Enhanced cooperation in the area of the creation of unitary patent protection: implementation

2011/0093(COD) - 30/05/2012

Ministers addressed the last outstanding issue in the draft agreement for the creation of a Unified Patent Court, with a view to **finalising the "patent package" without delay**, with a view to the European Council reaching a successful decision on the matter at its meeting on 28-29 June 2012.

The debate showed that **further work was needed to reach consensus** on the location of the Central Division of the Court of First instance for the future unitary patent jurisdiction.

The debate followed the statement issued by the Heads of State or Government of the EU Member States participating in enhanced cooperation on the creation of unitary patent protection in which they made a commitment to reach a final agreement on the last outstanding issue in the patent package in June 2012 at the latest.

In December 2011 the Council and the Parliament reached a provisional agreement on the two draft regulations implementing enhanced cooperation in the area of unitary patent protection (see also CNS /2011/0094).

With regard to the third pillar of the patent system, the creation of a Unified Patent Court that would judge patent litigation cases, final agreement on the seat of the Court is still pending.