



European Unitary Patent – recent developments



Delegation of the European Union
駐日欧州連合代表部

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European Unitary Patent: legislative history

- Efforts to create a common patent since the 1960s
- In 2000: European Commission proposed to create a Community Patent
- In 2010: European Commission made proposal for enhanced cooperation in the area of the creation of unitary patent protection
- In 2012: Legislation approved by the Council and European Parliament
- In 2013: Agreement on a Unified Patent Court was signed



European Unitary Patent: main features

- Existing tools: National Patent and "classical" European Patent
- New tool: European patent with unitary effect, with following characteristics:
 - uniform protection in participating Member States
 - one-stop shop procedure cutting costs and administrative burden
 - minimum translation requirements
 - unified and specialised jurisdiction



European Unitary Patent: entry into force

- Italy joined on 30 Sep 2015
- Necessary for entry into force: 13 ratifications of the UPC Agreement, including France, Germany and the UK
- Currently: 8 ratifications (by Austria, France, Belgium, Sweden, Denmark, Malta, Luxembourg and Portugal)
- Timing: Realistic date: 2016-17