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UPC ratification progresses in Finland

Jan Lindberg (Attorneys-at-Law TRUST) · Wednesday, September 9th, 2015

In February this year, the [Ministry of Employment and Economy](#) of Finland set up a Working Group to make preparations for the ratification of the Unified Patent Court Agreement (“UPC Agreement”). The resulting memorandum has now been published, including a draft for a Government Proposal, which covers actions to be taken for its implementation in Finland, as well as clarification as to how national legislation would need to be changed to make it compatible with the provisions of the UPC Agreement. It was proposed in the memorandum that the Parliament would ratify the Agreement. Following this, ratification is expected to take place by the end of 2015. The below quote is from the press release published by the Ministry of Employment and Economics on the matter:

“According to the proposal — provisions of the agreement that are of legislative nature shall be brought into force by an Act of the Finnish Parliament. The working group has also drafted necessary amendments to the Finnish legislation on patents, including the necessary measures for implementing the regulations governing the European patent with unitary effect. According to the proposal a new chapter would be added to the Patents Act. This chapter would include provisions on the European patent with unitary effect.”

The Agreement contains provisions on the scope and limitations to the exclusive right conferred by a patent. The relevant provisions in the Patents Act would be amended with a view on achieving uniformity with the provisions of the Agreement. The proposal also includes amendments to procedural legislation that clarify the division of competence between national courts and the Unified Patent Court as well as the necessary amendments to legislation on enforcement and criminal sanctions.”

The proposal of the Working Group can be found from: [here](#).

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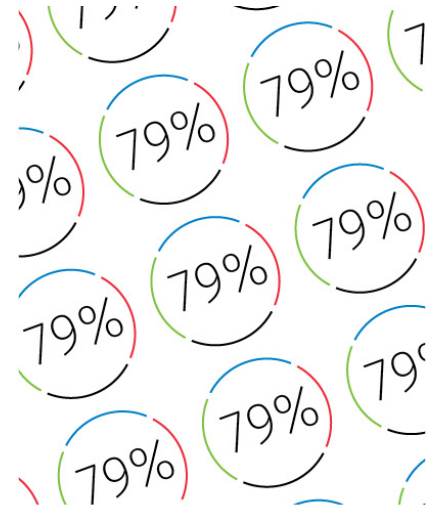
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