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Appointment judges Unified Patent Court postponed

Kluwer Patent blogger · Thursday, October 20th, 2016

The recruitment procedure for judges of the Unified Patent Court has been suspended until more is known about the consequences of the UK's Brexit vote for the Unitary Patent system.

Earlier this week, the [UPC Preparatory Committee](#) announced the first round of selection of candidates has continued despite the Brexit vote, but 'the commencement of the next phase which would include calling candidates for interview' has been postponed. 'The current timetable is being revisited in the light of the result of the referendum in the UK, which will to some extent delay the entry into operation of the UPC.'

According to a [Bristows report](#), 840 applications for legal or technical judge have been filed with the UPC's Preparatory Committee. Up to 280 applicants were scheduled to be interviewed, with a view to appointing '45 legal and 50 technical judges in permanent positions (with another 45 legal and 50 technical to be designated as 'reserve' judges) by the first months of 2017.'



The postponement of the appointment of judges and, earlier this month, of the [time plan for setting up the Unitary Patent system](#) are logical steps because of the great uncertainties created by the UK's vote to leave the European Union. The Unitary Patent system cannot enter into force as long as the UK has not ratified the UPC Agreement, but it is highly uncertain whether it is still willing to do this.



In the meantime, the postponement contrasts with the speed at which ratifications of the UPC Agreement have been coming in lately. The Netherlands ratified on 14 September, Slovenia is expected to deposit its instrument of ratification with the EU Council soon, and Italy seems to be heading for fast ratification too. The Italian Senate **ratified the UPC Agreement Bill** on 18 October, whereas the Lower House had already passed the bill on 14 September. According to Alexander

Ramsey, chairman of the UPC Preparatory Committee, several other member states are 'in a position to be able to ratify by January 2017'.

More preparations for the UPC, such as the work on the IT-system and the judicial and staff regulations, have been **going on as planned**. A consolidated version of the Rules of Procedure of

the future court will be published shortly.

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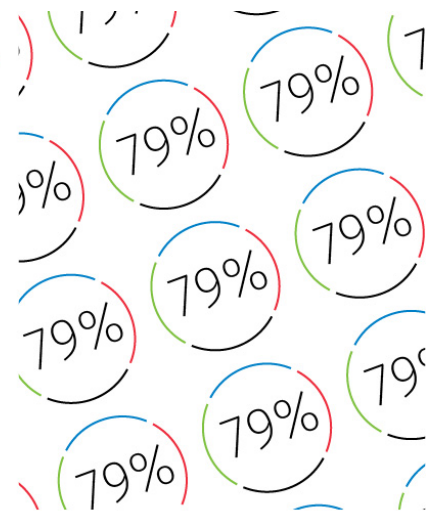
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