

Pros and Cons of the Unitary patent

Pros of the UP

Renewal fees

Only one renewal fee paid to the EPO:

UP will result in substantial savings on renewal fees for all the UP territories

To compare the renewal fees for a UP with the renewal fees for a EP,

consult our <u>UPP application "fees comparator"</u>

Reduced validation and translation fees

Possibility to choose the **local Division** and the language regime [R.14, Art. 33 UPCA]

Cost effective language regime before the UPC

More predictable **claim interpretation** before the UPC

Experienced **high caliber judges** at the UPC, including **technical judges**

Broad territorial scope of injunctions at the UPC:

Pan-European injunctions having an effect in all the Member states may be obtained [Art. 62 UPCA]

Attractive **Cost reimbursement system**[Art. 69 UPCA, R. 152, R. 153, R. 154, R. 155, R. 180 and R. 185]

Huge financial leverage at the UPC: damages may be obtained for all the Member states [Art. 68 UPCA]

Very **fast and efficient procedure** before the UPC

No risk of divergent decisions

Cons of the UP

Renewal fees

EP less expensive than UP for less than 4 countries

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National patent Courts

more established and experienced than UPC

High **UPC fees**

Central attack of the patent before the UPC without opt-out

Costs of a nullity action before the UPC more expensive than an opposition before the EPO

Very **fast procedure** before the UPC Very **short timeframe**