



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee, Toronto, Canada, 3-5 & 8 June 2018 “BREXIT and European Patents with unitary effect”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held in Toronto, Canada from 3 to 5 and 8 June 2018, passed the following Resolution:

Observing the uncertainty created for users of European Union IP systems by the United Kingdom’s forthcoming exit from the European Union;

Noting that considerable progress has been made towards ratification of the Unified Patent Court Agreement (2013/C 175/01) that would allow the application of Regulations (EU) No 1257/2012 and No 1260/2012 which create Unitary Patent Protection;

Whilst acknowledging the proposals regarding the treatment of Intellectual Property Rights as described in Title IV of the Draft Withdrawal Agreement between the UK and EU27;

Notes with concern that European Patents with unitary effect are not mentioned in the Draft Withdrawal Agreement, which increases uncertainty around the introduction of the Unitary Patent Protection;

Urges the UK and EU27 to agree that the owner of a European Patent with unitary effect at the end of the transition period will become the owner of an equivalent European Patent validated in the United Kingdom.

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