

### Creation of a centralized European Patent Court Paris designated as the location of the central division

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On Friday June 29, the heads of State of Government of the EU Member States agreed on a very important element of the so-called "patents package", namely the site of the central division of the Court of First Instance of the Unified Patent Court (UPC). It will be located in Paris

Given the highly specialized nature of patent litigation and the need to maintain high quality standards, thematic clusters will be created in two sections of the central division, one located in London for chemistry, pharmaceuticals and human necessities (International Classification A and C) and another one in Munich for mechanical engineering (international classification F).

This important political decision should now open the way to the signature and future ratification of the draft agreement on a Unified Patent Court that will have exclusive jurisdiction over actions concerning the infringement and validity of European patents and unitary patents. This jurisdiction will comprise at the first instance level a plurality of local divisions in various EU Member States as well as a central division deciding on the validity of the patent. At the second instance level, there will be a single centralized Court of Appeal. The decisions of the Unified Patent Court will extend to all the European countries designated in the European patent.

When this new jurisdiction enters into force, it will also be possible for an applicant, soon after the grant of a European patent, to request that said European patent has a unitary effect within the entire territory of the European Union (except, for the time being, Spain and Italy). This European patent will then be designated as a "unitary patent". There will be only one renewal fee to be paid for a unitary patent. It will not be necessary to file a translation of a unitary patent filed in English.

The Casalonga firm, highly specialised in patent litigation with integrated IP lawyers and European patent attorneys both in Paris and in Munich, has been very involved in the discussions leading to this decision and also the drafting of the agreement on a Unified Patent Court. We are prepared for the future representation before the Unified Patent Court.

We shall keep you promptly informed of any further developments in connection with the "patents package."

For further information, please do not hesitate to contact our senior patent partners Axel Casalonga or Gérard Dossmann.

CASALONGA  
& ASSOCIES

8 avenue Percier  
F-75008 PARIS  
Tel: +33 (0)1 45 61 94 64  
Fax: +33 (0)1 45 63 94 21

CASALONGA  
& PARTNERS

Bayerstrasse 71/73  
D-80335 MUNICH  
Tel: +49 (0)89 22 30 05  
Fax: +49 (0)89 22 45 53