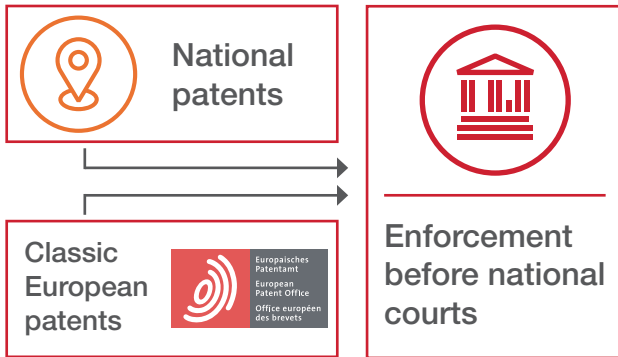


The Unified Patent Court: an opportunity to enforce patents all across the EU

Previously...

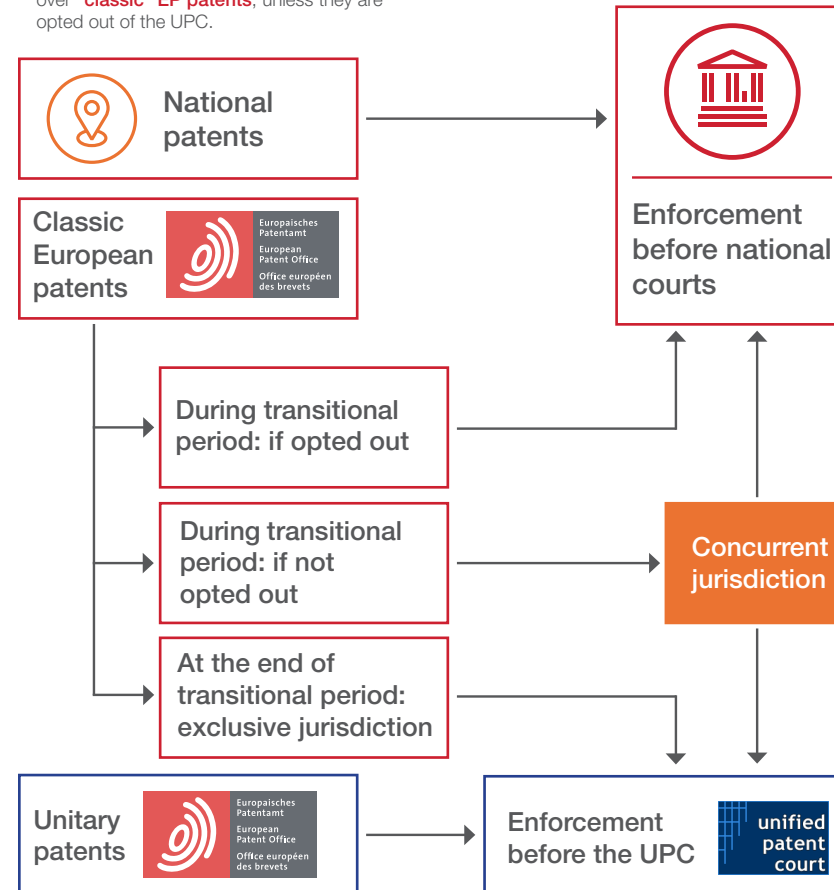
- A European (EP) patent could only be enforced or revoked before **national courts**.
- A decision of a national court only covered the part of the EP patent that concerned the relevant Member State.
- To enforce an EP patent in Europe, multiple national proceedings must be started.
- Only an opposition before the EPO could cover all parts of the EP patent at the same time, but the availability of these proceedings were time-limited (within nine months from the grant) and only concerned validity.



Key: EP : European | EPO: European Patent Office | UP: Unitary Patent | UPC: Unified Patent Court

Now...

- UP is subject to the **exclusive jurisdiction of the UPC** from the start date.
- At the end of the transitional period, all EP patents (whether with a unitary effect or not) will fall within the exclusive jurisdiction of the UPC.
- At the start, a **transitional period (seven years)** gives classic EP patent owners the option to choose between **national courts and the UPC**.
- An opposition before the EPO is still available.
- During the transitional period, the UPC and national courts have **concurrent jurisdiction** over **“classic” EP patents**, unless they are opted out of the UPC.



Main features

Centralising European patent disputes

- Cross-border injunctions and damages covering up to 24 countries in single court proceedings.
- Central revocation covering up to 24 countries.

Speed

- The UPC intends to be faster than most national courts (target: decision within 12 months).

Cost-efficiency

- One court fee.
- Only one set of legal costs.

Predictability

- UPC judges experienced nationally and with specialist training.
- The UPC system has not been tested yet.

Want to know more?



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