

# The Rules of Procedure of the Unified Patent Court

23 July 2015 • IPO: European Practice Committee Call



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**Spring ceremony of the Agreement on a Unified Patent Court - Brussels - 19 February 2013**

The webpage, created and maintained by Véron & Associés, 100% patent litigation French law firm, gives access to the main publicly available documents relating to the future Unitary Patent and Unified Patent Court. Please [click here](#) for possible recent updates in the official sites.

**Everything in a single booklet**

In bilingual booklet D16/BNP16 comprising Unitary Patent Regulations, Unified Patent Court Agreement, Draft No 17 Rules of Procedure (31 October 2014) and the full transcript of the final public hearing (26 November 2014).

**2014-10-31 Agreement UPC, DG-BREVET and Rules Procedure UPC**  
[DG-BREVET Draft 17 and Title 18\\_en.pdf](#)

For easier navigation, download the PDF file onto your computer and open it locally with Adobe Reader.

Regulations on European Patent with Unitary Effect	Agreement on a Unified Patent Court
REGULATION (EU) No 1257/2012 of the Parliament and of the Council of 17 December 2012 implementing enhanced cooperation in the area of the creation of unitary patent protection	Agreement on a Unified Patent Court
<p>2012-12-17 Verordnung 1257-2012  <a href="#">Verfahren_Ordnung_Schrift_Einheitspatent_Patentliberalisation.pdf</a></p> <p>2012-12-17 Regul 1257-2012  <a href="#">Regulation_en.pdf</a></p> <p>2012-12-17 Regul 1257-2012  <a href="#">Consolidated French translation unitary_en.pdf</a></p>	<p>2013-02-19 Überwachungs- und Beschwerderegeln des Patentgerichts_JOU_E_2013-02-20.pdf</p> <p>2013-02-19 Règlement du Collège des Juges de l'UPC_2013-02-20.pdf</p> <p>2013-02-19 Accord Jurisdiction unifiée final_JOU_E_2013-02-20.pdf</p>
COUNCIL REGULATION (EU) No 1260/2012 of 17 December 2012 implementing enhanced cooperation in the area of the creation of unitary patent protection with regard to the applicable translation	Draft Rules of Procedure
<p>2012-12-17 Verordnung 1260-2012  <a href="#">Verfahren_Ordnung_Schrift_Einheitspatent_Patentliberalisation.pdf</a></p> <p>2013-12-17 Regul 1260-2012  <a href="#">Regulation_en.pdf</a></p> <p>2013-12-17 Regul 1260-2012  <a href="#">UPC Rules Translation.pdf</a></p>	<p>2014-10-31 Agreement UPC, DG-BREVET and Rules Procedure UPC, DG-BREVET Draft 17.pdf</p>

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 UNITARY PATENT & UNIFIED PATENT COURT  
 BREVET UNITAIRE & JURIDICTION UNIFIÉE DU BREVET

**Verfahrensordnung**  
 Deutsche Übersetzung  
 durch Reimann Osterrieth Köhler Haft

**REGULATIONS, AGREEMENT, RULES OF PROCEDURE**  
 Draft No 17 - 31 October 2014

**Règlement de procédure**  
 Traduction française  
 par Véron & Associés

INCLUDING THE FULL TRANSCRIPT OF THE HEARING ON THE 17<sup>TH</sup> DRAFT OF THE RULES OF PROCEDURE OF THE UNIFIED PATENT COURT - TRIER 26 NOVEMBER 2014 -

Dokument zur Verfügung gestellt von  
 This booklet is presented by  
 Publication offerte par

ROK H B Powell Gilbert VÉRON & ASSOCIÉS

[www.upc.documents.eu.com](http://www.upc.documents.eu.com)

## Recent events

- 31 October 2014: 17<sup>th</sup> draft Rules of Procedure released by Preparatory Committee  
[http://www.upc.documents.eu.com/PDFs/2014-10-31\\_Agreement\\_UPC\\_DE-EN-FR\\_and\\_Rules\\_Procedure\\_UPC\\_DE-EN-FR\\_Draft\\_17\\_and\\_Trier\\_hearing.pdf](http://www.upc.documents.eu.com/PDFs/2014-10-31_Agreement_UPC_DE-EN-FR_and_Rules_Procedure_UPC_DE-EN-FR_Draft_17_and_Trier_hearing.pdf)
- 26 November 2014: public hearing Trier
- 25-26 June 2015: joint meeting Legal Work Group Preparatory Committee + Drafting Committee about the 18<sup>th</sup> draft



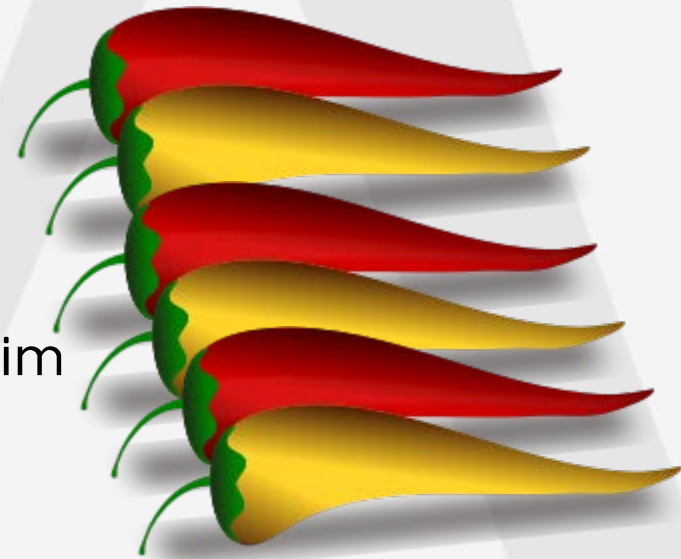
## 17<sup>th</sup> draft Rules of Procedure



26 November 2014: Public hearing in Trier

# Rules of Procedure: hot topics in Trier

- Opt-out provisions
- Language of the Statement of claim
- Bifurcation
- Decision on provisional measures
- Final decisions (permanent injunctions)
- Leave for procedural appeals
- Representatives authorised to practice



## Berlin 25-26 June 2015

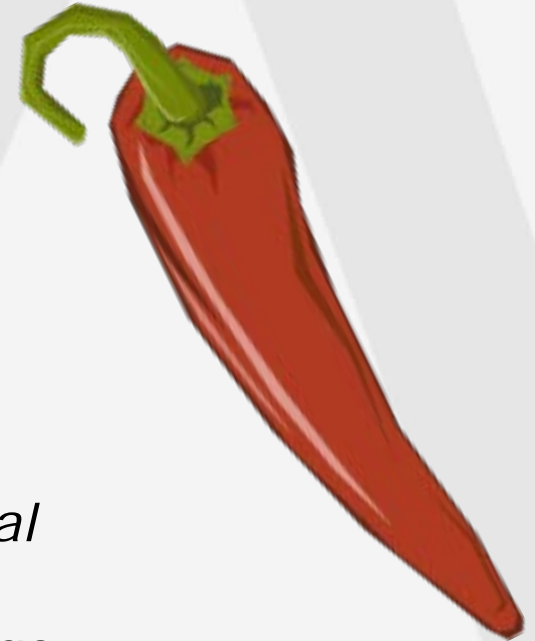
Joint meeting Legal Framework Working Group, Preparatory Committee + Drafting Committee about the 18<sup>th</sup> draft



Johannes Karcher  
coordinator of the  
Legal Framework  
Working Group

# Rules of Procedure: hot topics in Berlin

- Proprietorship and registration for opt out and for proceedings
- Language of the proceedings when Contracting Member States  
*"designate one or more of the official languages of the European Patent Office as the language of proceedings of their local or regional division"*.



# Italy to create a local division in Milan

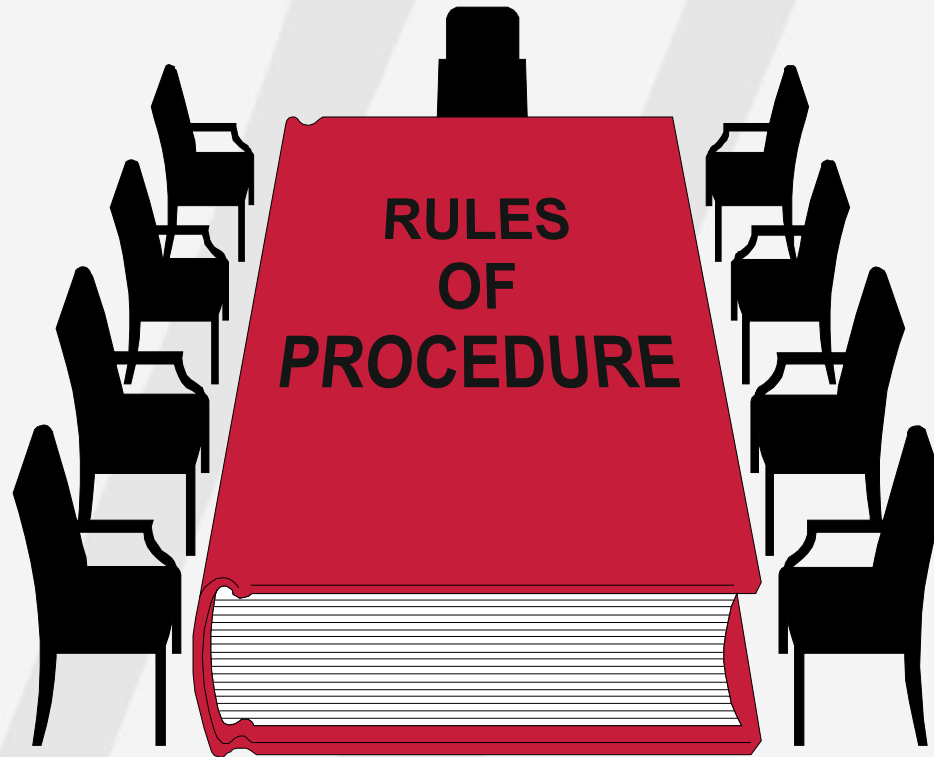




## Next steps

- 3 September 2015: Meeting of the Preparatory Committee to approve 18<sup>th</sup> draft

# UPC Administrative Committee's final approval



2016?

# Outstanding question: the judges' robe?



# Commercial break

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