

Patenting seminar on inventive step in the fields of biotechnology

Programme | 30 September – 8 October 2026

Format - **Online seminar**

Course reference - **OS03-2026**

Level - **Advanced**

Organised by

European Patent Academy

European Patent Office
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Description

The patenting seminars comprise short technical online seminars about specific aspects of substantive examination or search in different technical fields. This year's third seminar focuses on advanced challenges encountered when assessing the inventiveness of an invention in the fields of biotechnology: antibodies, experimental evidence and biological material.

Each seminar comprises two online sessions: a theoretical session followed by a practical one. The two sessions are usually about one week apart, during which participants and experts can interact via a dedicated forum.

The first session of the seminar is open to patent examiners and patent attorneys, while the second is reserved for patent examiners only.

Session 1: Inventive step in biotechnology – where does the real debate start?

This session will examine why inventive step in biotechnology is often difficult, even when the legal framework appears straightforward. After briefly

revisiting the familiar steps of the problem-solution approach, the focus will shift to the points where real disagreement commonly arises, such as the credibility of alleged technical effects, whether an effect is achieved across the full scope of the claim, whether there is a genuine improvement, the boundary between routine optimisation and invention, and the role of reasonable expectation of success.

Session 2: Case studies in biotech

This session will focus on practical case studies illustrating the application of the principles discussed on Day 1, with an emphasis on the assessment of inventive step in biotechnology.

Technical requirements

The online sessions will be held on Zoom.
All times given in the programme are CET.

Duration

4 hours of online sessions, 4 hours of self-study

Thursday, 1 October 2026

EPO tutors:

Björn Gundlach

Matthias Ulbrecht

EPO moderator:

Sönke Holtorf

09:20 *Zoom link activated*

09:30 **Inventive step in biotechnology: where does the real debate start?**

- The credibility of alleged technical effects
- Whether an effect is achieved across the full scope of the claim, whether there is a genuine improvement
- The boundary between routine optimisation and invention, and the role of reasonable expectation of success

11:30 **Q&A**

12:00 *End of session*

**Thursday,
8 October 2026**

EPO tutors:

Björn Gundlach

Matthias Ulbrecht

09:20 *Zoom link activated*

09:30 **Case studies in biotech**

The application of the principles discussed on Day 1,
with an emphasis on the assessment of inventive step
in biotechnology

12:00 *End of session*