

## **Cantor Colburn Client Alert: EU Unified Patent Court Reaches Milestone toward Establishment**

Finally... work begins on the Unified Court. Most recently, 13 member states of the European Patent Convention adopted a treaty to implement a Unified Patent Court. The Court is now a legal entity and can hire judges and make the necessary preparations to start the Unitary Patent System, this process is expected to take about eight months, allowing the Court to begin operation later this year or early next year. Once the Court is in operation, applicants having a patent granted by the European Patent Office will have a choice of validating their patent in individual countries or of receiving a European Unitary Patent.

The Unitary Patent System will allow patent applicants to secure a Unitary Patent that is valid in all of the participating European Union (EU) member states. At launch, it is expected that at least 17 EU member states will be participating. This option is especially helpful for many patent applicants that are unsure of whether and where to validate a European patent. Further, depending on in how many countries the applicant typically validates their European patents, there may be a significant reduction in annuity fees. The Unitary Patent may also reduce litigation costs since only a single litigation needs to be performed that covers all the participating EU member states, rather requiring separate litigation actions in each EU member state.

For existing patents that are granted in Europe, it is expected that there will be an opt-in period where existing patents in individual EU member states can be converted into a Unitary Patent.

### **For Further Information and Assistance**

For more information on how the establishment of the Unitary Patent System can benefit your patent filing strategy, please contact us. Contact David Bomzer, at [dbomzer@cantorcolburn.com](mailto:dbomzer@cantorcolburn.com) and +1 (860) 286-2929, ext. 1317 or your Cantor Colburn attorney with any questions you may have regarding this matter and your IP in general.

***Please note that each situation has its own unique circumstances and ramifications. This Client Alert is for informational purposes only and is not legal advice.***