

Strengthened European Patent System, Unitary Patent + Unified Patent Court: MOVE Sectors

What's happening

- Biggest change to European patent law in last 50 years
- Unitary Patent and Unified Patent Court (UPC) launched on June 1, 2023
- Unitary Patents for all participating EU Member States
- UPC has exclusive jurisdiction

Why

- Increased efficiency from Unitary Patent as one application to EPO covers 17 countries
- Unified Patent Court ends costly parallel litigation and increases certainty

Why it matters

- Impacts any company engaging with patents in Europe – those that own and/or license patents in Europe, or operate or are looking to expand into Europe
- Affects everything from patent strategy to licensing to litigation

How we can help

- We help navigate the challenges and opportunities arising from the new UPC system
- We don't just defend, we help innovators create and grow, from the initial idea to the global roll out
- We help align UPC litigation with UK patent litigation or Spanish patent litigation to prepare a coordinated and effective pan-European strategy

What we do

Training

- Training on UPC – various content and length of training available

Patent portfolio

- Offer extensive and/or high-level review of entire portfolio, as well as individual review of European Patents, applications and patent families
- Provide recommendations on how to proceed including advice re structuring of portfolio and opt-out decision

Opt-out support

- Support and filing of opt-out declaration
- Support and filing of opt-in declaration

Licenses

- Review of existing license agreements
- Drafting of license agreements and clauses

Filing strategy

- Develop future validation strategy regarding Unitary Patents, European Patents and national patents
- Regular review of application strategy in Europe
- Strategic advice on new individual patent applications with regard to validation strategy

Litigation strategy

- Preparation of litigation strategies including UPC proceedings
- Representation in opposition and nullity proceedings with assistance of patent attorneys (active/passive)
- Representation in infringement proceedings (active/passive)

Technology transactions

- Advise on technology transactions, in particular with regard to UPC