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Community Patent – Current Status

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PURPOSE: Information

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AUTHOR: Daniel Alge

DISTRIBUTION:: Delegates

EXECUTIVE SUMMARY

As already announced by the European Commission and the EU Presidency, a new attempt to arrive at a Community Patent (CP) is made, and a new proposal for a Community Patent Regulation (“CPR”) was presented by the Slovenian Presidency on 23 May 2008 (see attached document no. 9465/08).

Compared to the previous proposal, which was turned down in May 2004, the only major difference of the present proposal concerns the language arrangements. The translations of the patent application into all Community languages shall be made available upon publication of the patent application by a specialised central service based upon machine translation programmes. These translations should, however, have no legal effect.

This document outlines the differences of the language requirements and a short comment based on previous FICPI positions.

Annex: EU Council paper no. 9465/08
of 23 May 2008