

*Collegio Italiano dei
Consulenti in Proprietà Industriale*

Codici di condotta Collegio, FICPI e UPC

Antonio Pizzoli

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FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FEDERATION
VON PATENTANWÄLTEN

Codice di condotta Collegio 1/3

Art. 14 - Norme di comportamento

I Soci si obbligano ad attenersi alle disposizioni del presente Statuto ed alle **deliberazioni dell'Assemblea**.

Tale obbligo è **esteso anche a tutti collaboratori** degli studi professionali comunque organizzati cui appartengono i Soci, i quali sono responsabili del comportamento dei collaboratori che non sono Soci. I Soci si obbligano in particolare a:

- a) rispettare nella loro attività professionale **la più restrittiva** fra le norme dei Codici di deontologia del Collegio, dell'Ordine dei Consulenti in Proprietà Industriale e della FICPI;
- b) adoperarsi affinché siano raggiunti gli scopi del Collegio e, nell'ambito del Collegio, siano promosse in modo unitario e collettivo, da tutti i Consulenti in Proprietà Industriale esercitanti la libera professione, le azioni in favore dello sviluppo, della valorizzazione e della tutela della professione;



Codice di condotta Collegio 2/3

Art. 14 (segue)

- c) **non allettare i clienti** a depositare domande di privativa di proprietà industriale facendo loro balenare la promessa di **adoperarsi per lo sfruttamento commerciale** dei relativi diritti;
- d) **non sottacere ai clienti le procedure, le spese e le difficoltà** che esistono per l'ottenimento dei diritti di proprietà industriale dopo il deposito della domanda, nonché gli **adempimenti e le spese necessarie per mantenere in vigore** i diritti stessi;
- e) **non adoperarsi per stornare collaboratori e dipendenti** da uffici di altri Soci.



Codice di condotta Collegio 3/3

Art. 15 - Misure disciplinari

Quando il Consiglio Direttivo viene in qualche modo a conoscenza di violazioni delle norme statutarie da parte di uno dei Soci del Collegio, o di altri addebiti contestati a questo Socio, convoca i Probiviri e, in unione ad essi, come organo giudicante, apre un'inchiesta in seguito alla quale, sentito l'interessato, delibera di:

- a) **archiviare** l'inchiesta;
- b) infliggere un'**ammonizione** al Socio oggetto dell'inchiesta;
- c) **censurare** il Socio oggetto dell'inchiesta;
- d) **radiare** dal Collegio il Socio oggetto dell'inchiesta.

Per pronunciare la radiazione occorre il voto di almeno **sette dei dieci Soci** che compongono l'organo giudicante.

In caso di parità dei voti, prevale il voto del Presidente.

La censura e la radiazione sono pubblicate sul sito Internet del Collegio.



Codice di condotta FICPI 1/3

1. Each Member is required to abide by this Code notwithstanding personal or other interests or instructions.
2. Each Member shall conduct his professional activities with honesty, fairness and courtesy.
3. Each Member is responsible for the observation of this Code **in his office**.
4. Each Member is to provide professionally competent service as an independent counsellor in an unbiased manner without regard to his personal feelings or interests. In addition to the Statutes and Rules of the Federation the general principles of professional conduct of Members of the Federation are laid down in this Code.
5. Each Member is bound not to disclose information received in confidence in the exercise of his professional activities **unless he is released from this obligation**.



Codice di condotta FICPI 2/3

6. Each Member shall endeavour to maintain himself **free of representing conflicting interests**. Each Member, however, shall ensure that an order is performed so far as is necessary **to avoid possible damage**.
7. Good fellowship should be exercised among Members.
8. Professional competition should be fair. In soliciting orders and in other forms of promotion Members shall refrain from using statements about their services which are misleading or laudatory or involve criticism of professional colleagues or their services.
8. bis. Advertising by Members is generally allowable, but should be fair, true and moderate and give an accurate impression. Advertising should not include any matter adversely affecting the standing and the dignity of the profession of Intellectual Property Attorneys and should be restricted to information about a Member's services.



Codice di condotta FICPI 3/3

9. All publicity involving a financial contribution by the Member must be regarded as advertising. If advertising is not clearly recognisable as such, the fact that it is **advertising must be specifically indicated**.
10. Each Member is responsible for **prompt payment of his financial obligations**, especially to foreign correspondents. **It is incompatible with this Code to delay payments to foreign correspondents because of delays in payments by clients**.
11. No Member shall **give or receive a commission** for the introduction of professional business, except in transactions relating to the purchase or sale in whole or in part of a professional practice.
12. The organising by members or their businesses of business-related **receptions or similar functions during official meetings** of the Federation is contrary to the tradition and spirit of the Federation and **is not permitted** by the Federation.



Codice di condotta UPC 1/2

Art. 17(4) - The exercise of the office of technically qualified judges who are part-time judges of the Court shall **not exclude the exercise of other functions** provided there is no conflict of interest.

Rule 290 – Powers of the Court as regards representatives

1. As regards representatives who appear before it, the Court shall have the powers normally accorded to courts of law, under the conditions laid down in Rule 291.
2. Representatives who appear before the Court shall strictly comply with any **code of conduct adopted for such representatives** by the Administrative Committee.



Codice di condotta UPC 2/2

Rule 291 – Exclusion from the proceedings

1. If the Court considers that the conduct of a party's representative towards the Court, towards any judge of the Court or towards any member of the staff of the Registry is incompatible with the dignity of the Court or with the requirements of the proper administration of justice, or that such representative uses his rights for purposes other than those for which they were granted, or that such representative is otherwise in **breach of any code of conduct** adopted pursuant to Rule 290.2 it shall so inform the person concerned. On the same grounds, the Court may at any time, after having given the person concerned an opportunity to be heard, **exclude that person from the proceedings** by way of order. That order shall have **immediate effect**.

2. Where a party's representative is excluded from the proceedings, the proceedings shall be stayed for a period fixed by the presiding judge in order to enable the party concerned to appoint another representative.



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Grazie per l'attenzione!



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