



**COUNCIL OF
THE EUROPEAN UNION**



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PRESSE 54

Council authorises enhanced cooperation on creation of unitary patent protection

The Council authorised the launch of an enhanced cooperation among EU member states for the creation of a unitary patent title ([5538/11](#) and [6524/11](#) and [6524/11 ADD1](#)).

The use of an enhanced cooperation has been requested by 25 out of 27 EU member states with the aim of establishing a single patent that will be valid across the territory of the participating member states. The European Parliament gave its consent for using this procedure on 15 February.

All EU member states except Italy and Spain are supportive to use enhanced cooperation. The main obstacle to agreeing by unanimity on the creation of an EU patent is the number of languages in which the future unitary patent will be valid, hence the recourse to the enhanced cooperation.

The language regime for the future unitary patent system would be based on the language regime of the European Patent Office (EPO), where the official languages are English, French and German.

The already existing European patent requires validation of the granted patent separately in each and every EPO member state, as well as a full translation of the patent in the official language(s) of that member state. The future unitary patent would be automatically valid throughout the territory of the EU member states participating in the enhanced cooperation in the (EPO) language in which it has been granted.

P R E S S

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The enhanced cooperation would remain open for non-participating countries, and access to the unitary patent on the territory of participating Member States would also be available to businesses from non-participating Member States.

For more information see:

[Background](#)
