



## ***“The voice of SMEs in Europe”***

### **Press Release**

FOR IMMEDIATE RELEASE:

### **Council decision a blow to new proposal on patents for computer-implemented inventions**

**Brussels, 7 March 2005** UEAPME, the European association for small and medium business and crafts, has expressed disappointment at the decision of the Competitiveness Council to adopt the first reading text on the directive for the patenting of computer-implemented inventions, ignoring the call by the European Parliament for a fresh proposal.

“A new proposal, which properly addresses the concerns of small and medium businesses, is the only way to satisfactorily resolve the impasse on and restore the credibility of the draft directive,” said **Hans-Werner Müller**, UEAPME Secretary General. “In its current form, the directive would be damaging for SMEs.”

UEAPME is concerned that the directive would reinforce monopolisation in the software sector and act as a barrier to innovation by SMEs and micro-enterprises. The European Parliament must now use the second reading phase to effect the necessary changes, whereby patents would not be issued for pure software products. UEAPME believes that these products are already successfully covered by the copyrighting system, under which the software sector has developed and continues to flourish.

Software clearly differs from other industrial computer products, which may be better protected by patents. Software is, by nature, an organic product that builds on pre-existing ideas. This process of open sourcing, which has enabled innovation in the sector to thrive, would become almost impossible under a patenting system. UEAPME does not advocate free software, however introducing a patent for pure software, and the costs that this would entail, would be damaging for small and medium enterprises.

“The current proposal has been discredited by the serious divisions that have left the decision-making process deadlocked. The Commission has missed an opportunity to bring forward a workable and balanced redraft. The European Parliament must now focus on ensuring the negative implications of the proposal are prevented,” concluded Mr Müller.

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