



## **“The voice of SMEs in Europe”**

### **Press Release**

FOR IMMEDIATE ISSUE

## **Lack of progress on the creation of a Community Patent**

- **Urgent need for a patent litigation insurance system and reduced fees for SMEs**

**Brussels, 4 April 2007.** UEAPME, the European craft and SME employers’ organisation, welcomes the communication ‘Enhancing the patent system in Europe’ adopted by the Commission. The strategy published yesterday (Tuesday) follows Commissioner McCreevy’s commitment of late 2006 to present a Communication putting forward a comprehensive strategy on patents policy. UEAPME welcomes the suggestions presented on the litigation system but deplores the lack of agreement on the Community Patent.

The Community patent is an old proposal, which would introduce a patent subject to the single Community jurisdiction and put an end to the current system, under which EU businesses have to apply for protection in each of the national patent regimes. In spite of the general support this proposal has encountered, the main problem still to be resolved is the language requirements.

As far as the language regime is concerned, UEAPME is of the opinion that the number of languages in which a patent can be filed should be reduced, ideally to English only and calls upon the Commission to find a solution in this respect. *“The unresolved Community Patent issue leaves European SMEs without one of the essential instruments to innovation”*, pointed out **Luc Hendrickx**, UEAPME Director of Enterprise Policy and External Relations. He added *“Translation requirements would further raise the administrative costs, which are often unbearable for SMEs, and hamper the SME’s access to patents”*. Therefore UEAPME calls on the Commission to come up with a fair and clear proposal in this respect.

Regarding the patent litigation system, UEAPME supports an efficient and cost-effective system as proposed by the Commission and welcomes the integrated approach put forward by the Communication, which foresees a specialised Europe-wide patent jurisdiction inspired by the EPLA and the first instance chambers. *“The EU-wide level and the first instance chambers would respectively ensure a homogenous interpretation and proximity, and thus increasing legal certainty and reducing litigation-related expenses”*, said Mr Hendrickx.

However, no progress has been achieved in two other main issues for SMEs: UEAPME reiterates its demand to urgently introduce reduced fees for SMEs, as the high costs of patenting is one of the main reasons that deter SMEs from obtaining patents for their products. Likewise, UEAPME deplores the lack of progress made in the creation of a patent litigation insurance system for SMEs, which has been under discussion already for nearly 10 years and which is an indispensable part for an efficient SME patent policy.

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**EDITORS’ NOTES:** UEAPME is the employers’ organisation representing crafts, trades and SMEs from the EU and accession countries at European level. UEAPME has 81 member organisations, which represent crafts and SMEs across Europe, covering over 11 million enterprises with 50 million employees. UEAPME is a European Social Partner.

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