

Three-city patent court gets nod from EU leaders

July 3 2012, by Nancy Owano



(Phys.org) -- A one-stop panEuropean patent court system with functions divided among three cities is now in the wings, bringing Europe a new day for a single European patent system. After a decision left dangling over arguments over which country should house the court, EU leaders reached their decision on Friday at a council meeting to just spread the activities among three European centers. In March last year, ministers from 25 member states made plans to introduce a common system for registering patents, without Spain and Italy, which opposed the plan.

As of Friday, the last outstanding issue, where would the seat of the Unified Patent [Court](#) be, was finally put to rest. UK, France and [Germany](#) will be the three court sites as announced at the summit of EU leaders in Brussels. Accordingly, London, Paris, and Munich are to serve

as the “unified” court’s three cities.

Paris has been proposed as the central division, the "seat." Specific areas of focus have been parceled out to London and Munich. The Paris court will be called the Court of First Instance of the Unified Patent Court, and its president will be French. French President François Hollande told a news conference there were no winners or losers. "What took place was a compromise." London will hear cases on chemistry including pharmaceuticals and life sciences. Munich will take on a focus on mechanical engineering.

While divided into three parts, the “unified” court is a one-stop shop for patents to be granted in a single place, in that the patent will be valid across 25 countries. This marks an important change as inventors will now be able to file for protection in 25 of the EU’s 27 states, reducing processing time and translation costs.

European proponents of a unified court have championed the idea of a single patent system as one of the most immediate steps the EU can take to step up innovation and alleviate business costs. The idea has also been promoted as a way to advance Europe closer to the front lines of global competition.

Michel Barnier, the EU's internal market and services commissioner, said that Europe is behind the United States and China in the number of patents granted and the new rules, once in place, will reassert Europe's competitiveness.

According to the European Patent Office, registration costs could be reduced, because inventors would avoid the need to register and defend their ideas in several countries and languages. Under the present system, European [patents](#) are filed in one nation but then granted separately by others, with fees and translations costs associated with each approval.

The European Parliament is expected to approve when it votes on Wednesday, July 4. The first “single patent” is expected to be registered in 2014.

Some critics protest that there may be big costs ahead, however, for small businesses who will have to travel to wherever the appropriate court is. What is more, there has always been a universal complaint heard in the U.S. and [Europe](#) that patent systems place low-budget inventors without ample resources to enter the fray of expensive and complex patent litigation at an unfair disadvantage.

As for the Friday announcement and anticipated Wednesday vote, though, many advocates of the unified court express similar hopes that the new court system will result in easier transactions and greater incentives for scientists.

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