

# Kluwer Patent Blog

## Dutch Parliament ratifies Unified Patent Court Agreement

Kluwer Patent blogger · Tuesday, June 28th, 2016

The Senate or ‘Eerste Kamer’ of the Parliament in the Netherlands [approved](#) the Unified Patent Agreement on 28 June 2016 without discussion. Two weeks ago, the Dutch Second Chamber, ‘Tweede Kamer’, had already ratified the UPCA.

It isn’t clear when the Netherlands will complete the formal procedure by depositing its instrument of ratification with the General Secretariat of the Council of the EU. The Netherlands is the 11th state to ratify the UPCA. Earlier, Austria, Belgium, Bulgaria, Denmark, Finland, France, Luxembourg, Malta, Portugal and Sweden [ratified](#) the UPCA.



The [UPCA](#) will enter into force (art 89) ‘on the first day of the fourth month after the deposit of the thirteenth instrument of ratification or accession in accordance with Article 84, including the three Member States in which the highest number of European patents had effect in the year preceding the year in which the signature of the Agreement takes place’.

Currently, these three Member States are France, Germany and the UK. France ratified in 2014, Germany is expected to ratify later this year. As to the UK, the situation is unclear since the Brexit vote of 23 June 2016. If the UK leaves the EU, it cannot be a Member State of the Unitary Patent system, [unless a way is found to solve this](#).

Asked for comment on the Brexit vote by Kluwer IP Law, chairman Alexander Ramsey of the UPC Preparatory Committee said: ‘The outcome of the British referendum has got the potential to influence our project. In what way and to what extent is still difficult to foresee. What is clear is that the preparations will continue towards the goal of establishing the jurisdiction and the Preparatory Committee aims at concluding its work by early October. If any adjustments should be necessary to what has previously has been communicated this will be done in due course.’

Earlier, the Preparatory Committee had announced it wanted to conclude its work by the summer. According to Alexander Ramsey, there is no delay as a consequence of the Brexit. ‘We can more or less conclude on Thursday 30 June, but there are a few things that we will need to deal with at a last meeting, 10 October 2016.’

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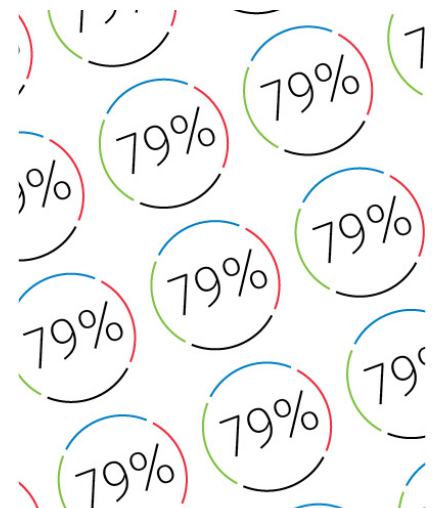
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