



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee, Helsinki, Finland, 13-17 June 1999

“EPC Translation Requirements”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held in Helsinki, Finland, 13-17 June 1999, passed the following Resolution:

continuing to take a leading role in the discussions on the reduction of patent costs,

having taken note that these discussions have focused to a disproportionate extent on the translation requirements applicable when European patents are granted,

being aware that none of the numerous proposals for a reduction in the volume of such translations has found consensus among the Contracting States of the European Patent Convention (EPC), and

recognising that developments in machine translation may provide a practical solution in the foreseeable future so that any fundamental change in the translation regime may be considered at best an interim measure;

points out that Article 65 of the EPC already allows each Contracting State the flexibility to decide on a longer term within which a translation may be filed, or even not to require a translation, and indeed that some Contracting States have never had a requirement for such a translation;

reminds the Contracting States that a patent must provide a disclosure that is comprehensible to third parties in each state in which the patent is to be brought into force, and of the principle that an enforceable right should if so required by a country be defined in a language of the country concerned for instance for interpretation of the claims under Article 69 of the EPC;

and urges that any further Contracting State that decides to take advantage of the flexibility already provided for by Article 65 of the EPC must take account of and protect the legitimate interests of third parties whose freedom of action may be curtailed by an untranslated patent, in order to provide a fair balance between patent owners and the general public.