

3.2. Communiqués of Selected Committee meetings:

Munich, 28 May 2015

14th meeting of the Select Committee of EU Participating Member States in the enhanced cooperation on Unitary Patent Protection (Munich, 26-27 May 2015)

The Select Committee held its 14th meeting in Munich on 26 and 27 May 2015.

The Committee discussed two adjusted alternative proposals for the level of **renewal fees** submitted by the European Patent Office. These proposals foresee fee levels of respectively the equivalent of the renewal fees which have to be paid for the four or five countries out of the twenty-five EU participating member states in which most European patents are currently validated (a "true" TOP 4 and a "true" TOP 5- in contrast to the previous approach, the EPO's internal renewal fees are no longer taken into account). The "true" TOP 5 proposal in addition foresees a 25% fee reduction for the first ten years of the lifetime of the patent for specific entities such as SMEs, universities and public research institutions. Member States held an exchange of views with some Member States not yet able to take a concrete position on these proposals.

The Committee also noted documents submitted by the European Patent Office concerning a **comparison of fees and external costs between a European Patent and a Unitary Patent**, as well as **Updated Unitary Patent cost estimates**.

The Committee had a first preliminary exchange of views on the outline of possible provisions for the **draft Rules relating to Fees for Unitary Patent Protection**.

The Committee continued exchanging views on the **distribution key for the repartition of the share of renewal fees between the EU participating member states**.

Select Committee Secretariat

Munich, 25 March 2015

13th meeting of the Select Committee of EU Participating Member States in the enhanced cooperation on Unitary Patent Protection (Munich, 23-24 March 2015)

The Select Committee held its 13th meeting in Munich on 23 and 24 March 2015.

The Committee discussed two alternative proposals on the level of **renewal fees** submitted by the European Patent Office. These proposals foresee fee levels of respectively the equivalent of the renewal fees which have to be paid for the four or five countries out of the twenty-five EU participating member states in which most European patents are currently validated (TOP 4 and TOP 5). The TOP 5 proposal in addition foresees a 25% fee reduction for the first ten years of the lifetime of the patent for specific entities such as SMEs, universities and public research institutions. Member States held a first exchange of views with most Member States not yet able to take a concrete position on these proposals.

The Committee also continued exchanging views on the **distribution key for the repartition of the share of renewal fees between the EU participating member states**. Member States exchanged views on the way the different criteria which compose the distribution key, should be defined and weighted.

The Committee exchanged views on the level of the **compensation scheme** for the reimbursement of translation costs of European patent applications filed in an EU official language other than an EPO official language.

Lastly, the Committee once more confirmed its commitment to take, by the end of June 2015, the appropriate decisions on the financial and budgetary aspects of the implementation of the Unitary Patent Protection.

Select Committee Secretariat

Munich, 15 December 2014

11th meeting of the Select Committee of EU Participating Member States in the enhanced cooperation on Unitary Patent Protection (Munich, 9 December 2014)

The Select Committee held its 11th meeting in Munich on 9 December 2014.

The Committee approved in principle the **Draft Rules relating to Unitary Patent Protection** except for the draft Rule on financial issues which would be discussed later on in the framework of budgetary and financial issues. The consolidated version of the draft Rules will be made available on this website shortly.

Work on the level of **renewal fees** continued on the basis of additional simulations of fee level scenarios submitted by the Office.

The Committee launched preparatory work on the **distribution key for the repartition of renewal fees between the EU participating member states**.

Lastly, the Committee has agreed on the organisation of its work during the first semester 2015 in order to take by the end of June 2015 the appropriate decisions on the financial and budgetary aspects of the implementation of the Unitary Patent Protection.

Select Committee Secretariat

Munich, 29 October 2014

10th meeting of the Select Committee of EU Participating Member States in the enhanced cooperation on Unitary Patent Protection (Munich, 28 and 29 October 2014)

The Select Committee held its 10th meeting in Munich on 28 and 29 October 2014.

The Committee approved certain technical adaptations to the **Draft Rules relating to Unitary Patent Protection** and left one technical aspect for further discussion in December. The consolidated version of the draft Rules will be made available on this website following the December meeting of the Committee.

Work on the level of **renewal fees** continued on the basis of a presentation given by the Office on the estimated costs of unitary patent protection. This work will continue in December. The Committee also noted and discussed a **simulation concerning fee reductions for SME's**.

Lastly, the Committee agreed to launch work on the **distribution key for the repartition of renewal fees between the participating member states**.

Select Committee Secretariat

Munich, 24 June 2014

9th meeting of the Select Committee of Participating Member States in the enhanced cooperation on Unitary Patent Protection (The Hague, 24 June 2014)

The Select Committee held its 9th meeting in The Hague on 24 June 2014.

The Committee has adopted in principle the **Draft Rules relating to Unitary Patent Protection**, with the exception of some technical aspects that require further discussion and one rule relating to financial aspects that will be discussed after the summer holiday together with other financial issues.. These draft Rules concern the procedures that will be applied by the EPO in carrying out the administrative tasks relating to the European patent with unitary effect.

Work on the level of renewal fees which will have to be fixed by the participating Member States in the Select Committee continued on the basis of two further presentations given by the Office on simulations of fee scenarios and their financial implications for the Office. This work will continue in October.

Select Committee Secretariat

Munich, 28 May 2014

8th meeting of the Select Committee of the Administrative Council of the European Patent Organisation (Munich, 26-27 May 2014)

The Select Committee of the Administrative Council held its 8th meeting in Munich on 26-27 May 2014.

Preparatory work on the **level of renewal fees**, which had started at the 5th meeting held on 30 October 2013, continued on the basis of **simulations of fee scenarios and their financial implications**. On this subject, the Office gave several presentations.

The committee held a first exchange of views on those presentations, with a view to continuing discussions at the 9th meeting, to be held on the 24th of June.

Select Committee Secretariat

Munich, 28 March 2014

7th meeting of the Select Committee of the Administrative Council of the European Patent Organisation (Munich, 26 March 2014)

The Select Committee of the Administrative Council held its seventh meeting in Munich on 26 March 2014. For the first time, observers from EPC Contracting States attended.

The Committee completed its second reading of the **Draft Rules relating to Unitary Patent Protection**. These draft Rules concern the procedures that will be applied by the EPO in carrying out the administrative tasks relating to the European patent with unitary effect.

The Committee adopted the rules relating to the **compensation scheme for costs for translations of applications filed in an EU official language which is not one of the official languages of the EPO**, the reimbursement of which is available to patent holders obtaining a European patent with

unitary effect. However, the financial aspects of the compensation scheme, including the amount to be compensated, will be discussed at a later stage.

The Committee exchanged views on **possible measures at Member States' level which could accompany the Unitary Patent Protection.**

Lastly, the Committee also adopted its work programme for 2014.

Select Committee Secretariat

Munich, 18 December 2013

6th meeting of the Select Committee of the Administrative Council of the European Patent Organisation (Munich, 10-11 December 2013)

The Select Committee of the Administrative Council held its sixth meeting in Munich on 10 and 11 December 2013.

The committee finished its first reading of the **Draft Rules relating to Unitary Patent Protection**, noted comments on the rules supplied by delegations and users and began a second reading. These draft Rules relate mainly to the procedures that will be administrated by the EPO in carrying out the tasks that the Member States will entrust to the EPO in accordance with article 9.1 of the EU Regulation N° 1257/2012.

It discussed the future operation of the **compensation scheme for costs for translations filed in an EU official language which is not one of the official languages of the EPO** and reached consensus on a number of issues relating to the future operation of this compensation scheme.

The committee exchanged views on **issues and possible measures at Member States level which could accompany the Unitary Patent Protection.**

It also discussed the EPO's document of draft principles for the **budgeting and accounting of the revenues from and the expenditure of administering the Unitary Patent Protection.**

Finally, it decided to **admit as observers** the following EPC contracting states: Switzerland, Turkey, Spain, Albania, San Marino, Italy, Norway, Croatia, Monaco and Serbia. Other contracting states would be admitted upon request.

Select Committee Secretariat
