



# Im Blickpunkt

## EU unitary patent: a big boost for innovation

17.12.2012

**On 17 December the Council gave their green light to the creation of unitary patent protection in Europe. The approval comes following a positive vote in the European Parliament on 11 December.**

The establishment of a unitary patent system, which has been under discussion for more than 30 years, will significantly lower the costs associated with obtaining a patent in the EU and contribute to an increase in patent activity for EU businesses.

The new patent will encourage businesses to promote their innovation activity, thus enhancing their competitiveness. It will also increase the interest of EU companies in protecting their inventions and new technical solutions across Europe.

### **Less red tape and reduced costs**

The unitary patent will be valid in all participating member states. It will be obtained by filing a single application at the Munich-based European Patent Office (EPO).

This will be much easier and cheaper than the current system, under which the EPO grants European patents but, for a granted patent to be effective in a member state, the inventor has to request validation in each country where patent protection is sought.

It will be possible to lodge applications in any EU language. They will be processed in English, French or German — the three working languages of the EPO. In order to make the patent system more accessible to all users, automatic translation of EU patents and patent applications will be available for all official EU languages.

The single patent will cut down the costs of acquiring patent protection in the EU by up to 80%. It is thus expected to boost innovation and contribute to economic growth.

### **Single litigation system**

A single jurisdiction to hear patent cases will be set up.

The Unified Patent Court will have exclusive competence in cases relating to the validity or infringement of classic European patents and patents with unitary effect.

The new system will eliminate the risk of multiple patent lawsuits in different member states for the same patent, as well as the risk that court rulings on the same dispute might differ from one member state to another. In addition, it will significantly bring down litigation costs for businesses.

The Court's central division will be based in Paris and its specialised sections in London and Munich. The Court of Appeal will be located in Luxembourg.

Member states will sign the Unified Patent Court agreement next year. It will enter into force once it has been ratified by at least 13 member states. If the implementing decisions are taken in a timely manner, the first European patent with unitary effect could be granted in 2014.

**Read also:**

- [Press release](#) (17 December 2012, in pdf)
- [Factsheet](#) (17 December 2012, in pdf)
- [Cyprus presidency press release](#) (11 December 2012)