

EICTA Response to Questionnaire on the patent system in Europe

March 31st, 2006

Executive Summary

EICTA¹ welcomes the European Commission's efforts to improve the patent system in Europe. While the current European Patent Convention (EPC) based system basically meets industry's needs, we believe that improvements should be made in regards to the following aspects:

- **Patent quality:** *Granted patents should be as incontestable as practically possible. The existing standard regarding inventive step should be better applied. This does not require a change in legislation; it requires better quality control. Aspects that could be reconsidered include examination guidelines and the remuneration system for patent examiners.*
- **Patent litigation:** *European industry needs a specialized European patent court system that can handle all presently granted and future European patents. The proposed European patent Litigation Agreement (EPLA) provides for just that, without forcing states that do not agree to the EPLA principles to join. We therefore want the EPLA to become reality as soon as possible.*
- **Patent cost issues:** *The London Protocol would simplify the existing language requirements for participating states. It is an important project that would render the European patent more attractive. EICTA calls upon all EPC states to join the London Protocol as soon as possible.*
- **A common patent system for the common market:** *All attempts to bring a Community Patent have failed so far. While the European Commission has made a laudable attempt for a regulation on this subject, discussions in the Council have led to the common political approach of March 2003 that does not bring the improvements in regards to affordability and legal certainty that European industry needs, and that therefore does not form a suitable basis for further work on this issue. We call upon the EU institutions to provide a system that unlike the March 2003 approach would improve affordability and legal certainty.*

¹ EICTA, founded in 1999 is the voice of the European digital technology industry, which includes large and small companies in the Information and Communications Technology and Consumer Electronics Industry sectors. It is composed of 56 major multinational companies and 36 national associations from 27 European countries.

We do not see any advantage in an EU harmonisation of substantive patent law, as substantive patent law has already been subject to several harmonisation measures. It is not the patent law that differs between the various states; at most there are moderate differences in the application of the already harmonised patent law. A common European patent litigation system as provided by the EPLA would remove any remaining differences without further harmonising legislation being necessary or desirable. Finally, we do not want the European Patent Convention to be amended.

Section 1 - Basic principles and features of the patent system

1.1 Do you agree that these are the basic features required of the patent system?

- The features mentioned in Section 1 of the Questionnaire are indeed relevant, and we thank the European Commission for highlighting that the patent system must be attractive to its users. As rightly mentioned by the European Commission, for the patent system to retain the support of all sections of society it needs to have the following features:
 1. Clear substantive rules on what can and cannot be covered by patents, balancing the interests of the right holders with the overall objectives of the patent system.
 2. Transparent, cost effective and accessible processes for obtaining a patent.
 3. Predictable, rapid and inexpensive resolution of disputes between right holders and other parties.
 4. Due regard for other public policy interests such as competition (anti-trust), ethics, environment, healthcare, access to information, so as to be effective and credible within society.

- With regard to the above items, 1-4, we submit that:
 1. This item is already achieved, and no further legislation is needed or desired in this field, as will be set forth in more detail below in Section 4.
 2. While we are generally satisfied with the European patent system up until the grant of a European patent, indeed, a lot is to be gained as regards the post-grant situation. We agree with the European Commission's assessment that the London Protocol would simplify the existing language requirements for participating states. It is an important project that would render the European patent more attractive. EICTA calls upon all EPC states to join the London Protocol as soon as possible.
 3. Users urgently need the EPLA project to be completed. See also Section 3.
 4. Patent quality should be improved, SMEs should be assisted, and IP awareness should be increased; however, no further legislation is needed or desired in this field, as will be set forth in more detail below in Section 1.3 below.

1.2 Are there other features that you consider important?

- EU legislation on IPRs should be fully compliant with the WTO TRIPs Agreement. It is observed that the WTO TRIPs Agreement is already based on the appropriate balance of interests of the right holders with the overall objectives of the patent system. See also our comments as to Section 1.3.

1.3 How can the Community better take into account the broader public interest in developing its policy on patents?

- ➡ It is clear that patent quality should be put high on the agenda. The Member States and the European Commission should work with the European Patent Office to ensure that patent examinations are carried out more rigorously and effectively, so that the validity of granted national and European patents is more certain. This can help the patent system to be more credible with society. However, it is believed that no new EU legislation or other EU legal instruments are required for this purpose. It suffices to improve the quality management system and to reconsider the EPO Guidelines for examination and the examiner remuneration system so as to acknowledge that a rejection is more work than an allowance.
- ➡ The possibilities for SMEs to benefit from the patent system should be improved. They should be assisted as regards finding prior art to determine whether it makes sense to file a patent application for their own inventions, as regards entering the patent system e.g. by means of subsidies for the first 10 patent applications they file, and in finding what has already been patented by their competitors. National patent offices should play an important role as regards such support for SMEs.
- ➡ While a lot is already done in this field, the Community, its Member States and the European Patent Office should increase their efforts to promote IP awareness both within the target group of the patent system and public authorities. This could be done, for example, by means of IP education, so as to help innovative Europeans benefit from the IP aspects of their businesses.
- ➡ Several currently available instruments already provide the safeguards needed to pay due regard to other public policy interests such as competition (anti-trust), ethics, environment, healthcare, access to information, so as to be effective and credible within society. For example:
 - Articles 81 and 82 EC Treaty provides the tools to deal with anti-trust issues.
 - Article 53 European Patent Convention (EPC) outlaws patents in respect of inventions the publication or exploitation of which would be contrary to "ordre public" or morality.
 - Article 31 WTO TRIPs Agreement allows for compulsory licenses when needed to ensure that patents essential for environment and healthcare can be used even if the patentee does not agree.
 - Article 93 EPC provides that all European patent applications are published 18 months from the priority date. These publications can be retrieved and searched by means of a free and user-friendly web-access.
 - Article 128 EPC provides that the file of a European patent application is accessible to the public via a free and very user-friendly web-access as from this publication date.
 - Article 115 EPC provides that any person may file observations with the European Patent Office (EPO) concerning patentability as from the publication date.
 - Article 99 EPC provides that all granted European patents may be revoked by the EPO as a result of an opposition filed by any person if the patent does not meet essential patentability criteria.
 - Article 138 EPC provides that all granted European patents may be revoked by national courts if the patent does not meet essential patentability criteria.

Section 2 – The Community patent as a priority for the EU

2.1 By comparison with the common political approach, are there any alternative or additional features that you believe an effective Community patent system should offer?

For the reasons mentioned in the Annex we believe that it hardly makes sense to put efforts in the Community patent project on the basis of the March 2003 political approach. In brief:

- There should be no need to await an EPC amendment.
- There should be no need to translate the claims into all EU languages upon grant of the patent.
- There should be no transfer of search activities to national patent offices that do not meet the minimum requirements of Rule 36 PCT.
- There should be a single European jurisdiction to deal with all European patents.
- There should be a limitation of the number of procedural languages in litigation to (at most) the 3 official languages of the EPO.
- It should be possible for technically educated persons to be a full judge in the court as member of a panel that also comprises two legally educated judges.

In view thereof, we call upon the EU and its Member States to develop an alternative for the March 2003 political approach that would meet the essential requirements of affordability, competitiveness, legal certainty and stronger links² between the EU and the European Patent Organisation. An affordable and competitive common patent system for the common market, a greater legal certainty through a unified jurisdiction, and a stronger link between the EU and the European Patent Organisation are strongly desired.

² These stronger links result from the fact that if the European Patent Office carries out activities for EU Member States as regards granted European patents, it will do so on the basis of Articles 142-149 European Patent Convention (EPC). Article 145 EPC provides for a Select Committee of the Administrative Council of the European Patent Organisation to supervise such activities. As a matter of course, the European Commission will be a full member of this Select Committee, which will further comprise representatives from the EU Member States. This was, for example, explicitly provided in both the 1975 Community Patent Convention and the 1989 Agreement on Community Patents.

Section 3 – The European Patent System and in particular the European Patent Litigation Agreement

The EPLA is a much-needed solution, fully consistent with EPC and EU law, for improving litigation certainty and reducing costs. It should be finalised and implemented as quickly as possible.

Issues:

(1) The text of the Agreement has to be brought into line with the Community legislation in this field

- ➔ It is noted that the draft EPLA is already being brought in line with existing Community legislation, and that the European Commission has been invited to participate as observer and thus, already has ample opportunity to make any and all necessary observations.

(2) The relationship with the EC Court of Justice must be clarified

- ➔ Fully in line with ECJ decision C-337/95³, Article 40 draft EPLA already provides that EPLA Contracting States which are also Member States of the European Community designate the EPLA Court as their national court for the purposes of Article 234 of the Treaty establishing the European Community. This means that just like the Benelux Court of Justice does as per C-337/95, the EPLA courts will refer questions on EU law to the ECJ. The preliminary rulings of the Court of Justice of the European Communities shall be binding on the EPLA Court in so far as the latter's decisions take effect in one or more of the Contracting States that are also Member States of the European Community.

(3) The question of the grant of a negotiating mandate to the Commission by the Council of the EU in order to take part in negotiations on the Agreement, with a view to its possible conclusion by the Community and its Member States, needs to be addressed

- ➔ What is needed, is that the EPLA does not deviate from EU law. For that purpose, an observer role for the European Commission suffices.
- ➔ It is an essential feature of the EPLA that it is optional: those EPC states that do not want to join are not obliged to join. This optional character makes it possible to obtain an agreement that makes sense, whereas compulsory participation by states that do not like the principles on which the current draft EPLA is based would easily result in negotiations ending up in an agreement that no longer is affordable and practical, as proven by the example of the March 2003 political approach on the Community patent. Claimants too should have a free choice between the EPLA system and the current national litigation systems until the EPLA states agree that the EPLA system has proven to work as satisfactorily as currently expected.

³ ECJ decision C-337/95 deals with the Benelux Court of Justice, which supervises inter alia the Benelux trademark and design laws, which are subject to EU harmonizing directives. In that decision, the ECJ equated the Benelux court, which is a supranational court common to Belgium, Luxembourg, and The Netherlands, to national courts for the purpose of applying Article 234 EC Treaty.

- While it is desirable if many states join the EPLA, it is more important that the EPLA remains affordable and practical. So, in further negotiations, no changes whatsoever should be made to the essential features of the current draft EPLA, such as the reduced number of three procedural languages and a full participation of technically educated judges. It is better that states that currently do not believe the EPLA's essential features to be appropriate do not join the EPLA until such time that the EPLA has shown to work as satisfactorily as currently expected, than that the EPLA is modified by replacing the EPLA's essential features by more complicated and costly features.
- In view of ECJ decisions C-22/70⁴, C-337/95⁵ and Articles 38-40 draft EPLA, the EU Member States have retained competence to negotiate on and conclude the EPLA without involvement from the European Commission.

Questions:

3.1 What advantages and disadvantages do you think that pan-European litigation arrangements as set out in the draft EPLA would have for those who use and are affected by patents?

- Reference is made to the document "Assessment of the impact of the European patent litigation agreement (EPLA) on litigation of European patents"⁶. For both claimants and defendants, it is strongly desirable if patent litigation is handled by experienced courts in an efficient manner, and the EPLA provides for just that.

3.2 Given the possible coexistence of three patent systems in Europe (the national, the Community and the European patent), what in your view would be the ideal patent litigation scheme in Europe?

- National patents should remain subject to the jurisdiction of national courts. It is noted that the EPLA contains features allowing national judges to obtain more experience in handling patent matters by participation as judges or assessors in the EPLA courts.
- All European patents should be subject to the jurisdiction of the EPLA courts as regards those EPC states that join the EPLA. This applies to both existing and future European patents, and to both European patents that are Community patents

⁴In paragraph 81 of decision C-22/70, the ECJ decided that if the Community only acquires competence when the negotiations about a treaty are already advanced, it does not make sense to shift competence from the Member States to the Community, so that in such a case, the Member States retain their competence. So, even if the EPLA conflicts with Regulation 44/2001 (which does not apply in view of ECJ decision C-337/95 and Articles 38-40 EPLA), so that in principle competence to agree on the EPLA would indeed have shifted to the Community as per C-22/70 and Opinion 1/03, this does not apply because the EPLA negotiations started in 1999 with the Paris ministerial conference of the EPC states, while Regulation 44/2001 was only adopted in 2001, and today the EPLA negotiations are about finished.

⁵ In the same manner as in ECJ decision C-337/95, Articles 38-40 EPLA equate the EPLA courts to national courts of the EPLA states so as to enable undisturbed application of Regulation 44/2001 and Article 234 EC Treaty. So, to the extent that Regulation 44/2001 accords jurisdiction to the courts of an EPLA state, the EPLA courts have jurisdiction, while to the extent that Regulation 44/2001 accords jurisdiction to the courts of a non-EPLA state, those national courts have jurisdiction. This shows that the EPLA does not interfere with the operation of Regulation 44/2001.

⁶ See http://www.european-patent-office.org/epo/epla/pdf/impact_assessment_2006_02_v1.pdf

should any Community patent system enter into force, and to European patents that are not Community patents.

As the EPC itself has grown from a very small initial number of 7 Contracting States to the current number of 31 Contracting States, and more states are expected to join the EPC in the future, it is not believed to be a problem that initially, the EPLA may not cover all EU Member States. It is believed that more states will join when the EPLA system has proven to work as satisfactorily as currently expected.

Regulation 44/2001 and the Lugano Convention should govern the relations between the states that join the EPLA and the states that do not join the EPLA. Introducing the EPLA would also result in that the EU fulfils its obligations under Article 41(2) TRIPs Agreement⁷ regarding the way in which European patents are litigated. In view thereof, the EPLA should enter into force as soon as possible.

Section 4 – Approximation and mutual recognition of national patents

4.1 What aspects of patent law do you feel give rise to barriers to free movement or distortion of competition because of differences in law or its application in practice between Member States?

- There are no real barriers; in relation to patents, the Internal Market is generally working well.

4.2 To what extent is your business affected by such differences?

- Not applicable.

4.3 What are your views on the value-added and feasibility of the different options (1) – (3)?

(1) Bringing the main patentability criteria of the European Patent Convention into Community law so that national courts can refer questions of interpretation to the European Court of Justice. This could include the general criteria of novelty, inventive step and industrial applicability, together with exceptions for particular subject matter and specific sectoral rules where these add value.

- There is no need whatsoever for such measures. It is noted that the EPLA will already provide a unified litigation system for European patents, which will result in European case law on all relevant patentability aspects. The EPLA also provides for a second-tier system for those EPC states that do not want to transfer jurisdiction to the EPLA courts but who nevertheless want to obtain advice from the EPLA appeal court.
- If the EPLA courts need to refer questions on basic patentability matters like novelty and inventive step to the ECJ, all patent litigation will be extremely complicated, costly and lengthy.

⁷ Procedures concerning the enforcement of intellectual property rights shall be fair and equitable. They shall not be unnecessarily complicated or costly, or entail unreasonable time-limits or unwarranted delays.

- ➡ The EPLA is called into being in order to transfer jurisdiction in complicated patent matters to a specialized court experienced in such matters. It is submitted that the ECJ as currently configured does not meet these requirements.

(2) More limited harmonisation picking up issues which are not specifically covered by the European Patent Convention.

- ➡ Again, there is no need whatsoever for new EU measures aiming at substantive patent law harmonization.
 - It is noted that already from 1963 a Council of Europe convention harmonizes substantive patent law in Europe.⁸
 - All 31 EPC states are party to the UN Patent Cooperation Treaty, of which Article 27 provides that the PCT criteria as to form and contents also apply in national phase.
 - The EPC provides that the post-grant revocation grounds for European patents are laid down in the EPC itself.
 - In the framework of signing the 1975 Community Patent Convention (CPC) there has been a joint resolution of then 9 EC Member States to adjust national patent laws so as to allow for ratification of Strasbourg Convention, and to adapt these national laws to the EPC, the CPC and the PCT. This resolution has been implemented.
 - In the framework of the signing of the 1989 Agreement on Community Patents (ACP) there has been a joint declaration of the then 12 EC Member States noting that since the signing of the Community Patent Convention of 15 December 1975 legislative procedures have been completed in several Member States with a view to eliminating as far as possible the differences between national patent law and the common system of law for patents resulting from the said Convention. Another joint declaration took note of the undertaking by the Government of each Member State in which these procedures have not been completed or are yet to be begin, to endeavour to adjust its law relating to national patents so as to bring it into conformity, as far as practicable, with corresponding provisions of the European Patent Convention, the Agreement relating to Community Patents and the Patent Cooperation Treaty. This declaration has been implemented.

In view of all these already existing harmonization measures in Europe, there is no need whatsoever for new legislative measures aiming at substantive patent law harmonization in Europe.

⁸ 1963 Strasbourg Convention on the Unification of Certain Points of Substantive Law on Patents for Invention. This convention covers prior art, novelty, inventive step, industrial applicability, exceptions for public order, and plant or animal varieties and essentially biological processes, sufficiency of disclosure, and states that the extent of protection is determined by claims.

(3) Mutual recognition by patent offices of patents granted by another EU Member State, possibly linked to an agreed quality standards framework, or "validation" by the European Patent Office, and provided the patent document is available in the original language and another language commonly used in business.

- ➡ As mentioned above, patent quality is of the utmost importance. In view thereof, it is simply not acceptable to transfer essential activities in the substantive examination process to national patent offices that do not meet the minimum requirements of Rule 36 Patent Cooperation Treaty. Without a good search for relevant prior art documents, it is simply not possible to obtain a high-quality patent.
- ➡ Moreover, several EU Member States have national patent offices that grant a patent without any substantive examination whatsoever, or where the results of a novelty search do not influence the possibility to obtain a patent based on the application as filed even if the search results clearly show that essential patentability requirements have not been met. Clearly, such rubber-stamped applications cannot be recognized in other states, as this would seriously undermine the possibilities of the patentee's competitors to do business in a normal way.
- ➡ There is no need whatsoever to reinvent the EPC. While there is a need to pay more attention to patent quality, it is essential to maintain the basic feature that a European patent is only granted after a uniform European substantive examination has shown that all patentability criteria have been met.

4.4 Are there any alternative proposals that the Commission might consider?

- ➡ No.

Section 5 – General

We would appreciate your views on the general importance of the patent system to you. On a scale of one to ten (10 is crucial, 1 is negligible):

5.1 How important is the patent system in Europe compared to other areas of legislation affecting your business?

- ➡ 10

5.2 Compared to the other areas of intellectual property such as trade marks, designs, plant variety rights, copyright and related rights, how important is the patent system in Europe?

- ➡ 10

5.3 How important to you is the patent system in Europe compared to the patent system worldwide?

- ➡ 10

Furthermore:

5.4 If you are re responding as an SME, how do you make use of patents now and how do you expect to use them in future? What problems have you encountered using the existing patent system?

➡ N/A

5.5 Are there other issues than those in this paper you feel the Commission should address in relation to the patent system?

➡ No

(1) If you would like the Commission to be able to contact you to clarify your comments, please enter your contact details.

Bernardo Correia
EICTA
Public Affairs Manager
Rue Joseph II, 20
B-1000 Brussels (Belgium)
www.eicta.org
T: +32 2 609 5312
F: +32 2 609 5339
M: +32 476 433 588
e: bernardo.correia@eicta.org

(a) Are you replying as a citizen / individual or on behalf of an organisation?

➡ We are replying on behalf of an Organisation

(b) The name of your organisation/contact person:

➡ EICTA/Bernardo Correia

(c) Your email address:

➡ bernardo.correia@eicta.org

(d) Your postal address:

➡ Rue Joseph II, 20; B-1000 Brussels (Belgium)

(e) Your organisation's website (if available):

➡ www.eicta.org

(2) Please help us understand the range of stakeholders by providing the following information:

(a) In which Member State do you reside / are your activities principally located?

➡ Belgium

(b) Are you involved in cross-border activity?

➡ N/A

(c) If you are a company: how many employees do you have?

➡ N/A

(d) What is your area of activity?

➡ EICTA is the European trade organisation representing the information and communications technology and consumer electronics

(e) Do you own any patents? If yes, how many? Are they national / European patents?

No

(f) Do you license your patents?

N/A

(g) Are you a patent licensee?

N/A

(h) Have you been involved in a patent dispute?

N/A

(i) Do you have any other experience with the patent system in Europe?

N/A

Annex

Review of the March 2003 political approach.

- ➡ A genuine Community patent that applies to the EU territory as such, and that thus automatically extends to new EU Member States, can only be adopted on the basis of unanimity. Up till now, this requirement has appeared to prevent practical solutions from being adopted. The Member States must 'grasp the nettle' and finally resolve a number of political issues, particularly that of the number and effect of patent translations, as well as a litigation system for all European patents, if this proposal is ever to become a reality.
- ➡ The European Patent Convention (EPC) needs to be amended in order to facilitate a Community patent to be granted for the EU as such, while the EPC presently only allows the grant of patents for individual states. Entry into force of this EPC amendment will easily take 10 years, so that the Lisbon deadline of 2010 will not be met. The controversial character of the proposed EPC amendment may even result in that some EPC states will not ratify the amended EPC, with the result that these states cease to be EPC states. This will be detrimental to innovation and thus industry and the creation of economic growth and jobs in those states.
- ➡ A requirement to translate all claims of the patent into all EU languages is simply too cumbersome, and not in line with the EU's obligations under the WTO TRIPs Agreement⁹ that patent acquisition procedures should not be unnecessarily complicated or costly.
- ➡ As patent quality is of the utmost importance, it is simply not acceptable to transfer essential activities in the substantive examination process to national patent offices that do not meet the minimum requirements of Rule 36 Patent Cooperation Treaty, a UN Treaty to simplify and render more economical the obtaining of protection for inventions where protection is sought in several countries. Without a good search for relevant prior art documents, it is simply not possible to obtain a high-quality patent.
- ➡ In the most workable scenario, there should be a single European jurisdiction to deal with all European patents. The proposed Community patent litigation system can only handle Community patents, and can neither deal with existing European patents, nor with future European patents (i.e. granted on the basis of applications filed after the Community patent system would have entered into force) that will not be Community patents. Even in the Commission's own rather optimistic estimates, only 50% of all future European patents would become Community patents, which will leave (at least) another 50% of all future European patents that cannot be covered by the Community patent litigation system. The European Patent Litigation Agreement (EPLA), however, could cover both European patents that are

⁹ Article 62(4) WTO TRIPs Agreement: Procedures concerning the acquisition or maintenance of intellectual property rights and, where a Member's law provides for such procedures, administrative revocation and *inter partes* procedures such as opposition, revocation and cancellation, shall be governed by the general principles set out in paragraphs 2 and 3 of Article 41.

Article 41(2) WTO TRIPs Agreement: Procedures concerning the enforcement of intellectual property rights shall be fair and equitable. They shall not be unnecessarily complicated or costly, or entail unreasonable time-limits or unwarranted delays.

Community patents¹⁰ and European patents that are not Community patents, irrespective of whether they are granted on the basis of applications filed before or after entry into force of the Community patent system.

- ➔ It is essential for a practical and affordable Europe-wide litigation system that there is a limitation of the number of procedural languages to (at most) the 3 official languages of the European Patent Office (EPO). If the language of the defendant is taken as procedural language, it is easily possible that neither the claimant nor the members of the court are able to understand the language of the proceedings, thereby requiring cumbersome and costly translations. It is noted that according to the Commission's own estimates, more translators than judges are required for the proposed Community patent court. The EPLA is based on the proven 3-language system of the EPO.
- ➔ It is essential for a high-quality European patent court system that technically educated persons can participate as full judges. The EPLA provides for one technically educated judge as a full member of a panel that further comprises two legally educated judges. Also, in the EPLA there is no limitation in the number of technically educated persons who can act as judge, so that all technical fields can be covered. However, in the Community patent litigation proposals, technically educated persons cannot participate in the court. To partially compensate for this problem, it is provided to have a dozen of technical assistant-rapporteurs, which number is far too low to cover all technical fields.

¹⁰ See Declaration 17 on Article 229a of the Treaty establishing the European Community, attached to the Nice Treaty: "The Conference considers that Article 229a does not prejudge the choice of the judicial framework which may be set up to deal with disputes relating to the application of acts adopted on the basis of the Treaty establishing the European Community which create Community industrial property rights." From this Declaration 17 it follows that the Community could base a litigation system for Community patents on the EPLA.

EICTA MEMBERSHIP

About EICTA:

EICTA, founded in 1999 is the voice of the European digital technology industry, which includes large and small companies in the Information and Communications Technology and Consumer Electronics Industry sectors. It is composed of 56 major multinational companies and 36 national associations from 27 European countries. In all, EICTA represents more than 10,000 companies all over Europe with more than 2 million employees and over EUR 1,000 billion in revenues.

The membership of EICTA:

Direct Company Members:

Accenture, Adobe, Agilent, Alcatel, Apple, Bang&Olufsen, Blaupunkt, BenQ, Brother, Bull, Canon, Cisco, Corning, Dell, EADS, Epson, Ericsson, Fujitsu, Hitachi, HP, IBM, Infineon, Intel, JVC, Kenwood, Kodak, KonicaMinolta, Lexmark, LG Electronics, Loewe Opta, Lucent, Marconi, Microsoft, Motorola, NEC, Nokia, Nortel, Océ, Panasonic, Philips, Pioneer, Qualcomm, Samsung, Sanyo, SAP, Sharp, Siemens, Sony, SonyEricsson, Sun Microsystems, Symantec, Texas Instruments, Thales, Thomson, Toshiba, Xerox.

National Trade Associations:

Austria: FEEL; Belgium: AGORIA; Bulgaria: BAIT; Czech Republic: SPIS; Denmark: ITEK, ITB; Estonia: ITL; Finland: SET, FFII; France: ALLIANCE TICS, SIMAVELEC; Germany: BITKOM, ZVEI; Greece: SEPE; Hungary: IVSZ; Italy: ANIE, ASSINFORM; Ireland: ICT Ireland; Latvia: LITTA; Lithuania: INFOBALT; Malta: ITTS; Netherlands: ICT-Office; Norway: ABELIA, IKT Norge; Poland: KIGEIT, PIIT; Slovakia: ITAS; Slovenia: GZS; Spain: AETIC; Sweden: IT Företagen; Switzerland: SWICO, SWISSMEM; United Kingdom: INTELLECT; Turkey: ECID, TESID; Ukraine: IT Ukraine.