

Bulgaria ratifies the UPC Agreement

Kluwer Patent Blog

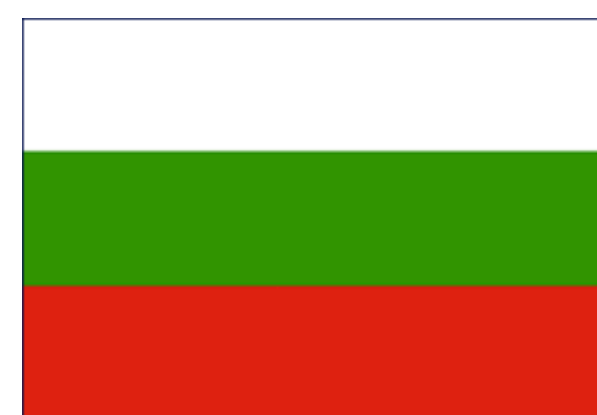
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Bulgaria has deposited its instrument of ratification of the Unified Patent Court Agreement at the Council of the European Union.

It is the tenth member state to complete the ratification process. The Bulgarian Parliament had ratified the UPCA at the start of April 2016. Earlier, Austria, Belgium, Denmark, Finland, France, Luxembourg, Malta, Portugal and Sweden had completed their ratifications.



In order for the new Unitary Patent and Unified Patent Court to start functioning, only the UK and Germany plus one more member state need to ratify the UPCA.

The UPC Agreement enters into force on the first day of the fourth month after at least 13 member states have deposited their instrument of ratification, including 'the three States in which the highest number of European patents was in force in the year preceding the year in which the signature of the Agreement takes place', that is Germany, France and the UK.

France ratified in 2014, both the UK and Germany have already prepared draft bills for the ratification and implementation of the Unitary Patent system; the German ratification will most likely be the one that is used for the proper timing of the system going live. A provisional period is envisaged to start later this year, with a view to the UPC opening its doors in the first half of 2017. However, this schedule would likely be upset if the UK votes to leave the EU in the Brexit referendum of 23 June 2016.

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