



EUROPEAN COMMISSION

STATEMENT

Brussels, 26 May 2014

Commissioner Barnier welcomes yes vote in Denmark's referendum on Unified Patent Court

The Danish people voted yesterday in a referendum in favour of joining the Unified Patent Court (UPC). The Agreement on the UPC will set up a single and specialised EU patent jurisdiction. Once it enters into force, it will be possible to obtain a European patent with unitary effect – a legal title ensuring uniform protection for an invention across 25 Member States on a one-stop shop basis. This will bring cost advantages and reduce administrative burdens. Once the Danish Parliament ratifies the Agreement, Denmark will be the fifth Member State to ratify it (after Austria, Belgium, France and Malta). Ratification by thirteen Member States is required for the Agreement to enter into force.

Internal Market and Services Commissioner Michel Barnier said: "The approval of the Agreement on the Unified Patent Court by Danish voters gives a very positive signal to all signatories and should encourage them to ratify without any further delay. As a first specialised court common to the Member States in the patent litigation area, the Court will open a new chapter in the history of both the patent system and judicial cooperation in the EU."

Background

On 19 February 2013 the Agreement on a Unified Patent Court was signed by 25 Member States. This Agreement is part of the patent reform package that includes the creation of a unitary patent. The Agreement is now in the [process of ratification](#) by the signatories. It will enter into force once it has been ratified by 13 Member States, including the three Member States with the largest number of European patents valid in their territory in 2012 (France, Germany and the United Kingdom).

The UPC will be the first specialised court common to the EU Member States hearing cases across the EU in multinational panels under common rules of procedure. The first instance of the Unified Patent Court is due to be composed of a central division as well as local and regional divisions. The central division will be located in Paris, with sections in London and Munich. Each contracting Member State may decide whether to create a local division (up to four per state) or to join other Member States in a regional division. Regional divisions would have a seat in one of the Member States creating the division, but would hear cases in multiple locations. Regional divisions will be able to work in any of the official languages of the relevant Member States and/or designate another procedural language, such as English.

More information:

http://ec.europa.eu/internal_market/indprop/patent/faqs/index_en.htm

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