



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FEDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee, Rome, 6-9 November 2011

“Technically Qualified Judges in the First Instance of the Unified Patent Court”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held in Rome, Italy, from 6 to 9 November 2011, passed the following Resolution:

OBSERVING that the current draft for the Agreement on the Unified Patent Court (hereinafter “UPC Agreement”) stipulates¹ that the panels of the first instances of the local and regional divisions shall sit in a composition of three legally qualified judges and only the central division shall sit in a composition of two legally qualified judges and one technically qualified judge when dealing with infringement and related issues;

BELIEVING that a high quality patent litigation system requires an appropriate understanding by the panel of the technical issues at stake already in the first instance;

URGES the authorities involved in drafting the final version of the UPC Agreement to ensure technical competence of the panel by providing that a technically qualified judge is present in any first instance panel in a local and regional division according to the UPC Agreement.

¹ In Article 6 of st16023/11 of 26 October 2011