

# Kluwer Patent Blog

## Italy, France, Germany agree on competences central division seats Unified Patent Court

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**Italy, France and Germany have agreed on and proposed a division of the competences that were originally designated to London, between the three seats of the UPC central division in Milan, Paris and Munich. Milan could start taking cases around July next year.**



According to the proposal of the three member states, Milan will be competent for IPC Section A patents (human necessities), the Munich section also be competent for IPC Section C patents (chemistry and metallurgy) and the Paris seat for SPCs from Sections A and C. In other words, it looks like the competences will be divided as rumoured over the last months. Organizations in Italy had earlier qualified this division as ‘unacceptable’, but

apparently Milan and Italy have given in.

Italy, France and Germany presented the ‘outcome of their trilateral discussions regarding a permanent solution on Article 7 (2) UPCA and Annex II of the Agreement in which the reference to London has become obsolete after Brexit’ during a meeting of the Administrative Committee on 2 June 2023.

According to the UPC, ‘Member States will meet again on 26 June with the view to taking a decision. Such a decision based on Article 87 (2) UPCA could already be effective after 12 months. Provisionally, until a final solution is implemented, the allocation of cases to the Paris seat and Munich section is governed by the decision of the Presidium of 8 May 2023.’

### **Additional technically qualified judges appointed**

The UPC also announced that the member states, ‘on the basis of the opinion of the Advisory Committee, agreed unanimously on a list of most suitable candidates for appointment as Technically Qualified Judge (TQJ). Altogether around 20 additional TQJ will be offered a position as a part time TQJ. Also, around two dozen Legally Qualified Judges (LQJ) have been selected to further build the “reserve list” of the UPC. Additions in both areas will be considered later this year on an opinion by the Advisory Committee. The measures are intended to reinforce the capacity of the Court already from the early days of its work.’

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