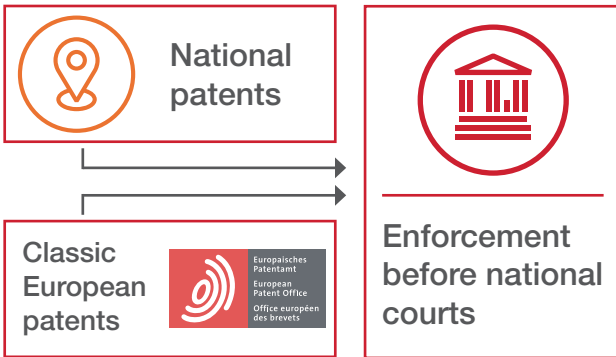


The Unified Patent Court: an opportunity to enforce patents all across the EU

Now...

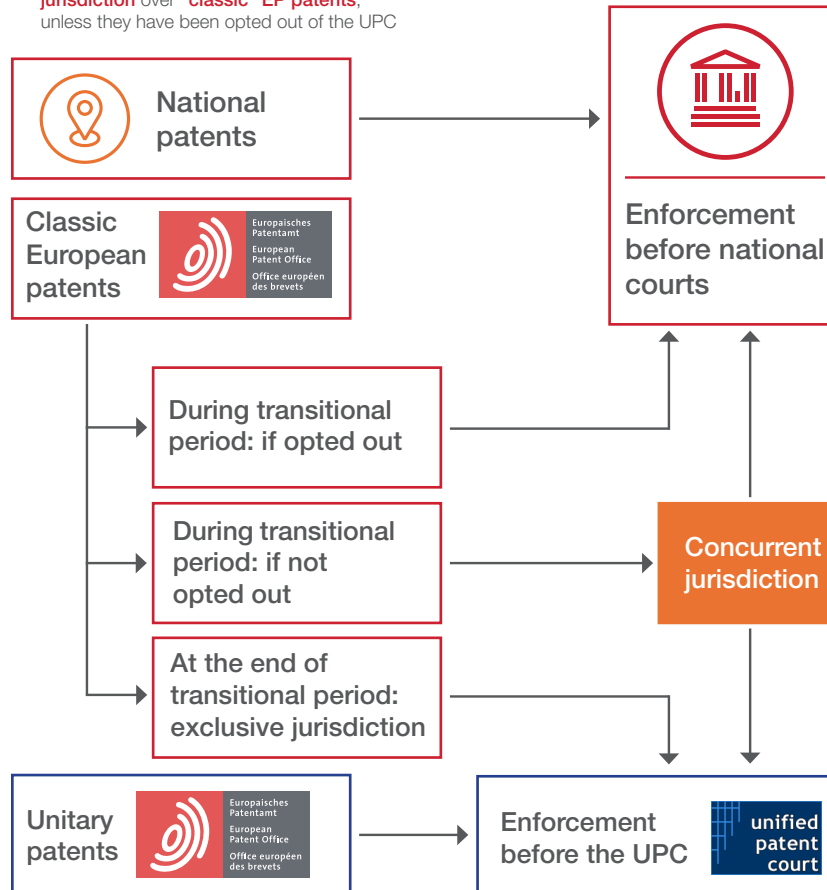
- A European (EP) patent can only be enforced or revoked before **national courts**
- A decision of a national court only covers the part of the EP patent that concerns the relevant Member State
- To enforce an EP patent in Europe, multiple national proceedings must be started
- Only an opposition before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



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

Going forward...

- UP will be 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 will have **concurrent jurisdiction** over "classic" EP patents, unless they have been 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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