

**The Unified Patent Court:** an opportunity to enforce patents all across the EU

## A single court system

- **Patentees:** can seek central injunction (including PI)
- **Competitors:** can seek central revocation
- **Effect:** in 24 countries (17 at the start date)
- **Costs:** Court fees, then only one set of legal costs
- **Judges:** Specialist judges (legally and technically)

## “Superfast” proceedings

- **Timing:** decision expected within 12 months (initial target)
- **Principle:** written procedure and one-day hearing
- **Strictly supervised:** two briefs by party within a short timeframe
- **Front-loaded:** requests, evidence and arguments to be filed in the first brief (if not, they can be disregarded)
- **Flexible:** possibility to file auxiliary requests

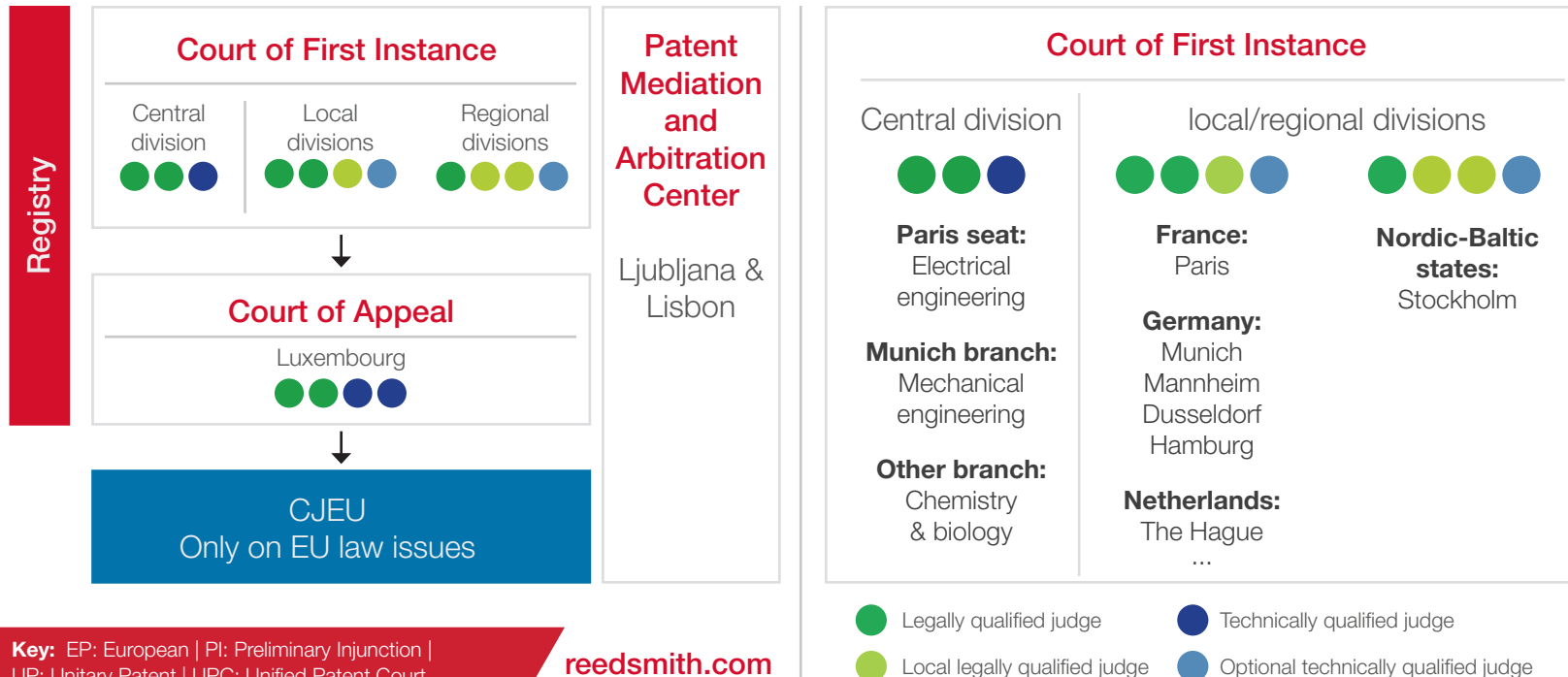
## Actions available before the UPC

- Action for infringement (or threat)
- Declaration of non-infringement
- Action for injunction and provisional/protective measures
- Action for revocation, and counterclaim for revocation

## Concurrent jurisdiction of the UPC and national courts

- The UPC will have exclusive jurisdiction over UP and classic EP patent only after the transitional period
- During the transitional period, actions based on a classic EP patent can be brought either before the UPC or before national courts, but an action brought before a national court could lock the classic EP patent outside the UPC (and vice versa)
- During the transitional period, the patentee can lock the classic EP patent outside the UPC by opting out

## UPC structure



## Jurisdiction inside the UPC

- Rules to determine which branch of the central division and the national/regional divisions will have jurisdiction

## Want to know more?



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