

# Kluwer Patent Blog

## Germany starts ratification procedure Unified Patent Court Agreement

Kluwer Patent blogger · Tuesday, June 14th, 2016

The German ratification proceedings concerning the Agreement on a Unified Patent Court (UPCA) have been formally started.

According to German Rechtsanwalt Dr. Ingeve Stjerna, the first hearing on the UPCA is [planned](#) to be held in the German Parliament on the evening (21:40) of 23 June 2016. Remarkably this is exactly the date that the Brexit referendum in the UK will be held – the outcome of which is seen as crucial for the future of the Unitary Patent system and the UPC.

This first of three hearings is usually of a more formal nature in that the matter will usually not be debated in substance, but will be passed on to Parliamentary Committees for a more detailed assessment. After that assessment has been concluded, the second and third hearings will be scheduled, then probably involving a broader debate of the matter in the Plenary, and usually followed by the official vote on the adoption of the legislative proposal.



The German Parliament will have its last session week before the summer break between 4 and 8 July 2016, the next ordinary session after that time will be on 5 September 2016. It is unclear how quickly the Parliamentary Committee(s) will deal with the matter once it has been directed to them. Once the German Parliament has adopted the UPCA, this decision will also have to be approved by the second legislative chamber, the Bundesrat, the last session of which before the summer break is scheduled for 8 July 2016.

[A draft bill on the ratification of the Unified Patent Court \(UPC\) Agreement](#) and [a draft bill to implement the Unitary Patent \(UP\) system](#) at the national level were presented by the Federal Ministry of Justice of Germany in February.

Germany, France and the UK and 10 other member states must ratify the UPCA before it can enter into force. If the UK were to leave the EU, it would be replaced by Italy, but the start of the UP system would likely be delayed. So far, [10 member states have completed the ratification formalities](#): France, Austria, Belgium, Bulgaria, Denmark, Finland, Luxembourg, Malta, Portugal

and Sweden.

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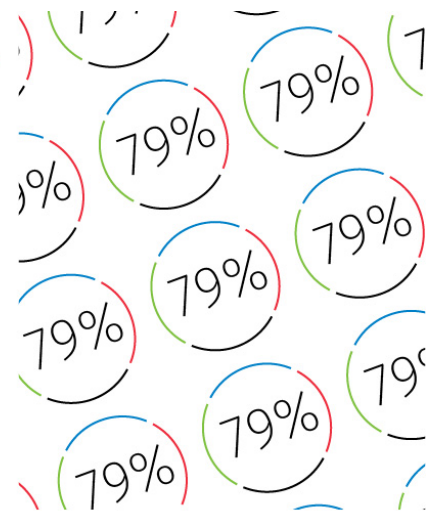
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