



Heiko Kauder

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Heiko Maas
Federal Minister of Justice and for Consumer Protection
Mohrenstraße 37
10117 Berlin
Germany

Brigitte Zypries
Federal Minister for Economic Affairs and Energy
Scharnhorststr. 34-37
11019 Berlin
Germany

GG	AE	BER	u. Abg.	Abl.
Bundesministerium der Justiz und für Verbraucherschutz				
Eingang: 16. März 2018				
Ministerbüro				
Min.	PSt J	PSt V	St J	St V
LM	PR	PRÜFA		

Hein Kauder zum
Vorzug 16.3.18

Brussels, 6 March 2018

Re: The Unified Patent Court

Dear Minister Maas,

Dear Minister Zypries,

I am writing to you as the CEO of the American Chamber of Commerce to the EU (AmCham EU) regarding the Unified Patent Court (UPC), in the light of the pending constitutional complaint before the Federal Constitutional Court asking for clarification regarding the draft law for a UPC.

Please allow us to highlight the benefits of the UPC for businesses in Germany, and specifically for the ICT industry and the high-tech sector. The German high-tech industry is at the forefront of research and development of new technologies that are advancing at a rapid pace. The sector's creativity leads to innovations that enhance everyday life and places Germany as leader in the highly competitive global market. In many cases a company's value is defined by its intellectual property. In order to maintain a competitive advantage, ICT and high-tech companies are heavily reliant on intellectual property rights (IPRs) and in particular patents to protect their innovations. They provide a way for companies to stand out from their competitors by preventing others from simply copying their ideas.

A robust patent system is an essential part of this. A strong, predictable and cost-effective system encourages continuing R&D by incumbent companies and investment in new ventures. The Unitary Patent (UP) and the UPC will greatly reduce costs through securing and enforcing patents in a single patent system covering the entire territory of the Signatory States. They will increase competitiveness, and support the long-term growth pattern of innovative industries in the UPC signatory states.

We would like to thank your ministries and the Federal Government for supporting the establishment of a UPC. We are aware of the current difficult situation and therefore would like to once again underline our full support and the importance of a rapid notification of the law for a UPC.

If you have any questions or need additional information, please do not hesitate to contact us at any time.

Yours sincerely,

Susan Danger
CEO
American Chamber of Commerce to the EU (AmCham EU)

Schuster, Klaus

Von: Schuster, Klaus
Gesendet: Freitag, 16. März 2018 10:44
An: 'margit.mundt@[REDACTED]
Cc: 'Gaby.March@[REDACTED]; Karcher, Johannes
Betreff: WG: AmCham EU Letter to Minister Heiko Maas on Unified Patent Court
Anlagen: AmCham EU Letter to Minister Maas and Minister Zypries on Unified Patent Court 6 March 2018.pdf

Liebe Frau Dr. Mundt,

wie vorhin telefonisch besprochen, leite ich Ihnen das Schreiben der American Chamber of Commerce to the EU vom 6. März weiter. Von unserem Ministerbüro wird, wie mir Frau Goraj heute Morgen ausdrücklich versichert hat, kein Antwortentwurf angefordert.

Ich wäre dankbar, wenn Sie abklären könnten, ob wir unsere Antwort auf Fachebene auch für Sie abgeben sollen oder ob Sie vielleicht ein Antwortschreiben sogar insgesamt für entbehrlich halten. Nach dem Inhalt des Schreibens, das sich "once again" auf die Betonung der vollen Unterstützung für das Projekt "UPC" beschränkt, wird eine Reaktion vielleicht gar nicht erwartet..

Viele Grüße

i. A.

Klaus Schuster

Klaus Schuster
Referent

Referat III B 4
Bundesministerium der Justiz und
für Verbraucherschutz
Mohrenstraße 37, 10117 Berlin.
Telefon: (030) 18 580-[REDACTED]
Fax: (030) 18 580-[REDACTED]
E-Mail: [REDACTED]
Internet: www.bmjjv.de

-----Ursprüngliche Nachricht-----

Von: Goraj, Dagmar Anna Im Auftrag von MinB/MinKOR
Gesendet: Freitag, 9. März 2018 14:24
An: PG EU-Patent-EPG
Cc: EU-Koordination; GG UALIIIB
Betreff: WG: AmCham EU Letter to Minister Heiko Maas on Unified Patent Court

GG

zu: 9516 - 31 103/2018

Goraj
Ministerbüro

-----Ursprüngliche Nachricht-----

Von: Poststelle
Gesendet: Freitag, 9. März 2018 08:21
An: MinB/MinKOR
Betreff: WG: AmCham EU Letter to Minister Heiko Maas on Unified Patent Court

Von: Maika Fohrenbach [mailto:[mailto:\[REDACTED\]](#)]
Gesendet: Donnerstag, 8. März 2018 18:28
An: Stasch, Katharina
Cc: Poststelle
Betreff: AmCham EU Letter to Minister Heiko Maas on Unified Patent Court

Dear Minister,

Please find attached a letter from Susan Danger, CEO of the American Chamber of Commerce to the EU (AmCham EU), addressed to you and Minister Brigitte Zypries on the Unified Patent Court (UPC). A hard copy has been sent to your office today via postal services.

AmCham EU speaks for American companies committed to Europe on trade, investment and competitiveness issues. It aims to ensure a growth-orientated business and investment climate in Europe. AmCham EU facilitates the resolution of transatlantic issues that impact business and plays a role in creating better understanding of EU and US positions on business matters. Aggregate US investment in Europe totalled more than €2 trillion in 2017, directly supports more than 4.7 million jobs in Europe, and generates billions of euros annually in income, trade and research and development.

Thank you for your time and consideration. We remain available for any enquiry.

Sincerely yours,

Maika Föhrenbach

<http://bit.ly/2pePvLx> <<http://www.amchameu.eu/>>

Maika Fohrenbach

Policy Adviser

T +32 2 289 [REDACTED] • M +32 471 86 [REDACTED]

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American Chamber of Commerce to the EU <<http://www.amchameu.eu>>

Speaking for American business in Europe

Avenue des Arts/Kunstlaan 53, 1000 Brussels

European Transparency Register

<<http://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=5265780509-97>>

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<<http://www.amchameu.eu/node/7520>>



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If you have any questions or need additional information, please do not hesitate to contact us at any time.

Yours sincerely,

A rectangular area of the document has been completely redacted with a solid gray color, obscuring a handwritten signature.

Susan Danger
CEO
American Chamber of Commerce to the EU (AmCham EU)

BMJV
9516-31 103/2018

Berlin, 25. Mai 2018

Hausruf: [REDACTED]

F:\abt_3\g3338\1 [REDACTED]

Referat: III B 4- PG
Referatsleiter: Herr Karcher
Referent: Herr Schuster

Betreff: Einheitliches Patentgericht
hier: Ratifizierung des Übereinkommens über ein Einheitliches Patentgericht
Bezug: Schreiben der American Chamber of Commerce to the EU vom 6. März 2018

I. Vermerk:

Susan Danger (CEO der American Chamber of Commerce to the EU, AmCham EU) dankt mit Ihrem Schreiben vom 6. März 2018 dem Bundesministerium der Justiz und für Verbraucherschutz sowie dem Bundesministerium für Wirtschaft und Energie für die Unterstützung der Errichtung des Einheitlichen Patentgerichts. In dem Schreiben, das an den damaligen Minister der Justiz und für Verbraucherschutz Heiko Maas und die damalige Bundesministerin für Wirtschaft und Energie Brigitte Zypries gerichtet ist, versichert sie, AmCham EU sei sich der gegenwärtig schwierigen Situation vor dem Hintergrund der gegen das Vertragsgesetz zum Übereinkommen über ein Einheitliches Patentgericht gerichteten Verfassungsbeschwerde bewusst. Deshalb wolle AmCham EU erneut unterstreichen, dass man das Einheitliche Patentgericht uneingeschränkt unterstütze und dass einer zügigen Ratifizierung des Übereinkommens große Bedeutung zukomme. Bei Fragen oder Bedarf an zusätzlichen Informationen könne man AmCham EU jederzeit kontaktieren.

Das Ministerbüro hat keinen Antwortentwurf erbeten. Die Hausleitung von BMWi ist nach Mitteilung von Frau Dr. Mundt, Referat VID2, mit einer Antwort durch BMJV als ff. Ressort auch im Namen von BMWi einverstanden, hält sie aber nicht für erforderlich. Vor diesem

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Hintergrund soll von einem Antwortschreiben abgesehen werden, zumal AmCham EU ein solches nach dem Inhalt des Schreibens vom 6. März auch nicht erwartet.

II. Herrn Karcher

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III. z.d.A.

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