

Home > Applying for a patent > European route > Unitary Patent & Unified Patent Court > Unitary Patent > Unitary Patent Guide

Unitary Patent Guide



Unitary Patent Guide

Obtaining, maintaining and managing Unitary Patents

Regularly updated HTML version

Contents

Foreword

- A. GENERAL
- I. Introduction
- II. Legal framework

The two EU regulations adopted under enhanced cooperation

The "participating Member States"

The Agreement on a Unified Patent Court

Secondary legislation

III. Unitary Patents: the concept

The Unitary Patent architecture

Uniform protection and equal effect

When and for which European patents can a Unitary Patent be requested?

The territorial scope of a Unitary Patent

IV. The Unitary Patent: an additional option enhancing the European

patent system

- V. The benefits of the Unitary Patent
- VI. The EPO's Unitary Patent Protection Division

Introduction

<u>Decisions of the Unitary Patent Protection Division</u>

- B. HOW TO OBTAIN A UNITARY PATENT
- I. The requirements
- II. The request for unitary effect

Form and time limit

Mandatory information to be provided in the request for unitary effect

Voluntary indication of a place of business on the date of filing of the

European patent application (Article 7(1)(b) Regulation (EU) No 1257/2012

and Rule 16(1)(w) UPR)

<u>Translation of the European patent</u>

III. Filing the request for unitary effect

Language of the request for unitary effect

How and where to file the request for unitary effect

Acknowledgement of receipt

Re-establishment of rights in respect of the one-month period for requesting

unitary effect

Withdrawal of the request for unitary effect

- IV. Examination of the request for unitary effect by the EPO
- V. Filing documents other than the request for unitary effect

Acknowledgement of receipt

- C. THE COMPENSATION SCHEME
- I. Eligibility and procedure
- II. False declaration of eligibility
- D. RENEWAL FEES FOR UNITARY PATENTS
- I. Introduction
- II. Additional six-month period for paying renewal fees
- III. Special features relating to first renewal fees

<u>Three-month safety period under Rule 13(4) UPR</u>

<u>Renewal fee falling due between the grant of the European patent and the registration of unitary effect (Rule 13(5) UPR)</u>

- E. PUBLICATIONS AND FILE INSPECTION
- I. Register for unitary patent protection
- II. European Patent Bulletin
- III. Official Journal of the EPO
- IV. File inspection and communication of information on file
- V. No additional patent documents for Unitary Patents
- F. HOW TO REGISTER TRANSFERS, LICENCES AND OTHER RIGHTS AND FILE STATEMENTS ON LICENCES OF RIGHT
- I. <u>Transfer</u>
- II. Licences and other rights and any legal means of execution
- III. Statement on licences of right
- G. OTHER PROCEDURAL QUESTIONS: LANGUAGE REGIME,
 REPRESENTATION AND FEE PAYMENT
- I. <u>Language regime</u>
- II. Representation before the EPO
- III. Fee amounts, payment methods and refunds
- H. LEGAL REMEDIES AGAINST EPO DECISIONS: THE ROLE OF THE UNIFIED PATENT COURT
- I. Introduction

- II. Interlocutory revision by the EPO
- III. Expedited action against a decision of the EPO pursuant to
 Rule 97 RoP UPC: application to annul a decision of the EPO to
 reject a request for unitary effect

TRANSITIONAL MEASURES

About us	Service & support	The EPO in social media
Services & activities	FAQ	Facebook: News, photos, videos from the EPO
Governance	<u>Publications</u>	Facebook: Job vacancies, interviews, testimonials
<u>Quality</u> <u>Jobs</u>	<u>Ordering</u> <u>Official holidays</u>	Twitter: News and announcements from the EPO
<u>Procurement</u>	<u>Forums</u>	Twitter: Job vacancies, interviews, testimonials
National offices	<u>Glossary</u>	in LinkedIn: Connect with the EPO
	RSS feeds	LinkedIn: Connect with our recruitment team
National Offices Centre	Contact us	YouTube: Videos about us and about inventors, clips from key events
	Write to our customer services	Instagram: Stories of inventors, inventions, events and activities at the EPO
	Subscribe to our newslette	<u>r</u>
Sitemap Legal notice Terms of	use Data protection & privacy Ad	cessibility Security Last updated: 24.11.2022
Тор		