

Preparatory Committee Unified Patent Court starts new round of recruitment of judges

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Three years after the last recruitment campaign for legally and technically qualified judges of the Unified Patent Court, the UPC Preparatory Committee has launched a new round of recruitment for UPC judges. An announcement was published on the [website](#) of the Preparatory Committee (Prep Com) earlier today.

Kluwer IP Law understands the Preparatory Committee had to balance the continuing uncertainty about the future of the UP system, caused by the German complaint against the UPCA, against its ambition to allow for a fair and open process of the selection of judges.

Although there have been rumours and educated guesses that the German Federal Constitutional Court (FCC) is likely to decide about the German complaint later this year, Kluwer IP Law understands there is no link between this new recruitment campaign and (the timing of) the FCC's decision, but it is simply because three years have passed since the original campaign and the Prep Com want to allow those who may now be able to meet the criteria to put in an application.

In the meantime, the UPC logo was also updated today, to reflect the international court and present the UPC in three languages.



The recruitment period for judges will run for eight weeks and close at midnight on 29 July 2019. Interviews will only be held upon entry into force of the Protocol on Provisional Application (PPA, which will allow some parts of the UPCA to be applied provisionally) and subsequently the Agreement on the Unified Patent Court.

This is possible if the FCC throws out the complaint against German ratification of the UPCA, Germany completes the ratification of the UPCA and PPA, and one more member state signs or gives its support to the PPA.

The original timetable for recruitment of UPC judges was to complete interviews and make appointments early in 2017, but due to the Brexit referendum and the German Constitutional complaint of 2017 the entry into force of the Unitary Patent system and the Unified Patent Court has been delayed by years, and is still uncertain.

The Prep Com hopes to recruit 50 legally qualified and 50 technically qualified UPC judges, most of them part-timers. Candidate-judges who applied in 2016 have had the opportunity to update their c.v. in recent months and will not have to apply again.