

External Communication of the work of the Preparatory Committee

The Preparatory Committee is going to deal with complex issues and the outcome of its work will have a considerable impact on the users of the European patent system.

The Committee must secure access to the knowledge and experience of the European stakeholders in order to establish an efficient, high quality and user friendly Unified Patent Court.

In addition it is necessary for the Committee to engender users trust in the new court and its ability to function. Also there is a legitimate interest for stakeholders to know as much as possible about the work of the Committee.

Therefore, the Committee's work must be as transparent as possible.

At the same time, the work of the Committee is extensive and the time frame is tight. Therefore, interaction with stakeholders must be well organised, in order to avoid unnecessary delays.

The issue of transparency and consultations is addressed in Article 7 of the Organisational Rules of the Preparatory Committee. However, due to the importance of this issue, further detailed outlining with regard to external communication of the Committee's work is required.

Purpose of external communication

- Facilitate the creation of an efficient, high quality and user friendly UPC, by
 - o enabling inputs from stakeholders on issues dealt with by the Committee,
 - o enabling stakeholders to keep up to date with the progress of the Committee's work in order for them to prepare for the implementation of the new system and
 - o engender trust in the work of the Committee and its end result – the UPC.

Target group[s] of the external communication

- All stakeholders having an interest in the UPC and the UPP.
- Specific groups of stakeholders, e.g. judges, industry representatives, lawyers and patent attorneys.

Content of the external communication

- Proposals and other documents which have reached an appropriate stage shall be made available to the public, unless the Committee decides otherwise in a particular case (Article 7.2 of the Organisational Rules).
 - o Proposals agreed upon by the Committee should always be made available to the public.
 - o Working documents may be made available to the public unless there are specific reasons not to.
 - o With due care to any decision by the Committee in this regard and Article 8 of the Organisational Rules a Signatory State shall not be precluded to make documents/information with relevance to the work of the Committee available to the public in accordance with its national legislation.
- General information on the progress of the Committees work, e.g. the organisation of the work, timeframes and any outcome.
- Consultations on specific issues should be conducted with interested circles when as required (Article 7.3 of the Organisational Rules). Such consultations may be conducted with a wide scope with all interested stakeholders but may also be conducted with a more narrowly defined scope, e.g. when a particular issue is not of relevance to all.
- Consultations may be held at any stage of development with regard to issues the Committee is working on.

Means of communication

- The webpage of the Preparatory Committee shall be used to publish
 - o general information such as the composition, the organisation and the target dates of the Committee,
 - o questions and answers relevant to the UPC,
 - o basic texts such as the Agreement on a Unified Patent Court, the Regulations on the unitary patent system and its translation regime, the Organisational Rules of the Committee, the Communication Plan and the Roadmap,
 - o proposals and other documents which have reached an appropriate stage (Article 7.2 of the Organisational Rules) and
 - o launch written consultations with stakeholders (Article 7.3 of the Organisational Rules).
- The webpage will be updated continuously once established.
- Hearings for a broad range of stakeholders shall be organised with the purpose of

- informing about the progress of the work of the Committee and/or
 - specific proposals that have reached an appropriate stage.
- Oral and/or written consultations with stakeholders shall be organised when
 - Stakeholders need information about specific proposals that have reached an appropriate stage, and
 - when the Committee needs stakeholder views on specific issues.
- A broad consultation on the Rules of Procedure of the UPC shall be launched during early summer 2013.

Responsibilities

- The basic responsibility for the external communication on the preparation of the Unified Patent Court lies with the Committee itself.
- The chair will publish material on the webpage. He will arrange hearings and oral consultations and launch written consultations decided upon by the Committee. The chair will do so in consultation with the coordinators involved and inform the Committee on his actions.
- The coordinators of the groups can conduct oral or/and written consultations in their relevant field. A coordinator using this power will do so in consultation with the chair and inform the Committee about his/her actions.
- The Secretariat will provide assistance to the Committee, the chair and the coordinators in this respect (Article 11 of the Organisational Rules).