

THE NEW EUROPEAN UNIFIED PATENT COURT & THE UNITARY PATENT

Madrid

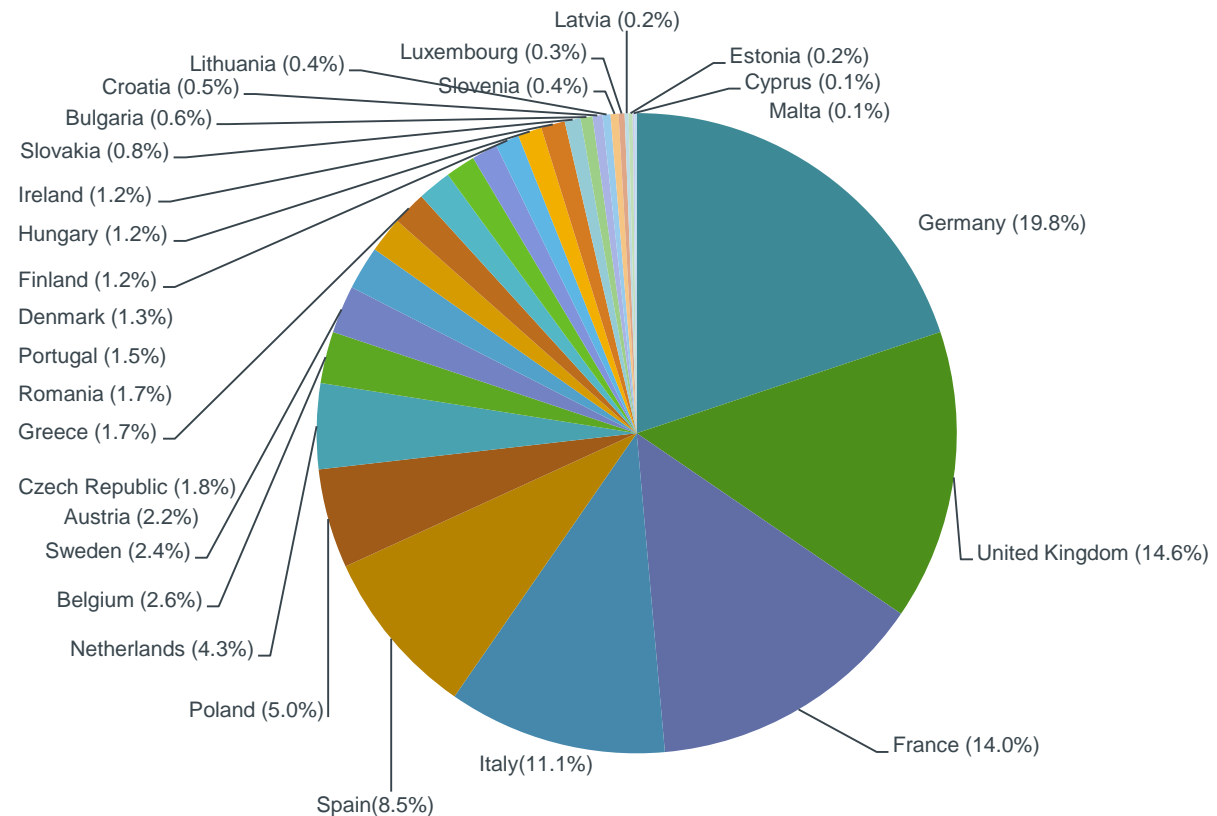
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EU GDP is dominated by the EUs larger countries

- UK, Germany & France alone account for 48.4% EU GDP
- UK, Germany, France, Italy & Spain account for 68.0% of EU GDP
- A European patent with Unitary effect will cover markets accounting for c.80% of EU GDP



Current costs

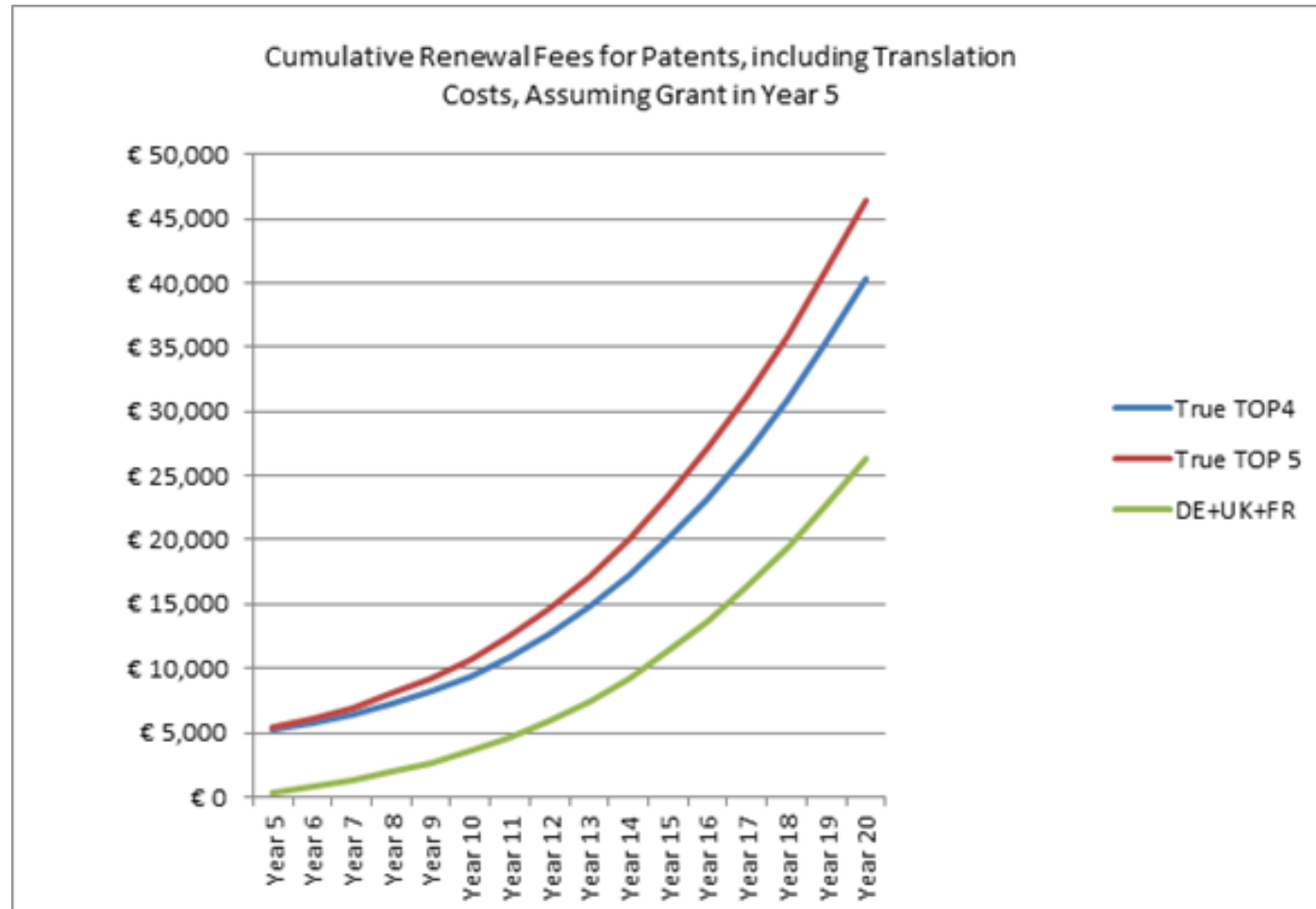
- Cost to grant c.€25,000
- Validation costs
 - None for validating in UK, Germany , France or Switzerland
 - c. €700 per country requiring claims translations e.g. the Netherlands
 - c. €4-5,000 per country requiring full translations e.g. Italy or Spain
- Maintenance costs
 - c. €100 (year 3) to €1,300 (year 20) per country
 - Total cost for renewals in UK/Germany/France (48.4% of EU Market) c. €25,000 over 20 years
 - Total cost for renewals in UK/Germany/France plus Italy and Spain (68% of EU Market) c. €32,000
 - Total cost for maintaining protection in all EU States c.€140,000 over 20 years

Current proposed costs under the Unitary Patent – March 2015

- Cost to grant c.€25,000 – i.e. no change in prosecution costs prior to grant
- Validation costs
 - c. €4-5,000 for a translation into a second language
- Maintenance costs – three models currently under consideration
 - The EPO has very recently (12th May) issued 2 revised proposals, one based on the fees for the 4 most frequently designated states (the “True Top 4” proposal) and one based on the fees for the 5 most frequently designated states (the “True Top 5” proposal).

Current renewal fee proposals

Year	TRUE TOP 4	TRUE TOP 5
Year 2	€ 35	€ 85
Year 3	€ 105	€ 165
Year 4	€ 145	€ 255
Year 5	€ 315	€ 455
Year 6	€ 475	€ 645
Year 7	€ 630	€ 825
Year 8	€ 815	€ 1,050
Year 9	€ 990	€ 1,255
Year 10	€ 1,175	€ 1,475
Year 11	€ 1,460	€ 1,790
Year 12	€ 1,775	€ 2,140
Year 13	€ 2,105	€ 2,510
Year 14	€ 2,455	€ 2,895
Year 15	€ 2,830	€ 3,300
Year 16	€ 3,240	€ 3,740
Year 17	€ 3,640	€ 4,175
Year 18	€ 4,055	€ 4,630
Year 19	€ 4,455	€ 5,065
Year 20	€ 4,855	€ 5,500



Costs under the Unitary Patent

Coverage desired	% EU market protected	Cheaper Route	Combined validation and 20 year renewal costs
UK, Germany and France	48.4%	European patents in individual countries	c.€25,000
UK, Germany, France, Italy and Spain	68%	European patents in individual countries	c.€50,000
All EU except Italy, Spain and Croatia	80%	Unitary Patent	c.€37,000 - €48,000 depending on final decision on fees
All EU except Croatia	99%	Unitary Patent plus national patents in Italy and Spain	c.€54,000 - €65,000 depending on final decision on fees

The Training of Judges for the UPC

- 1300 “Expressions of interest” in becoming a judge in 2014
 - Legal 360 (124 classified on “outstanding”)
 - Technical 616 (300 classified as “outstanding”)
- Training Centre for legally qualified judges opened in Budapest in 2014
- The academy of EPO has organised legal training for 20 less experienced judges. This commenced in February 2015 with validity issues and continued in April with infringement
- It is proposed that 100 legal judges and 40 technical judges will be trained in 2015
- Formal application process now being prepared for applications in Autumn 2015

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