

Kluwer Patent Blog

Chairman UPC Preparatory Committee reflects on progress and future of Unitary Patent project

Kluwer Patent blogger · Wednesday, December 18th, 2019

After a year of stagnation concerning the Unitary Patent project, chairman Alexander Ramsay of the UPC Preparatory Committee has published a [year end message](#) on the committee's website.

The message makes clear that despite the expected and unexpected “hurdles” of the Brexit and the German constitutional complaint against the ratification of the UPCA, which “call for the greatest patience and resilience”, the preparations for the Unified Patent Court have continued.



Ramsay: “By far the biggest exercise my team oversaw this year was the [top-up recruitment campaign](#) in the summer. I am confident that we have given equal opportunity to those who wish to be part of the UPC, a further occasion to present their qualifications and apply for a judicial position. Until we enter the provisional application phase we will not be contacting any candidates, but I thank them for their support and patience.”

Apart from the recruitment campaign, the committee has “continued with our workshops involving participants from Signatory States. Building on those previously held in Luxembourg and Munich, earlier this year we held our third workshop in Milan and my team are preparing our fourth in The Netherlands in January 2020. These workshops are invaluable to bring together operational staff ensuring the foundations of training and awareness are in place.

Another area where a lot of effort has been expended is the case management system. I am proud of the team's achievement of ensuring all major functionalities have now been implemented and the configuration for the sunrise period is ready. The team have also conducted an accessibility impact analysis of the system and over 80 modifications and improvements have been agreed. The team will now look to review and improve the UPC website.”

In his message, Ramsay also refers to the recent [JUVE interview](#) about the future of the UPC project, in which he said he thinks that in case of a dismissal of the complaint against the UPCA ratification, “it would be realistic to expect the UPC to be operational in early 2021”, at least if the “German government then takes the decision to proceed with its ratification of the protocol on provisional application immediately (...) [which] will run for at least eight months.” (see also the [report on this blog](#))

Ramsay's optimism was questioned among others [on this blog](#) by patent attorney Thorsten Bausch,

who concluded that because of Brexit complications and the German constitutional complaint “I must continue to pour some water in the wine of the notorious optimists and proponents of the soon-to-become-reality UPCA”. He also wrote: “JuVe’s punchy headline “wheels in motion for the UPC” may very well be premature by a few years, even if one ignores for a moment the astonishing fact that quite a lot of the UPC supporters seem to be pretty certain how the Federal Constitutional Court will decide on this appeal. I find this a bit patronizing and tend more towards an open wait-and-see attitude.”

Alexander Ramsey however, remains confident things will turn out for the best, although his message sounds somewhat more cautious and vague than in the JUVE interview: “I will continue to work toward a solution and I know I have the best possible team to help me do that. I want to take this opportunity to thank the much wider stakeholder community who follow the Unified Patent Court and its progress. It has been a long road, one with many speed ramps, nonetheless I am confident that when the time is right we can progress with necessary speed.”

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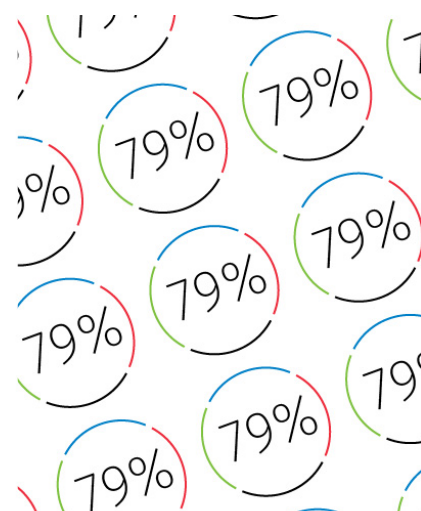
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