

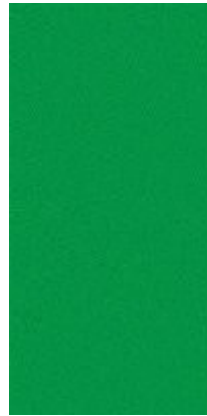
Kluwer Patent Blog

BREAKING: Milan will get seat central division Unified Patent Court

Kluwer Patent blogger · Thursday, May 18th, 2023

The Italian Government has agreed with France and Germany to set up a branch of the central division of the Unified Patent Court in Milan.

This has been announced by the Italian ministry of foreign affairs and international cooperation. According to a press release, the agreement will be submitted to the other UP member states during the next meeting of the Administrative Committee to be formalized.



According to a [press release](#), the agreement is an important result for Italy and for the Lombard capital, the result of a political choice by the UP member states and intense political and diplomatic action by Italy. ‘The Milanese section will judge important Unitary Patent disputes from all European countries that are participating in the Unified Patent Court, in sectors relevant to the Italian entrepreneurial system. The founding treaty initially envisaged three offices. Italy immediately posed forcefully the need to ensure that a third office could be established and nominated Milan, one of the main European hubs in innovation and intellectual property.

This initiative, in the absence of indications and automatism in the UPCA, was accepted by the European partners, in particular by France and Germany.

In recent weeks, the Government, in agreement with the local authorities, has been completing the legal and operational procedures so the seat can be set up and operational in one year. The member states of the UPCA have recognized the strengths and objective reasons in support of Milan’s candidacy.’

Remarkably, the press release doesn’t say anything about the competencies the Milan seat of the UPC central division will have. [Earlier, it had become clear that there was an agreement that Milan could replace London at seat of the central division](#), but only if it was willing to leave a considerable share of the London competencies to Munich and Paris. Munich claimed the

chemistry and metallurgy cases and Paris wanted jurisdiction over pharmaceutical patents with SPCs – at least 90% of the drugs that have been successful on the market. In Italy this was repeatedly qualified as **unacceptable**.

Two days ago, the Unified Patent Court announced that when the court opens its doors on 1 June 2023, competencies which were originally assigned to the London seat of the UPC central division – but had to be reallocated due to the Brexit, would provisionally be divided between Munich and Paris, until a final decision was taken on the creation of another section of the central division.

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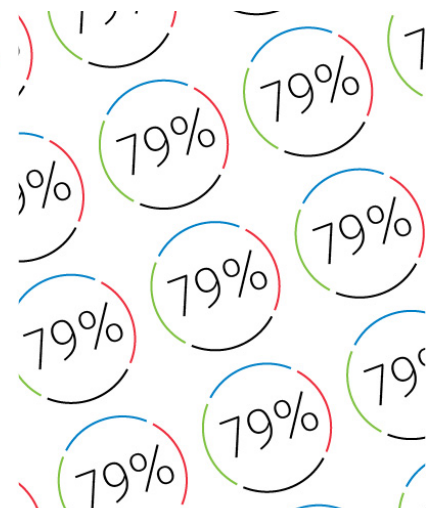
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