

Kluwer Patent Blog

UK intends to ratify Unified Patent Court Agreement

Kluwer Patent blogger · Monday, November 28th, 2016

(UPDATED) Despite the Brexit vote and in a move which ends months of uncertainty about the future of the Unitary Patent system, the UK has announced it intends to ratify the Unified Patent Court Agreement.

UK Minister of State for Intellectual Property, Baroness Neville Rolfe, made a statement on behalf of the UK government during the EU Competitiveness Council today in Brussels.



Soon after, a [press release was published](#): ‘UK signals green light to Unified Patent Court Agreement’

According to the press release, *‘the UK government has confirmed it is proceeding with preparations to ratify the Unified Patent Court Agreement. (...) The court will make it easier for British businesses to protect their ideas and inventions from being illegally copied by companies in other countries.*

UK Minister of State for Intellectual Property, Baroness Neville Rolfe said: The new system will provide an option for businesses that need to protect their inventions across Europe. The UK has been working with partners in Europe to develop this option.

As the Prime Minister has said, for as long as we are members of the EU, the UK will continue to play a full and active role. We will seek the best deal possible as we negotiate a new agreement with the European Union. We want that deal to reflect the kind of mature, cooperative relationship that close friends and allies enjoy. We want it to involve free trade, in goods and services. We want it to give British companies the maximum freedom to trade with and operate in the Single Market – and let European businesses do the same in the UK.

But the decision to proceed with ratification should not be seen as pre-empting the UK’s objectives or position in the forthcoming negotiations with the EU.

Following the announcement today, the UK will continue with preparations for ratification over the coming months. It will be working with the Preparatory Committee to bring the Unified Patent Court (UPC) into operation as soon as possible.'

The announcement in Brussels means that an end has come to a period of the uncertainty about the future of the Unitary Patent system, due to the Brexit vote of 23 June 2016. The UK is one of the mandatory ratifiers of the UPC Agreement, but it wasn't clear at all whether it would still be willing to ratify after the vote for a less European UK.

Apart from the UK, only Germany still has to ratify the UPCA, before the Unitary Patent system can start functioning. The parliaments in both countries have already started the ratification procedures.

Originally the intention was for the UP system to start functioning by Spring 2017. It isn't clear whether this is still feasible, but there won't be enormous delays now, as was feared in patent circles.

UPDATE 29/11/16:

The UPC Preparatory Committee and the EPO have reacted to the British decision. According to the [Preparatory Committee](#), *'It has always been the Committee's preferred option to move forward in a way which includes the UK and I am delighted to report that at today's Competitiveness Council in Brussels the UK indeed confirmed that it is proceeding with preparations to ratify the Unified Patent Court Agreement (UPCA). This is much welcome news. It will allow the Committee to pick up pace on all fronts, in particular, facilitate the planning of when we can expect to have the required number of ratifications to allow the Agreement to enter into force.'*

The Committee is aware of the need for business to prepare for the start of the new patent system. This need is taken seriously by the Committee and in order to facilitate such predictability a revised roadmap will be published on this website as soon as possible.'

[EPO President Benoît Battistelli](#) said: *'This important news from the UK government means that the long-awaited court is soon to be realised. Users, especially SMEs, have been waiting for the creation of a simpler patent system for Europe, and their relief is palpable. The way is now clear for the last few ratifications to take place in the coming months, and the new court to start work soon after. The UPC will provide a single forum for all participating states delivering faster enforcement actions and harmonised judicial decisions.'*

For regular updates on the Unitary Patent and the Unified Patent Court, subscribe to this blog and the free [Kluwer IP Law Newsletter](#).

To make sure you do not miss out on regular updates from the Kluwer Patent Blog, please subscribe [here](#).

Kluwer IP Law

The **2022 Future Ready Lawyer survey** showed that 79% of lawyers think that the importance of legal technology will increase for next year. With Kluwer IP Law you can navigate the increasingly global practice of IP law with specialized, local and cross-border information and tools from every preferred location. Are you, as an IP professional, ready for the future?

Learn how **Kluwer IP Law** can support you.

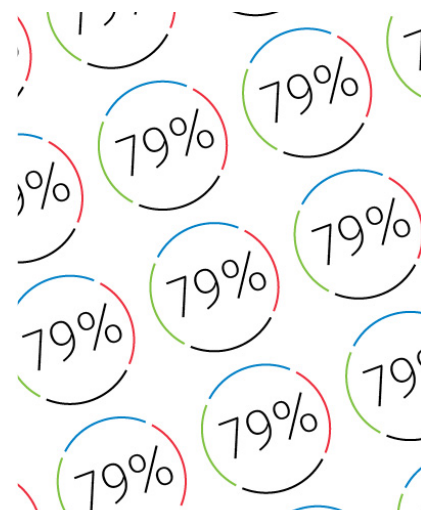
79% of the lawyers think that the importance of legal technology will increase for next year.

Drive change with Kluwer IP Law.

The master resource for Intellectual Property rights and registration.



Wolters Kluwer



2022 SURVEY REPORT
The Wolters Kluwer Future Ready Lawyer
Leading change

This entry was posted on Monday, November 28th, 2016 at 5:42 pm and is filed under [Brexit](#), [European Union](#), [Unitary Patent](#), [United Kingdom](#), [UPC](#)

You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. Both comments and pings are currently closed.