

### November 26, 2020 – The German Parliament approves the new law for ratification of the UPC Agreement

After the decision of the German Constitutional Court invalidating the German ratification law of the UPC agreement, the German government has presented to the Parliament a new law for ratification.

This new law, which was accepted by the first chamber (Bundesrat) on September 18, has now been accepted on November 26 with a large majority by the second chamber (Bundestag). The law allows the German government to ratify the UPC Agreement as well as the Protocol on Provisional Application.

The German government is now in the position of ratifying the UPC Agreement and the Protocol on Provisional Application.

Entry into force of the UPC supposes first, ratification of the Protocol on Provisional Application by the required number of Member States. It can now be hoped that Austria will also ratify this Protocol in the beginning of 2021.

This would trigger the entry into force of the Protocol. During a time period of one year, all administrative bodies of the future Court could then be prepared, as well as the nominations of the judges. The administrative Committee will have to prepare the minor amendments to the Agreement which are necessary, to take into account the withdrawal of the United Kingdom.

In the meantime, Germany could eventually ratify the UPC Agreement which would enter into force in 2022.

Since the United Kingdom decided to withdraw its ratification, following Brexit, the UK will stay out of the UPC. The cases which should have been treated by the Central division of the UPC in London, will probably be shared between the Paris central division and its section of Munich.

We will not fail to inform you of any development in this connection.



#### Contact us:

For any question you may have, please do not hesitate to contact our team.



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