

You are here: [Home](#) > [Q&A's](#) > Languages

What will the language of proceedings be in the UPC?

Parent Category: [About the UPC](#)

Category: [Languages](#)

In the Court of First Instance the main rule will be the official language or one of the official languages of the Contracting Member State hosting the local division or the official language(s) designated by the Contracting Member States sharing a regional division. The language of proceedings in the central division shall be the language in which the patent was granted (language of the patent). The language of proceedings before the Court of Appeal shall be the language of proceedings before the Court of First Instance (Article 49 and 50 of the UPC Agreement).

However there are exceptions to the main rule:

- The Contracting Member States may designate one or more of the official languages of the European Patent Office in addition or instead of their official language as the language of proceedings of their local or regional division.
- The parties may agree to use the language of the patent (applies also in the Court of Appeal).
- With the Agreement of the parties the competent panel of the Court of First Instance may decide to use the language of the patent.
- At the request of one of the parties and after having heard the other parties and the competent panel the President of the Court of First Instance may decide to use the language of the patent.

What will be translated and who will cover the costs?

Parent Category: [About the UPC](#)

Category: [Languages](#)

Every document will normally need to be translated into the language of proceedings. The party submitting the document will bear the costs for the translation. This will however be a cost that can be recuperated from the losing party (Rule 7 of the draft Rules of Procedure of the UPC). Any Panel of the Court of First Instance and the Court of Appeal may, to the extent deemed appropriate, dispense with translation requirements (Article 51.1 of the UPC Agreement).

Under certain circumstances when an infringement action is brought before the central division of the Court of First Instance a defendant having its residence or place of business in a Contracting Member State shall have the right to obtain translations of relevant documents in the language of the Member State of residence or place of business. The costs shall be covered by the plaintiff (Article 51.3 of the UPC Agreement).

When the President of the Court of First Instance (at the request of one of the parties and after having heard the other the other parties and the competent panel) has decided to use the language in which the patent was granted as language of proceedings the President shall also assess the need for specific translation and interpretation arrangements (Article 49.5 of the UPC Agreement).

Will there be translations for the judges of the Court of Appeal?

Parent Category: [About the UPC](#)

Category: [Languages](#)

Yes, if the language of the proceedings before the Court of Appeal is not the language of the proceedings before the Court of First Instance. Then the judge-rapporteur may order the appellant to lodge translations into the language of the proceedings before the Court of Appeal of written pleadings and other documents lodged by the parties as well as decisions or orders of the Court of First Instance. The costs shall be covered by the appellant (Rule 232 of the draft Rules of Procedure of the UPC).