

Public consultation on the Rules of procedure for the Unified Patent Court

🕒 Published: Tuesday, 25 June 2013 09:00



This consultation is now closed. Please refer to the [notice on the revised 16th draft of the Rules of Procedure](#).

When signing the Agreement on a Unified Patent Court, the Signatory States considered it of utmost importance that the Preparatory Committee would as one of its first activities complete a [draft of Rules of Procedure](#)  on the basis of input of expert judges, lawyers and industry representatives. This draft should be the basis of broad consultation with stakeholders before it is finalised with a view to reaching agreement on it well before the end of the ratification procedures.

The Preparatory Committee is pleased that soon after its establishment it can present a draft of the said rules and as one of its first activities start the public consultation of stakeholders on the rules.

It is the Preparatory Committee's ambition to establish a patent court that meets users' and practitioners' demands and the Committee therefore attaches great importance to receiving input from stakeholders. Hence, users, practitioners and other interested circles are warmly invited to comment on the draft rules.

The draft Rules of Procedure have been prepared by a drafting Committee of expert judges and lawyers, and has been the subject of technical consultations with professional and industry bodies.

The Drafting Committee was composed as follows:

- Kevin Mooney (UK, Chairman)
- Klaus Grabinski (DE)
- Willem Hoyng (NL)
- Winfried Tilmann (DE)
- Pierre Véron (FR)
- Alice Pezard (FR)
- Christopher Floyd (UK)

The Preparatory Committee is very grateful to those that haven been involved in the preliminary work and in particular owes many thanks to the members of the Drafting Committee for their invaluable contribution.

As from 25 June 2013 until 1 October 2013 the draft Rules of Procedure shall be open to written comments from stakeholders or other interested parties. Respondents are requested to send them to secretariat@unified-patent-court.org. Only contributions received through this address shall be considered.

The Committee shall only consider contributions from stakeholders and other interested parties whose identity can be established and who can be contacted at least via e-mail. Contributors who represent organisations are requested to indicate so. If not, their contributions shall be considered to have been made in a personal capacity. Personal data (such as name and address of the contributor, name and type of the organisation, name of the contact person etc.) shall be kept only for the purpose of the consultation and may be used by the Committee or its experts for activities related to the consultation. Personal data shall not be given to third parties and shall be destroyed once the analysis of the consultation is completed. The Committee shall publish a summarized report of the contributions received.

According to the Roadmap for the Committee's work, the Committee shall after closure of the written phase of the public consultation ask the Drafting Committee to evaluate the contributions received and to make proposals and comments ensuing from the public consultation. Further, the Committee intends to organise a public hearing on the draft rules of procedure in early 2014. The European Commission shall be asked to advise on the compatibility of

the Rules of Procedure with European Union law. This will form the basis for the Committee's Legal Framework Working Group to prepare the draft Rules of Procedure for approval by the Committee. As with all of the Committee's preparatory work, also the Rules of Procedure will need to be adopted by the UPC's Administrative Committee once it has been established.