

EUROPEAN BUSINESS COMMUNITY CALLS FOR THE RAPID RATIFICATION AND ENTRY INTO OPERATION OF THE UNITARY PATENT SYSTEM

BUSINESSEUROPE^[1], EUROCHAMBRES, Orgalim^[2], and SMEunited represent innovative businesses across Europe. One of our core objectives is to support innovation and boost the competitiveness of European companies, including Small and Medium-Sized Enterprises (SMEs).

Intellectual property is a key element of the EU's industrial policy to support innovation and achieve the twin objectives of the digital and climate transition. The Covid-19 crisis demonstrated the importance of having innovative companies of all sizes supported by a robust Intellectual Property Rights framework in order to both tackle a large scale crisis but also to stimulate economic recovery.

A comprehensive policy to protect inventions is therefore vital for Europe's competitiveness and its prosperity. The creation of a Unitary Patent and the Unified Patent Court^[3] is an excellent opportunity to achieve this goal. It would create a more simple and harmonised European system (a "one-stop" shop) to grant patents to our companies and it would enhance the quality and efficiency of patent protection in Europe. Such a system would bring significant benefits for our companies through increased legal certainty, cost-effectiveness, promotion of research and innovation, and global competitiveness.

For all these reasons and grasping the momentum of recent national developments in the ratification process, we call for speeding-up the (remaining) ratifications and necessary preparations in order for companies to soon be able to reap the benefits of this system.

^[1] This paper and the positions reflected in it are not supported by the Spanish Confederation of Employers and Industries (CEOE), Confederação Empresarial de Portugal (CIP), the Confederation of Industry of the Czech Republic (SPCR) and MGYOSZ – BUSINESSHUNGARY.

^[2] Orgalim, Europe's Technology Industries.

^[3] Regulation (EU) No 1257/2012 of 17 December 2012 implementing enhanced cooperation in the area of the creation of unitary patent protection, and 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 arrangements.