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## On which sources of law shall the UPC base its decisions?

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The UPC will base its decisions on Union law, The UPC Agreement, the Convention on the Grant of European Patents (EPC), other international agreements applicable to patents and binding on all the Contracting Member States and national law (Article 24 of the UPC Agreement).

## How will prior national rights and prior user rights be determined by the UPC?

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Prior user rights will, pursuant to Article 28 of the UPC Agreement, be governed by national law. Anyone who would have had prior user rights in a Contracting Member State with regard to a corresponding national patent will enjoy the same rights in that Contracting Member state in respect of a European patent or a European patent with unitary effect for the same invention.

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