

Kluwer Patent Blog

Preparatory Committee: Unified Patent Court an important step closer

Kluwer Patent blogger · Thursday, November 26th, 2020

The UPC Preparatory Committee has reacted with enthusiasm to the approval in the German Bundestag of the ratification legislation for the Unified Patent Court Agreement.

In an announcement on its website the Committee writes: “The goal of bringing the Unified Patent Court into operation moves an important step closer this evening with the news from Germany that the Bundestag has voted on and approved the legislation for the Agreement on the Unified Patent Court and its Protocol on the provisional application. The approval was given by a majority of over two-thirds of the Bundestag’s members, a requirement which had been set by the Federal Constitutional Court in its decision published 20 March of this year declaring the earlier legislation passed in 2017 void. After Thursday’s vote by the Bundestag the next step is for the bill to be presented to the Bundesrat for a second time in the procedure for a final vote which is expected to take place on 18 December 2020.



As well as a positive conclusion of the procedure in Germany, a further two Signatory States need to agree to be bound by the Protocol on Provisional Application in order for the project to move into its final phase.

In the meantime, the work of the Preparatory Committee and its interim team in charge of the detailed planning continues. A timeline and a more detailed plan for the start and execution of the Provisional Application Period will in due course be published on this website.”

Less than an hour after the Bundestag vote, the Foundation for a Free Information Infrastructure (FFII) issued a press release calling for “[donations against Unitary Software Patent Trolls after disastrous Bundestag vote](#)” to crowdfund a new constitutional complaint before the German Federal Constitutional Court, against what it calls “the third attempt to impose software patents in Europe, via the Unified Patent Court (UPC)”.

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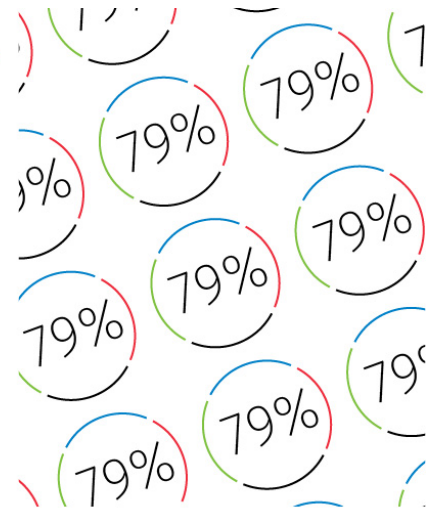
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