

Kluwer Patent Blog

Administrative Committee confirms Unified Patent Court will open doors on 1 June 2023

Kluwer Patent blogger · Tuesday, February 14th, 2023

The start date for the Unified Patent Court remains 1 June 2023. This has been confirmed to Kluwer IP Law by Johannes Karcher, acting chairman of the Administrative Committee.

The decision was made by the UPC member states last week at a meeting of the Administrative Committee in Luxembourg. Due to problems with accessing the UPC's CMS, based on a strong authentication scheme, the opening of the court had earlier been postponed for two months. But apparently there is confidence now that this issue has been solved. Last Friday, the UPC published a [user guide on how to create a new account](#) to access the CMS using the strong authentication.



If the court is to open in June, it means that Germany will have to complete the UPCA ratification procedure and deposit its instrument of ratification with the secretariat of the European Council this month. No information has been shared about an exact date. The UPCA enters into force on the first day of the fourth month after the deposit of the thirteenth instrument of ratification (art. 89 UPCA).

Johannes Karcher declined to comment on a [JUVE Patent report](#) last week, that 'UPC states have agreed on Milan as the third seat of the Central Division. Several well-informed sources have reported that the states gave the go-ahead to Milan on Wednesday and that this is to become effective at the UPC start date. Milan is currently the only contender to succeed the former London divisions and, according to JUVE Patent information, has the support of Germany, among others.'

Training activities

Last week the court also published an update on training activities. 'A first training, which took place in Budapest from 17 to 21 January 2023, was dedicated to appointed judges of the Court (see also news [here](#)). With the participation of 82 judges, including the Presidium, as well as the newly appointed Registrar and Deputy-Registrar, this intensive five-day event provided an excellent opportunity for a first general meeting and exchange.

The focus of the training – organized in collaboration with the European Patent Academy and with the support of the Hungarian Intellectual Property Office – was on the Rules of Procedure (RoP), with panel presentations and group discussions on the common approach of the Court, cooperation among legally and technically qualified judges, and a presentation of the case management system (CMS). Panel speakers included senior judges of the Court with extensive patent experience, as well as senior litigators and members of the RoP Drafting Committee. The last two days of the training took the form of a mock trial.

A further training, focusing on the internal rules and practice of the Court, took place from 31 January until 2 February 2023, also in Budapest. With the participation of around 50 staff members from various divisions of the Court and with functions ranging from clerk, to IT expert, this training provided a solid overview of various procedural rules and of CMS-related proceedings, which were presented by experts and judges of the Court.’

At the end of February and early March more training will be held, focusing on the functioning of the Court’s CMS.

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