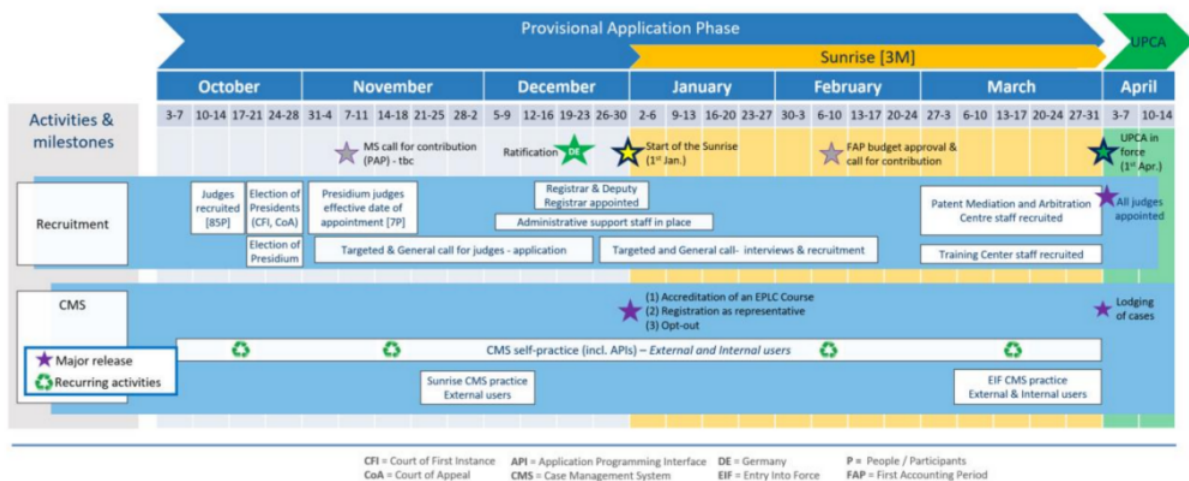


Kluwer Patent Blog

BREAKING: An official date! Unified Patent Court will open its doors on 1 April 2023

Kluwer Patent blogger · Friday, October 7th, 2022



The Unified Patent Court will finally become a reality, open its doors and start to receive cases from 1 April 2023. This is announced in the implementation roadmap, which was published yesterday by the UPC preparatory team and depicts all the key activities and milestones of the UPC in the coming months.

The [roadmap](#) also indicates the Sunrise period will start on 1 January 2023. The following 'Global milestones' are mentioned:

- MS call for contribution (PAP)- tbc: call for contribution request to UPC Member States for the Provisional Application Phase (PAP) if needed;
- Germany ratification: the deposit of the UPCA ratification instrument by Germany will trigger the Sunrise period (first day of the following month) and the entry into force of the UPCA (3 months after the start of the Sunrise period);
- Start of the Sunrise: the date of the start of the Sunrise period is expected to be January 1, 2023;
- FAP budget approval & call for contribution: first accounting period (FAP) budget approval by the Budget Committee and subsequent call for contribution to UPC Member States;
- Entry into force of the UPCA: entry into force of the UPCA and the opening of the Court from 1 April 2023.

Recruitment activities will be:

- Judges recruited: legally qualified judges (LQJ) and technically qualified judges (TQJ) are appointed in accordance with decision of the UPC Administrative Committee ;
- Election of Presidents (CFI, CoA): Presidents are elected under Article 13 and 14 of the Statute ;
- Election of Presidium: members of the Presidium are elected under Article 15 of the Statute. There will be four judges from the Court of First Instance (CFI), including the President of the CFI, and 3 judges from the Court of Appeal (CoA), including the President of the CoA;
- Presidents and other Presidium judges' effective date of appointment: judges elected to be part of the Presidium will be appointed as soon as possible to assume their administrative functions;
- Targeted & General call for judge's application: following the first recruitment phase, (1) a few positions remain to be filled and (2) preparations are made to increase the number of judges when it becomes necessary by creating a reserve list of LQJs. For these reasons there will be (1) a targeted and (2) a general call for judicial applications;
- Registrar and Deputy-Registrar appointed: Registrar and Deputy-Registrar are appointed by the Presidium and will start their activities preferably before the start of the Sunrise period;
- Administrative staff recruited: administrative staff at the different divisions and at the seat are recruited to start their training and their activities;
- Targeted and General interviews: interviews for both round of calls;
- Appointment of selected judges: additional judges will be appointed to start their activities as from the opening of the court (or to be placed on the reserve list as applicable);
- Patent Mediation and Arbitration Centre staff recruited;
- Training Center staff recruited;
- All judges' effective date of appointment: all judges that are not part of the Presidium will be appointed and will start their activities from the entry into force of the UPCA.

Case Management System activities and milestones:

- CMS self-practice: users have the possibility to use and practice the CMS on their own. In case of questions or issues, the UPC is offering a limited support. It is important to point out that the CMS system available is not a production one and therefore no real data or documents should be entered into the CMS;
- Sunrise CMS practice: period during which the CMS system will be accessible to the public with the same functions as from the start of the Sunrise. The system will be cleaned so that users can validate or verify their ability to properly use the system. UPC teams will provide a level of support to the best of their capacities. It is important to point out that the CMS system available is not a production one and therefore no real data or documents should be entered into the CMS;
- Sunrise functionalities open: the Case Management System will be open in production to allow users to register as representatives and to opt-out their patents (manually or through APIs);
- EIF CMS practice: period where the CMS system will be accessible to the public with the same functions as for the entry into force. The system will be cleaned so that users can validate or verify their ability to properly use the system. UPC teams will provide a level of support and interactions to the best of their capacities. It is important to point out that the CMS system available is not a production one and therefore no real data or documents should be entered into the CMS;
- EIF functionalities open: the CMS used for the Sunrise period will be upgraded with "entry into force" functionalities. From 1 April 2023, users will have the possibility to lodge their cases within the Court system.

The UPC can be contacted for any questions [here](#).

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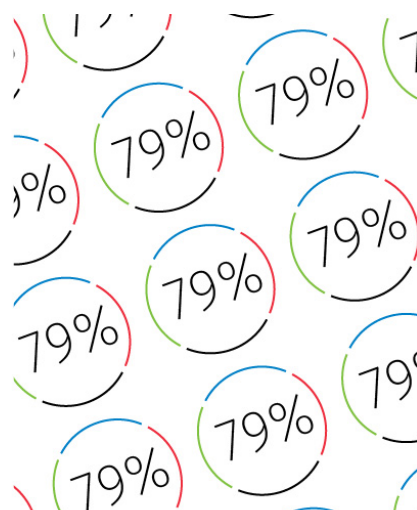
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