

Kluwer Patent Blog

New CMS Unified Patent Court starts functioning next month

Kluwer Patent blogger · Tuesday, August 30th, 2022

The Unified Patent Court has announced a ‘major milestone’ in the implementation of the Case Management System (CMS).



Starting mid or end of September, the CMS login process will be based on a strong authentication scheme. According to a [report on the UPC’s website](#), ‘an electronic IDentification certificate (compliant with EU Regulation No. 910/2014, also called “eIDAS”) will be required instead of the current account + password system. The new eIDAS-compliant authentication scheme will provide the highest level of security in accessing the CMS, while the use of a qualified electronic signature will be required to electronically sign legal UPC documents.’”

The UPC points out that a physical secure device – a smart card or USB token – will be needed. This must be acquired from one of the authorized providers, which can be found on the [EU Trust Services portal](#).

A specific enrollment procedure will be available, as well as a [test page](#) in order to check the authentication certificate.

The preparations for the Unified Patent Court, for which an opening date of March 2023 has regularly been mentioned, are continuing. Last month, the UPC [published a consolidated English version of the Rules of Procedure on its website](#). A consolidated version in French and German should become available before the Rules’ entry into force on 1 September.

The recruitment of UPC judges is also on track. According to [JUVE Patent](#), several candidates ‘have received letters confirming their ascension to the court’s judicial system. Unsuccessful candidates are also being informed.’

German challenge

And finally some news which broke earlier this summer: the German Federal Constitutional Court has [formally dismissed and closed the second round of constitutional complaints against the UPC system](#), which had been lodged by Düsseldorf lawyer Björn Ingve Stjerna and, probably, the Foundation for a Free Information Infrastructure (FFII), its president Benjamin Henrion and an unknown company. It was a formality after the FCC had already rejected two applications for an

interim injunction against the UPCA ratification bills last year.

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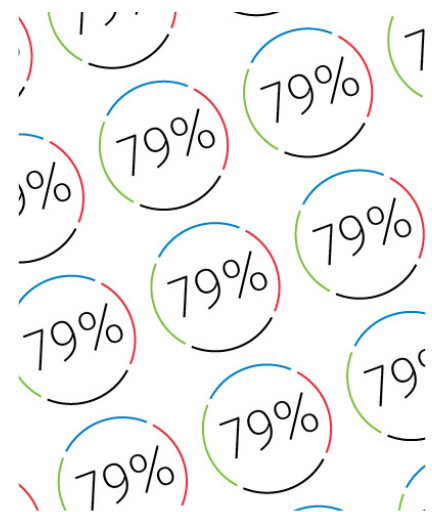
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