

# Kluwer Patent Blog

## Unified Patent Court will become operational in December 2017

Kluwer Patent blogger · Monday, January 16th, 2017

The Preparatory Committee for the Unified Patent Court (UPC) expects the court to become operational in December of this year, with the Provisional Application Phase (PAP) starting by the end of spring 2017, probably in May.

This has been announced on the committee's [website](#).



According to the announcement, ‘the start of the sunrise-period for the possibility to opt out European patents is now planned for early September 2017 which will provide a minimum of 3 months for patent holders who wish to opt out their patents to do so before the Court becomes operational.’

The Preparatory Committee stresses: ‘The above timetable is conditional and provided with the clear disclaimer that there are a number of factors that will dictate whether it is achievable. The most important factors in meeting these dates is the necessary ratifications of the UPCA and accession to the Protocol on Provisional Application. If these are not achieved the time-plan will be disrupted.’ This refers to the UK and Germany, among others. Ratification by both states is required for the UPCA to enter into force. Their ratifications are expected this spring; all eyes are on the UK especially, as its government has announced it will push for ratification despite the Brexit vote, but Parliament has of course a final say in this.

During the PAP, the UPC will be formally established, including the start of operation of the UPC’s governing bodies. ‘It will also mean that judicial interviews can begin and appointments eventually confirmed.’

A final meeting of the Preparatory Committee will be held in early March 2017. ‘Those who have applied for judicial appointments will be contacted separately’, according to the announcement.

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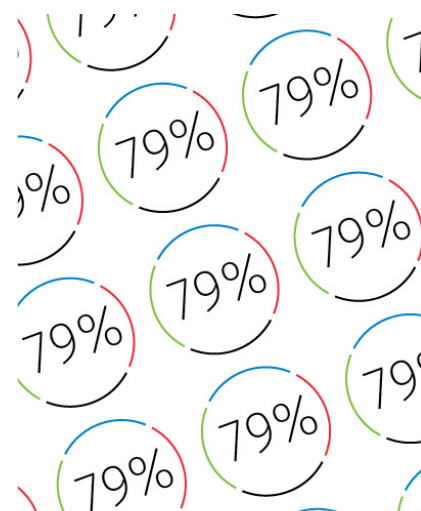
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This entry was posted on Monday, January 16th, 2017 at 12:15 pm and is filed under [European Union](#), [Unitary Patent](#), [UPC](#)

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