

## **BUSINESS FORUM**

### **PREDNOSTI I NEDOSTACI PRISTUPA BOSNE I HERCEGOVINE EUROPSKOJ ORGANIZACIJI ZA PATENTE**

**mr. Tarik Kapi**

*Bovard AG  
Patentanwälte  
Optingenstrasse 16  
3000 Bern 25  
Švicarska*

tarik.kapic@yahoo.com

patent, inovacija, Europa, izum, profit

Europska organizacija za patente (EPO) sa sjedištem u Münchenu je međunarodna organizacija koja zauzima centralno mjesto u procesu zaštite inovacija u Europi. EPO trenutno broji 34 zemlje članice, uključujući i sve države EU, Švicarsku, Island, Norvešku, Tursku i Hrvatsku.

Bosna i Hercegovina još uvijek nije započela pregovore o pristupanju EPO -u iako je konsekvantna zaštita intelektualne svojine, a time i patentata, jedan od osnovnih uslova za implementaciju novopotpisanog Sporazuma o stabilizaciji i pridruživanju s Europskom Unijom.

Cilj rada je utvrditi da li bi pristup Bosne i Hercegovine EPO -u imao više prednosti ili nedostataka u odnosu na trenutnu situaciju. U ovu svrhu će se situacija analizirati iz ugla državne administracije, domaćih privrednika, stranih privrednika te individualnih inovatora.

Rad na početku prikazuje historiju razvoja Europske organizacije za patente od nastanka do danas te njenu ulogu u svjetskom okviru (prije svega poređene s Sjedinjenim Američkim Državama i Japanom). Ovaj dio rada se bazira prvenstveno na statističkim podacima o poslovanju EPO-a. U nastavku se rad osvrće na način funkcioniranja EPO-a i trenutnu situaciju u vezi zaštite izuma u BiH i promjene koje bi eventualni pristup Bosne i Hercegovine EPO-u donio na praktičnom planu. Na kraju rada se donosi osvrt na same konkretne prednosti i nedostatke pristupa Bosne i Hercegovine EPO -u iz gore navedenih različitih uglova.

Smatramo da bi pristup Bosne i Hercegovine Europskoj organizaciji za patente imao velikog značaja za unapređenje kompetitivnosti bosanskohercegovačke privrede i imao bi osim toga i psihološki efekat u smislu jednostavnijeg privlačenja inostranih investicija.

## **BUSINESS FORUM**

### **ADVANTAGES AND DISADVANTAGES OF AN ACCESSION OF BOSNIA-HERZEGOVINA TO THE EUROPEAN PATENT ORGANISATION**

#### **MSc Tarik Kapi**

*Bovard AG  
Patentanwalte  
Optingenstrasse 16  
3000 Bern 25  
Switzerland*

tarik.kapic@yahoo.com

patent, innovation, Europe, invention, profit

European Patent Organisation (EPO) with the headquarters in Munich is an international organisation playing the central role in the process of protection of innovations in Europe. EPO currently counts 34 member states, comprising all EU-countries, Switzerland, Island, Norway, Turkey and Croatia .

The accession negotiations between Bosnia-Herzegovina and the EPO have not yet started although a consequent protection of intellectual property, which includes the patent protection, is one of the most basic requirements in the implementation of the newly signed Stabilisation and Association Agreement with the European Union.

The aim of this paper is to assess whether an access of Bosnia -Herzegovina to the EPO would imply more advantages or disadvantages with respect to the current situation. To this end, the situation shall be analysed from the perspective of the state administration, domestic companies, foreign companies, and individual inventors.

At the beginning, the paper shows the history of the development of the European Patent Organisation from its start to today and its role on the worldwide scope (in particular compared to the USA and Japan) . This part of the paper will be based mainly on the statistical data about the EPO's activities. Furthermore, this paper makes a treatise on the operation mode of the EPO and the current situation regarding the protection for innovations in B&H and changes in the practical sense that would be the consequence of the accession of Bosnia-Herzegovina to the EPO. In the end of the paper, a retrospection of all concrete advantages and disadvantages of the accession of Bosnia-Herzegovina to the EPO from the above-identified perspectives is presented.

We believe that an accession of Bosnia-Herzegovina to the European Patent Organisation would have a big importance for the improvement of the competitiveness of Bosnian-Herzegovinian economy and would also have a psychological effect in the sense of a easier promotion of foreign investments .