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Signing of the Unified Patent Court agreement

The international agreement for establishing a Unified Patent Court (UPC) was signed today in Brussels. It will ensure the uniform applicability of patent law throughout the territories of the signatory countries¹.

Opening the signing ceremony, Mr Richard Bruton, Irish minister for Jobs, Enterprise and Innovation, said : "The signing of the Unified Patent Court is a truly historic moment, as it will give enterprises greater access to patent protection at European level, and make enforcement of patents affordable. It is an important milestone in the continued development of the single market – a priority for the Irish Presidency".

The new court will avoid the occurrence of multiple court cases with regard to the same patent in different member states. This will also prevent contradictory court rulings on the same issues. It will also reduce costs of patent litigation.

The UPC will be a court common to the contracting member states and thus subject to the same obligations under Union law as any national court.

It is an international agreement concluded outside the EU institutional framework ([16351/12](#) + [COR 1](#)).

Following the signing of the agreement, the ratification process by national parliaments can start. At least 13 member states will have to ratify the agreement for it to enter into force.

¹ Bulgaria is expected to sign in the coming days once internal procedures have been completed. Poland and Spain did not sign the agreement. These member states can nevertheless still accede to the agreement at a later date.

P R E S S

All the necessary decisions (designation of committees, budget, appointment of judges and president, recruitment of staff, facilities, etc.) should be adopted in a timely manner so as to enable the first registration of a European patent title with unitary effect in spring 2014.

The Central Division of the Court of First Instance will be located in Paris (France) with specialised sections in London (United Kingdom) and Munich (Germany).

The UPC is the third element of the “patent package”. The two regulations establishing enhanced cooperation for unitary patent protection and its translation arrangements were adopted on 17 December 2012¹ (*see press release: [17824/12](#)*).

The establishment of a unitary patent system valid across the EU will contribute to an increase in patent activity, especially for small- and medium-sized enterprises. It will also contribute significantly to lowering the costs associated with obtaining a patent in the EU.

For more information see [Factsheet](#).

¹ The two regulations are published in the Official Journal of the EU L 361 of 31 December 2012:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:361:FULL:EN:PDF>