

New version Rules of Procedure Unified Patent Court available

Kluwer Patent Blog

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The Preparatory Committee for the Unified Patent Court has published a new version of the draft Rules of Procedure.

According to the Committee, the draft 'is yet to come under scrutiny by the European Commission on the compatibility of the Rules of Procedure with Union law and will be subject to formal adoption by the UPC Administrative Committee (...) during Provisional Application.'

The newest version of the Rules of Procedure includes some minor amendments, which were agreed on during the Committee's meeting of 15 March 2017.

The provisional application period of the UPC is scheduled to start at the end of May, but this depends on 'a few more Signatory States acceding to the provisional protocol on Provisional Application (PPA)'.



In the UK, parliamentary approval for all elements of the Unitary Patent system (PPA, UPCA and the Protocol on Privileges and Immunities) is expected after the Easter recess. In Germany, both chambers of Parliament have already given their approval to both PPA and UPCA. The Preparatory Committee expects Greece to ratify after Easter as well. If this is the case, ratification by just one more member state is needed, according to Eileen Tottle, head of the secretariat of the Committee.

The start of the sunrise period, in which patents can be opted out of the jurisdiction of the UPC, is scheduled to begin in September and the court is expected to open its doors in December of this year.

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