

Single euro patent battle hits legal buffer

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The ruling comes just two days before 25 European Union states were to meet and go it alone with a single patent registered in English, French and German only -- leaving out Italy and Spain.

The European Court of Justice issued an "important legal notice" to state that a plan to underpin the desired cross-border [patent system](#) with a specially set-up European and Community Patent Court "is not compatible with the provisions of European Union law."

Italy and Spain object to a proposal first made in 2000 by the [European Commission](#), the EU's executive arm, making English, French and German the three official languages for a single European [patent](#), as a way to centralise the process and reduce translation costs.

Aimed at making it cheaper and easier for inventors to protect their work, a provision of the EU's Lisbon Treaty allows a group of states to go their own way -- something that has only been done once before, with a majority agreeing on how to judge cross-border divorce cases.

Under the current system [inventors](#) must acquire patents in individual countries, a process that can cost upwards of 20,000 euros (\$28,000) if anything beyond the major national markets is added, some two-thirds of which goes just on translation fees.

This compares to \$1,850 which investors spend to protect their work in the United States.

Italy and Spain had already said in advance of the ruling that they expected to challenge the "enhanced cooperation" plan in the courts.

The EU's current Hungarian chair and the European Commission said it was important to maintain the "momentum" of progress in resolving a row that stretches all the way back to the 1970s and 1980s, when the world's biggest tariff-free market -- how home to half a billion people and some 20 million companies -- was taking off.

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