

---

## The Future European Patent System: Being Prepared

MARCH 5, 2015

Dramatic changes to the European patent system are planned for next year or the following year. In particular, there will be a new European patent with unitary effect across, ultimately, 25 EU Member States and a new Unified Patent Court with jurisdiction across all Member States of the EU that have signed up to it.

Towards the end of 2014, Advocate General Bot issued his opinion that the Court of Justice of the European Union (CJEU) should dismiss the challenge brought against the system by Spain; the 17th and almost final draft of the rules of the procedure of the new EU Unified Patent Court was published; and an open consultation hearing was held in Trier, Germany to discuss a small number of outstanding issues concerning those rules. It is clear that the new European patent system is going forward. It is a seismic change to the European patent litigation system which will impact global patent enforcement strategy. Parties should start to prepare themselves and think about important strategic decisions now.

We have received substantial client interest in learning more about the upcoming changes to the European patent system. We have prepared the attached document that explains the changes, gives details about the latest news and also briefly addresses the way in which parties should prepare themselves.

The document is a brief summary, and we would be happy to arrange for our UK patent litigation practitioners, [Anthony Trenton](#) and [Trevor Cook](#), to meet you and your colleagues and present further information about these important developments.

[Download the full pdf of this alert.](#)

---

### *Authors*



**Lisa J. Pirozzolo**

**PARTNER**

✉ [lisa.pirozzolo@wilmerhale.com](mailto:lisa.pirozzolo@wilmerhale.com)

☎ +1 617 526 6388



**Mark D. Selwyn**

**PARTNER**

Co-Chair, Intellectual Property  
Litigation Practice Group

✉ [mark.selwyn@wilmerhale.com](mailto:mark.selwyn@wilmerhale.com)

☎ +1 650 858 6031



**Anthony Trenton**

**PARTNER**

✉ [anthony.trenton@wilmerhale.com](mailto:anthony.trenton@wilmerhale.com)

☎ +44 (0)20 7872 1005



**Trevor Cook**

**RETIRED SENIOR  
COUNSEL**

✉ [trevor.cook@wilmerhale.com](mailto:trevor.cook@wilmerhale.com)

☎ +1 212 230 8826