


# The Unified Patent Court

**Applicable Law, Jurisdiction & Forum Shopping, Languages**

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Washington, DC

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(European Patent Lawyers Association)

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Applicable law

## Current law no longer applies



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UPC Agreement

## Applicable law

- 24 (1) substantive law
- 24 (2) conflict of law
- 25-30 rights conferred and limitations
- 63-70 sanctions and damages

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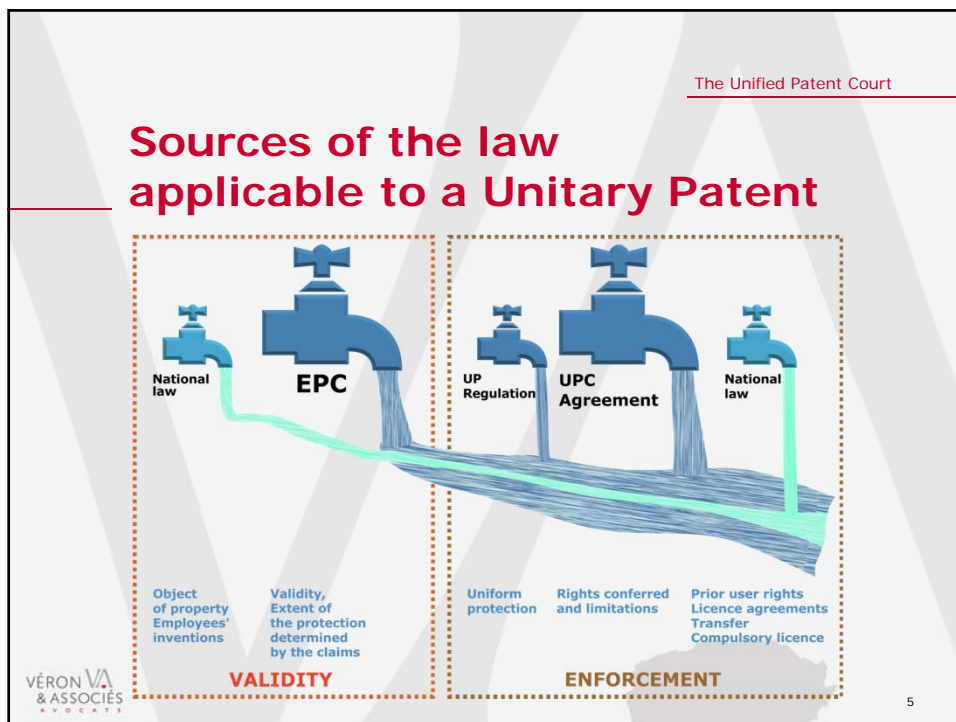
24 (1) Agreement

## Sources of law

- (a) European Union law
- (b) Unified Patent Court Agreement
- (c) European Patent Convention
- (d) Other international agreements
- (e) national law

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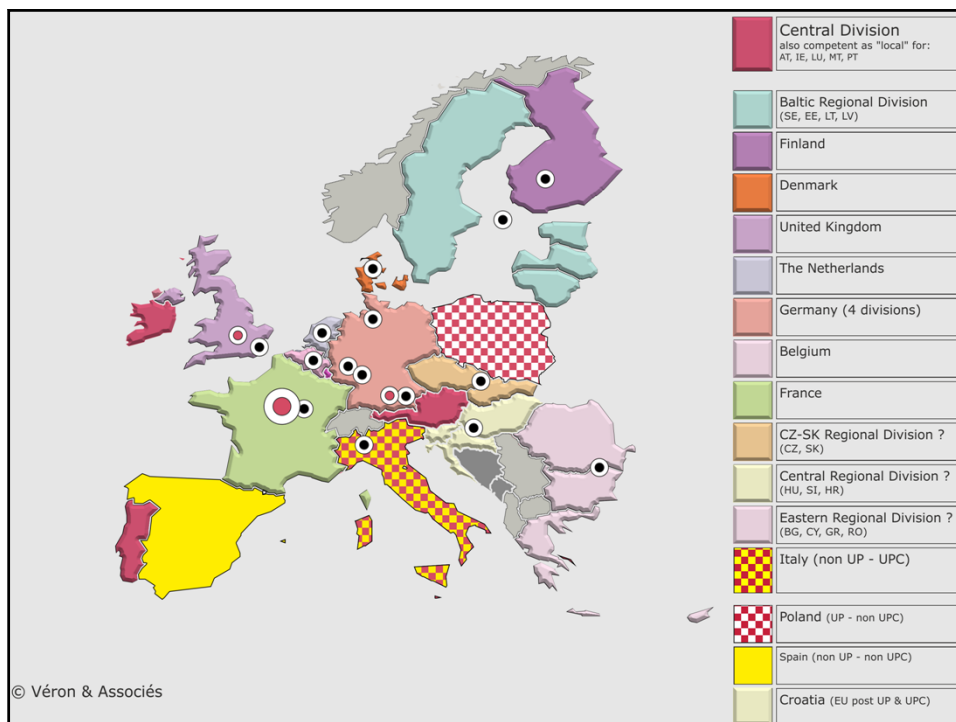
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## 32 Jurisdiction

- Infringement
- Declaration of non-infringement
- Revocation
- Miscellaneous

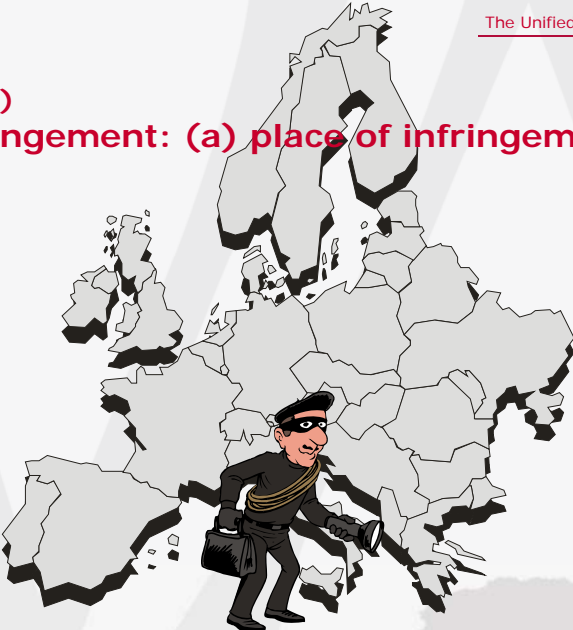
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**33 (1)**  
**Infringement: (a) place of infringement**




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**33 (2) § 2**  
**Infringement: multi-regional infringement**




*If an action referred to in Article 32 (1) (a) is pending before a **regional** division and the infringement has occurred in the territories of **three or more regional** divisions, the regional division concerned shall, at the request of the defendant, refer the case to the central division.*

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**33 (1)  
Infringement: (b) defendant's domicile**

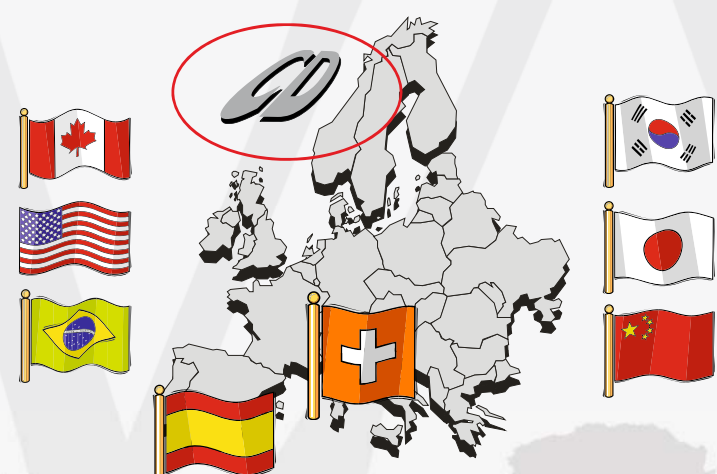


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**33 (1) §3  
Infringement  
non EU defendants: Central Division**

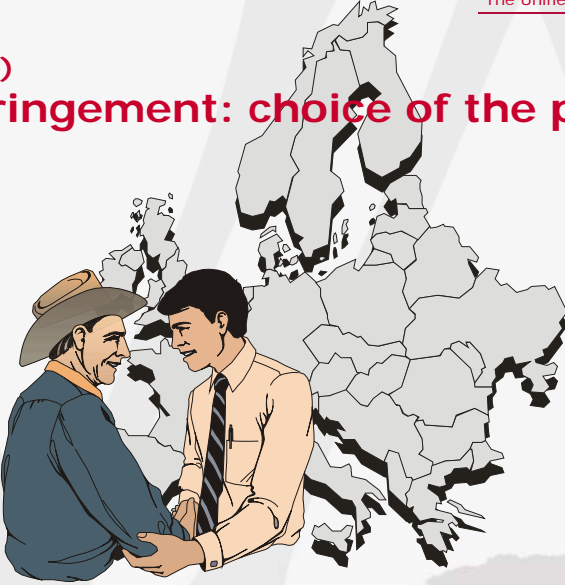


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### 33 (7) Infringement: choice of the parties



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### 24 EU official languages

1. Bulgarian	9. French	17. Maltese
2. Croatian	10. German	18. Polish
3. Czech	11. Greek	19. Portuguese
4. Danish	12. Hungarian	20. Romanian
5. Dutch	13. Irish	21. Slovak
6. English	14. Italian	22. Slovene
7. Estonian	15. Latvian	23. Spanish
8. Finnish	16. Lithuanian	24. Swedish

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## 49 Language of proceedings: 1<sup>st</sup> instance


Regional division



**Language of the court**  
(national or EPO language)

Local division


Central division




**Language of the patent**

Regional division


Local division



**Language of the court**  
(national or EPO language)

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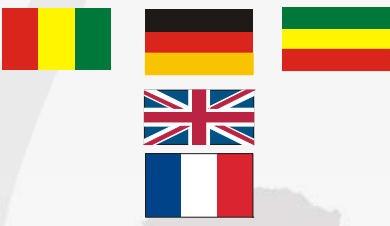
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## 50 Language of proceedings: appeal

- Language of 1<sup>st</sup> instance
- Language of the patent (upon the parties' agreement)
- Language chosen by the court and approved by the parties

Court of Appeal

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**Thank you**

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