

**RESOLUTION ON EXPERTS**

EPLA believes that the needs of the Community Patents Courts will be best met by the adoption of a system whereby :

- only highly experienced patent Judges can be appointed;
- technical advisors should NOT be appointed to assist the Court (there being serious concerns as to their legal status, how they may interact with the Judges outside the Court, and the likelihood of them confusing issues of fact and law);
- parties may appoint and remunerate their choice of independent expert(s) to consider the technical issues and prepare evidence to assist the Court;
- such independent party experts and any Court-appointed experts can be held to account by the availability of cross-examination;
- the precise arrangements for the giving of technical assistance to the Court to be determined within the above guidelines by an early case management conference – if possible with the same panel of Judges who will hear the trial.

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