

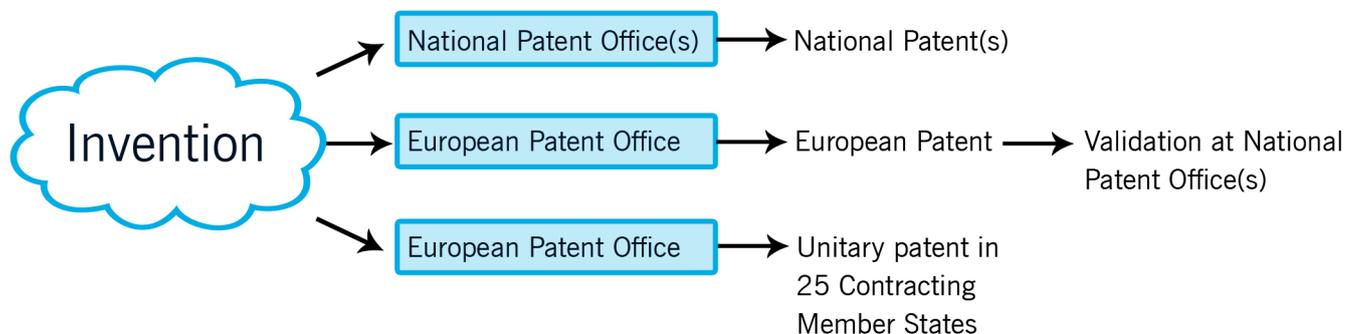
UNITARY PATENT

WHAT IS THE UNITARY PATENT?

The Unitary Patent is a new way for innovators and companies to protect their inventions in the EU. Currently, European patents are granted centrally by the European Patent Office (EPO), but result in a bundle of national patents which must be enforced on a country-by-country basis. In contrast, the Unitary Patent is automatically valid in all participating EU member states - it is a European Patent with Unitary Effect. All disputes concerning validity of and infringement in the new Unitary Patents will be dealt with by a new court, the Unified Patent Court (UPC).

WHAT IS THE PURPOSE OF THE UNITARY PATENT?

The aim of the reform is to simplify the existing system and create a cost-effective route to patent protection and dispute settlement. The existing system will still be available as an option, however, and the new landscape opens up for new strategies of combining the different routes to patent protection in Europe.



WHAT ARE THE MAJOR BENEFITS OF THE UNITARY PATENT?

- One patent application filing only
- No validations needed
- Only one renewal fee
- Greater geographical patent protection coverage
- Patent litigation in the Unified Patent Court

WHAT ABOUT TRADITIONAL EUROPEAN PATENTS AND APPLICATIONS?

All traditional European patents and applications will also come under the UPC by default. During a transitional period of at least seven years, however, it will be possible to withdraw traditional European patents and applications from the court by filing a request to **opt out**. If a request to opt out is not filed, the initiator of a dispute may choose between national courts and the UPC. Whether or not to opt out existing European rights from the UPC is one of the first strategy considerations as the new system becomes operational.

WHEN WILL THE NEW SYSTEM START?

The start date for the availability of Unitary Patents and the Unified Patent Court is dependent on an ongoing ratification process in the different EU member states. Our best guess is that the system will be up and running during early 2017.

Please get in touch with your Awapatent contact person for more information.