beau de Loménie by giving personalized attention to all our clients, both in France and throughout the world.

The Partners

	PAGE	TABLE OF CONTENTS
Our profession: Intellectual Property	2	
<i>Advice adapted to your needs: from strategy to action</i>	3	
An international Practice	4	
<i>Our teams of counsels and attorneys</i>	5	
Activities	6	
<i>Patents</i>	7	
<i>Trademarks, designs, copyright, domain names</i>	8	
<i>Interdisciplinary services</i>	9	
An organization at the service of our clients	10	
Our professional teams	11	
Beau de Loménie in a few words	12	



OUR PROFESSION: INTELLECTUAL PROPERTY

Since its founding by Gilbert Beau de Loménie and André Armengaud in 1930, Beau de Loménie has assisted and advised businesses on their strategies for protecting their intellectual property and for using that protection.

Intellectual Property is a strategic tool that strengthens businesses in their technological, commercial, and creative advances. It plays an essential role in negotiating partnership contracts and in organizing distribution networks both in France and abroad.

IP is entered into the balance sheet amongst intangible assets.

By embarking on a dynamic strategy of protecting their innovations, businesses, with the help of Beau de Loménie, are able to preserve and reinforce their positions in the market and thus provide themselves with solid assets for the future.

Some key concepts for understanding our activity

Intellectual Property (which covers, inter alia, patents, trademarks, registered designs, know-how, copyright, domain names, semiconductor topographies, plant varieties ...) constitutes part of the intangible assets of a person, whether an individual or a cor-

porate body. Intellectual property law also covers competition law (misleading advertising, unfair competition, ...).

A **patent** is legal title that protects an invention. It is of limited duration, generally 20 years.

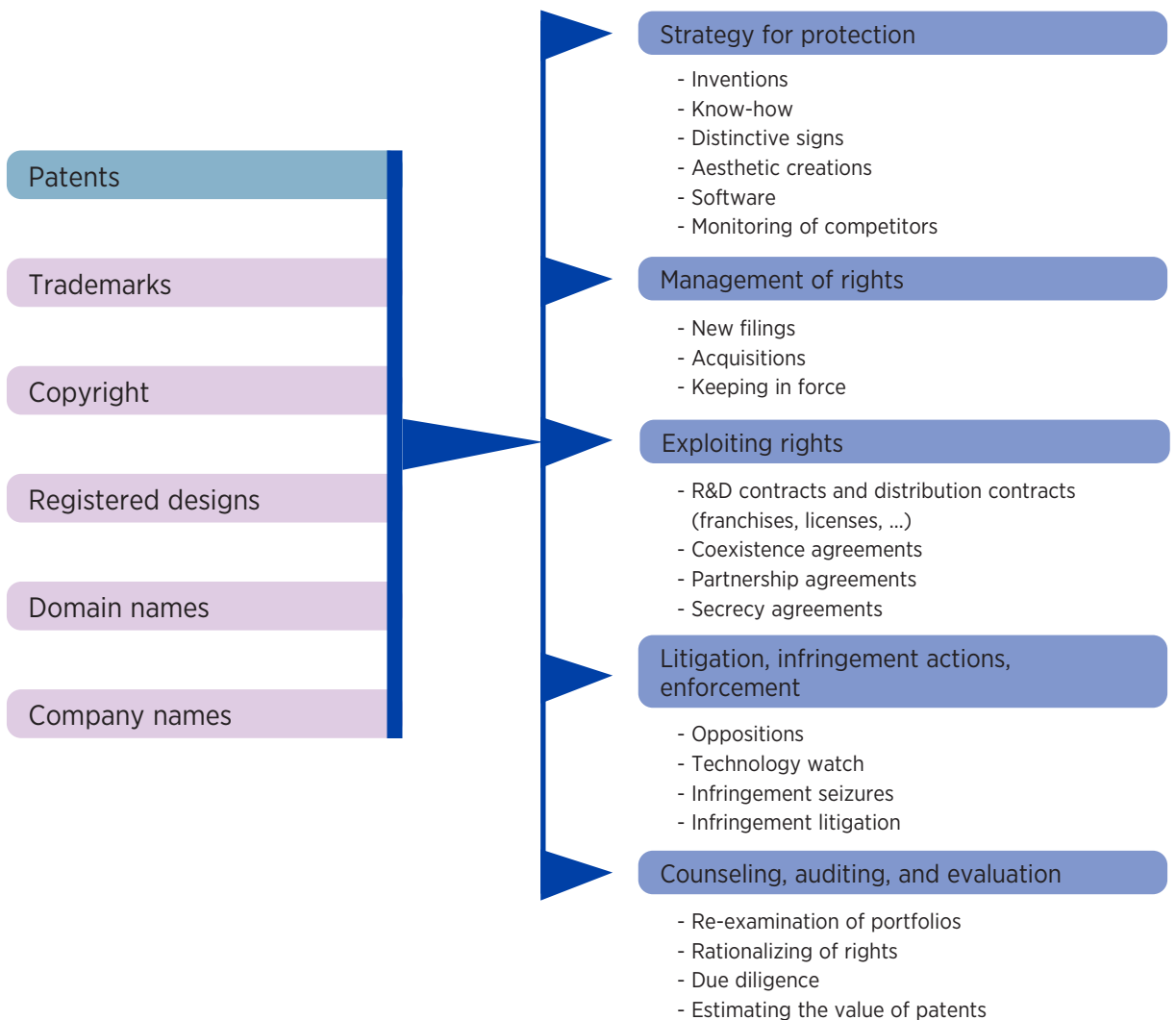
A patentable **invention** provides a solution to a technical problem. It may be a

device, a machine, a method, a product, software, or a use that is novel and presents an inventive step.

A **trademark** is legal title that protects a distinctive sign that can be represented graphically, on goods or in association with a service.

A trademark can be renewed indefinitely.

ADVICE ADAPTED TO YOUR NEEDS: FROM STRATEGY TO ACTION



A **registered design** is legal title that protects a creation of an ornamental nature having an appearance that is specific thereto and novel, e.g. aesthetic features of an article. Its duration is generally 25 years.

Know-how covers knowledge, experience, and techniques that have been accumulated by a person or a business.

It can be communicated to a third party in the context of a contract and in return for remuneration.

Copyright protects an original work of the mind, including the writing of a computer program. It gives its author (or successor in title) an exclusive right to reproduce or to perform the work.

A **domain name** is an address that serves to locate a site on the Internet. It is constituted by a sign (a combination of letters and/or digits) associated with an officially- recognized extension (e.g.: .com, .eu, .fr, .de, ...).



AN INTERNATIONAL PRACTICE

With a staff of more than 200, Beau de Loménie is one of the largest European industrial property firms.

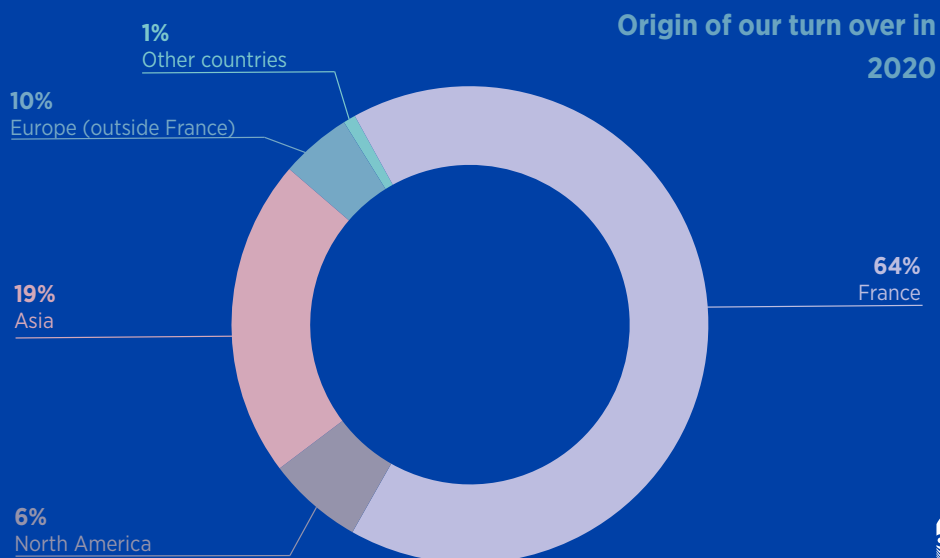
A strategy for proximity with our clients throughout the world

Throughout the territory of the European Union, our Intellectual Property Counsel, European patent attorneys and European trademark attorneys, are entitled to represent our clients directly before national offices (INPI, DPMA, UKPTO, OPRI, USPTO) and international offices (EPO, EUIPO, BOIP and WIPO) to obtain and defend our clients' patent, trademark, and design rights.

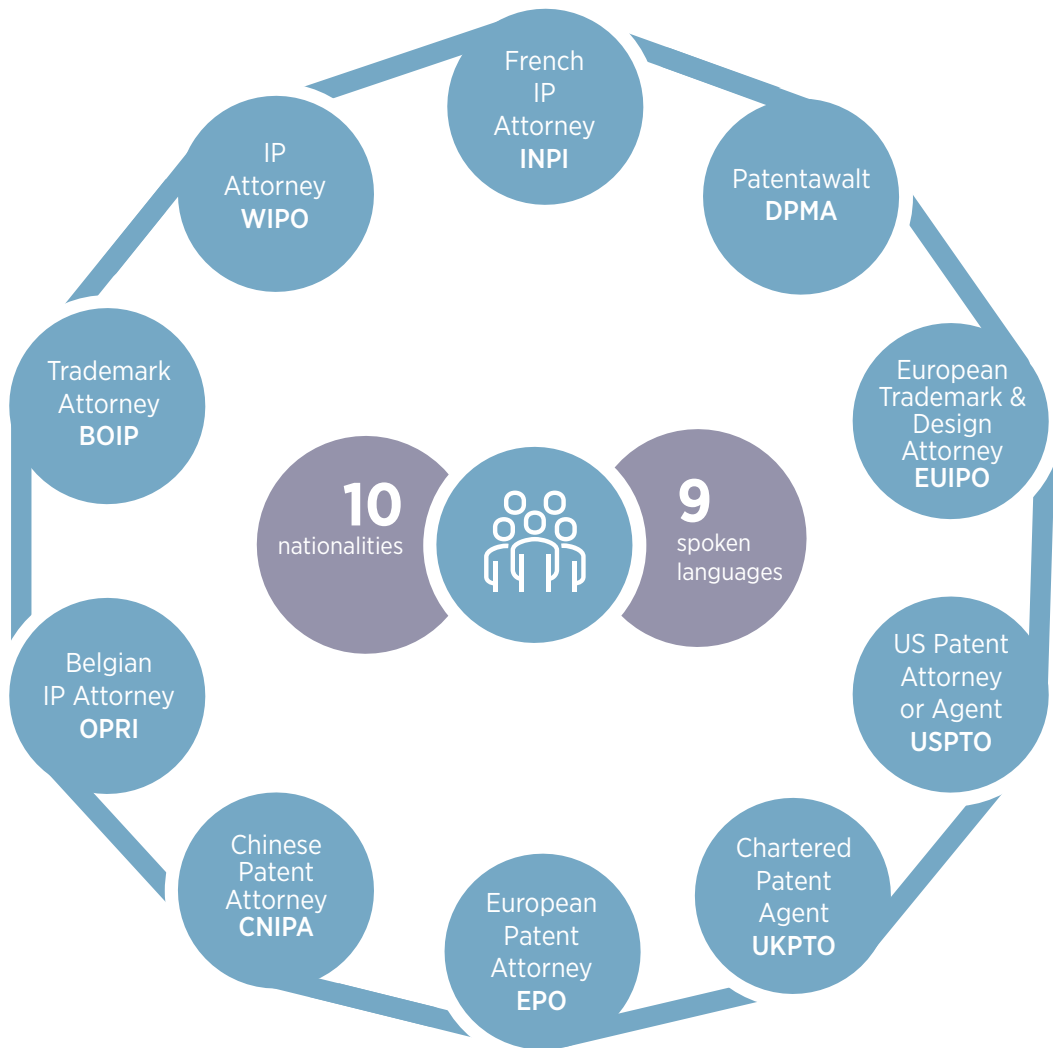
In order to represent our clients before other offices throughout the world, we work closely with a network of local associates, carefully selected for the quality of their services.

Multinational teams of professionals

Our teams include members of French, British, German, Japanese, US and Chinese nationality, who work directly in all of the major languages.



OUR TEAMS OF COUNSELS AND ATTORNEYS



INPI - (French) National Institute of Industrial Property

DPMA - German Patent and Trademark Office

UKPTO - British Patent and Trademark Office

EPO - European Patent Office

OPRI - Belgian Intellectual Property Office

WIPO - World Intellectual Property Organization

EUIPO - European Union Intellectual Property Office

USPTO - United States Patent and Trademark Office

BOIP - The Benelux Office for Intellectual Property

CNIPA - China National Intellectual Property Administration

Professional qualifications - title

The title of French Industrial Property Counsel (CPI) is governed by law and can be used solely by people entitled to represent third parties before the INPI (French Patent Office). It is granted to people having the required training and who have passed specialist examinations, it requires a CPI to comply with a professional code of practice and confidentiality, and it protects communications between CPIs and their clients.

Similarly, the right of representation before other offices (EPO, DPMA, USPTO, OPRI, ...) requires success in qualification examinations thus giving access to a title (European Patent Attorney, Patentanwalt, US Patent Attorney, Accredited patent agent in Belgium ...) whose use is subject to the respect of an ethical code.



In addition to the acquisition of rights in [patents, trademarks, designs and other areas of intellectual property](#), we also provide [interdisciplinary services](#): litigation - technology watches and prior art searches - specialized contracts and counseling - audits and evaluations.

● Trademarks, Designs, Domain names, Copyright
(All industrial sectors)

● Patents - Chemistry/BioPharm/Biotechnology
Cosmetic products, Pharmaceuticals, Polymer chemistry, Biology, Genetic engineering, Chemical engineering, Materials science, Biotechnology

● Patents - Electronics
Electronic instruments and systems, Electrotechnics, Control systems, Process controls, Electricity, Power supply and interruption, Microelectronics

● Patents - Mechanical
Physics, Mechanical engineering, Materials engineering, Hydraulics, Aeronautics and Aerospace, Civil engineering, Metallurgy, Medical and Surgical devices

● Patents - IT/Telecom
Telecommunications and computer networks, Software and Computing, Smart cards, Signal processing, Optics, Cryptography

Turnover by activity in 2020



An industrial property right is of use against a third party only if it is **valid** and has **sufficient scope**. Therefore we undertake all stages of filing and examination for our clients with great professionalism and care.

BDL-IP ACCESS[®]:

YOUR ENTIRE IP PORTFOLIO IN A FEW MOUSE CLICKS

In order to permit our clients to monitor their IP portfolio (Patents, Trademarks, Designs, Domain names) we have developed the web-based solution **BDL-IP ACCESS[®]**.

BDL-IP ACCESS[®] is an online, secured and powerful management tool which offers a comprehensive vision of your IP portfolio. Perfectly usable by an IP non-specialist, it has an internal search engine which is fast, user friendly and adaptable to all platforms (PC, smartphone, tablet).

| PATENTS

APPLICATIONS IN 2020:

- 500 French patent applications
- 900 European patent applications
- 360 international patent applications/PCT
- 950 national patent applications in countries other than France

Services

In addition to acquiring rights, keeping them in force, and performing technology watches, our expertise extends to all services relating to patents. We provide our clients with specialized counseling in matters of patentability and potential infringement, we advise them on making use of their rights (negotiating and drafting contracts), we take them through contentious proceedings (oppositions, infringement and/or invalidation actions), and we help them audit their portfolios and estimate their value.

A team of more than 130 professionals

The team comprises about sixty patent professionals, more than forty of whom are qualified attorneys, plus about forty or so assistants. The remaining thirty comprise our administrative staff, our draftsmen, and our technical translators.

A variety of professional careers

Some of our attorneys began their careers in our profession or in a patent and trademark office, others have come in from industry, research, or universities.

Four major technical fields: mechanical, electrical, Information technology and chemical

Each of these fields contributes equally in our “patent” activities, having dedicated teams of more or less equal size. All technologies are covered, from traditional sectors to more advanced ones (biotechnology, genetic engineering, new materials, computing and communications technologies, ...).

Multiple competences

Because of this wide range of experience and technical training, our clients can be sure of working with attorneys who know and understand their activities.

PATENTSURF® PERSONALIZED TECHNOLOGY WATCH

To enable our clients to make best use of the results of our patent technology watch service, we have developed PATENTSURF® software.

Our clients can thus make their own classifications, select their own display options, and be informed of the administrative situation of the main documents.

You are seeking to protect one of your inventions, that is to obtain an exclusive right to work it.

We file a patent application and, within the priority period of one year from the date of initial filing, you are entitled to extend the desired protection abroad.

Each patent application is subjected to examination for patentability which, if satisfactory, will lead to the grant of a patent. For the patent to remain valid up to its maximum term, you will have to pay renewal fees regularly.

A patent belongs to the inventor or to the inventor's successor in title (employer, ...).

APPLICATIONS IN 2020:

- 1650 trademark applications and renewals in France and the EU
- 1350 national trademark applications and renewals abroad
- 2050 international trademark applications and renewals
- 750 applications and renewals for design registrations, in France, the EU and abroad

Services

We act in matters concerning trademarks, design registration, copyright, domain names, geographical indications and designations of origin, unfair competition, Community competition law, advertising law, product regulation,...

Our activities cover searches for trademark and design availability (in all countries) and for domain names, legal opinions, advice concerning protection strategy and exploitation of rights, defending rights before various offices (examination procedures, oppositions, invalidity actions), trademark and design applications before all the offices, acting with respect to third parties to make rights available, monitoring rights, litigation, audit and development of portfolios.

A team of about 50 professionals

The team is made up of fifteen specialized lawyers, with approximately twenty assistants, and about fifteen administrative personnel.

A variety of professional experience

The diverse experiences of our trademark attorneys are a major asset in advising our clients. Some of them began their careers in the profession, others previously practiced as attorneys at law or were examiners or supervisors at the French National Institute of Industrial Property (INPI).

You want to protect a **trademark**.

We verify **availability** and file an application nationally or in the EU. Within a **priority period** of 6 months from the initial application, you can extend the desired protection abroad.

In most cases, the trademark application is subjected to **examination** concerning both form and substance, in particular the **distinctive character** of the trademark. If the examination is satisfactory, the trademark will be **registered** and can be **renewed** on payment of appropriate fees.

A trademark belongs to its applicant.

You are considering to protect a **work of an ornamental nature**.

We file an application for design registration at national or Community level. Within a **priority period** of 6 months you can extend the desired protection abroad.

There is an examination procedure, which, if satisfactory, will lead to the design being **registered**.

A registered design belongs to its author or successor in title (benefiting from an assignment of rights). The person who files the design is presumed to be its owner.

Litigation

When handling a litigation, our attorneys define a strategy, in agreement with our clients. Depending on the situation, a team of several specialists (patent attorneys, trademark attorneys, specialized lawyers, ...) is set up internally to participate in the proceedings as a whole.

Our attorneys are regularly informed about ongoing case law and they benefit from the support of our legal documentation service which carries out indepth case law studies, where appropriate.

Technology watches and prior art searches

We have a service that is specialized in searching for prior art and monitoring technological developments. This service is provided by high-grade technicians and specialists in database consultation, in particular patent databases.

Specialized contracts and counseling

Our legal service is run by a team of lawyers who are fully conversant with contract techniques. They are involved in drafting and negotiating contracts for communicating under terms of confidentiality, for establishing partnerships, for carrying out R&D work, for working or assigning of rights, and relating to questions of co-ownership,

They also contribute with respect to specific questions of law, in particular in terms of intellectual property taxation, inventions made by employees,

Audits and evaluations

Auditing a portfolio of intellectual property rights is a necessary first step in operations of merger, acquisition, or investment which involve a company that holds such rights (due diligence).

A portfolio can be evaluated after an initial audit.

An **infringement seizure** is a procedure in France for establishing proof of patent, trademark, or design infringement.

A **request for a seizure** is made ex parte to the appropriate court, which then issues an order to be executed by a bailiff, generally with the help of an industrial Property Counsel.

The seizure must be **validated** within 30 days by issuing a **summons** for infringement.

A copyright infringement seizure follows different rules.

An intellectual property right can be **assigned** to a third party or it can be the subject of a **license**, exclusive or not. If the company working a right is not the proprietor of that right, it is preferable for the working company to benefit from a license in writing that can be made enforceable against third parties by being **recorded** in an official register.

The return for a license may be in the form of **royalties** calculated as a function of the amount of business achieved working the right, possibly together with an **entry fee** paid as a lump sum.

An intellectual property right may also be held in **co-ownership**. Under such circumstances, it is preferable to set up a **co-ownership agreement**.



AN ORGANIZATION AT THE SERVICE OF OUR CLIENTS

The Firm is organized by professional activity, and all of our clients have a particular patent or trademark attorney with whom they deal on a privileged basis, thus guaranteeing continuity in each client's protection strategy.

We are always in close contact with our clients, from our head office and through our network of branch offices in several major cities in France, in Germany and in the UK. Each branch office is led by a qualified professional who manages the local team in close association with one of the partners.

Our head and branch offices are interconnected by a secure computer network.

Our clients can consult their portfolios on-line from our firm's Internet site via a personalised access.

Several specialized services provide our attorneys with backup:

- The renewals, filings, and registration services guarantee that our clients' rights are managed meticulously. Our staff, who are specialized according to geographical zones (France, Germany, Europe, Japan, USA, China, ...), are thoroughly acquainted with the particular characteristics of those areas.
- The searching, legal support, technical drawing, and translation services provide high quality technical assistance to the firm as a whole.

OUR ORGANIZATION IS:

- **efficient**, with procedures for fast and reliable interchange between attorneys and other professionals in the firm,
- **adaptable**, since our size makes it possible to mobilize multidisciplinary teams very quickly in urgent situations,
- **reactive**, since our attorneys have direct and instant access to the entire portfolios of their clients.



OUR PROFESSIONAL TEAMS

High level recruitment

We set out to recruit highly qualified professionals, whatever their responsibilities or functions. Our patent and trademark specialists come from the best technical and legal training routes.

We run an internal tutoring policy, enabling any future attorney to train and progressively acquire independence, until fully qualified in intellectual property matters.

A systematic policy of continuing development

Our attorneys participate regularly in external training sessions, and professional meetings at national and international level. We are kept up to date of developments in our professional field by our legal documentation service which issues a weekly “press and case law review”.

As we are constantly seeking to improve our procedures, we organize internal seminars on particular questions of legislation or case law, on changes in filing and examination procedures These seminars involve either attorneys or administrative personnel or both, depending on the questions involved.

Finally, our “patent” translators, who are fully qualified engineers, all have specific training in the field of patents.

To ensure that we are always at the cutting edge of events in our profession and to involve the firm in international discussions concerning intellectual property, we are members of the main **professional organizations**, within which some of our attorneys hold positions of responsibility.

AIPLA - American Intellectual Property Law Association

AIPPI - International Association for the Protection of Intellectual Property

APEB - Association of European Patent Practitioners

APRAM - Association of Professional Lawyers in Trademarks and Designs

CIPA - Chartered Institute of Patent Agents

CNCPI - French National Association of Industrial Property Counsel

ECTA - European Community Trademark Association

EPI - Institute of professional representatives before the European Patent Office

FICPI - International Federation of Intellectual Property Attorneys

GRUR - Deutsche Vereinigung für gewerblichen Rechtsschutz und Urheberrecht

INTA - International Trademark Association

LES - Licensing Executive Society

PAK - Patentanwaltskammer

PTMG - Pharmaceutical Trade Mark Group



BEAU DE LOMÉNIE IN A FEW WORDS

A large firm for tailor-made service

- personalized involvement
- securely anchored in France and Europe
- specific services
- mobilization of fully-competent teams

Expertise

- appropriate advice
- direct representation before INPI, EPO, EUIPO, WIPO, DPMA, UKPTO, USPTO, OPRI, BOIP*
- a worldwide network of foreign associates chosen by the Firm for their professionalism

* INPI - (French) National Institute
of Industrial Property

EPO - European Patent Office

EUIPO - European Union Intellectual Property Office

WIPO - World Intellectual Property
Organization

DPMA - German Patent and Trademark Office

UKPTO - British Patent and Trademark Office

USPTO - United States Patent
and Trademark Office

OPRI - Belgian Intellectual Property
Office

BOIP - The Benelux Office for Intellectual Property

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