



**Europäische
Patent-
organisation**

Verwaltungsrat

**European
Patent
Organisation**

Administrative Council

**Organisation
européenne des
brevets**

Conseil d'administration

Number:
SC/D 1/24

Original:
de, en, fr

Date:
13.11.2024

Category:
Public

TITLE:

Select Committee of the Administrative Council decision

SUBJECT:

Decision of the Select Committee of the Administrative Council of 13. November 2024 amending the Rules relating to Unitary Patent Protection

SUBMITTED BY:

Council Secretariat

ADDRESSEES:

Select Committee of the Administrative Council

DECISION OF THE SELECT COMMITTEE OF THE ADMINISTRATIVE COUNCIL
of 13 November 2024 amending
the Rules relating to Unitary Patent Protection

THE SELECT COMMITTEE OF THE ADMINISTRATIVE COUNCIL OF THE EUROPEAN PATENT ORGANISATION,

Having regard to Regulation (EU) No 1257/2012 of the European Parliament and of the Council of 17 December 2012 implementing enhanced cooperation in the area of the creation of unitary patent protection and Council Regulation (EU) No 1260/2012 of 17 December 2012 implementing enhanced cooperation in the area of the creation of unitary patent protection with regard to the applicable translation arrangements,

Having regard to Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, as amended by Council Regulation (EU) 2024/1745 of 24 June 2024, and in particular Article 5s(2) and (5) thereof,

Having regard to Rule 2(1)(a) of the Rules relating to Unitary Patent Protection,

HAS DECIDED AS FOLLOWS:

Article 1

Rule 5, paragraph 2, of the Rules relating to Unitary Patent Protection reads as follows:

"Unitary effect shall be registered only if

- (a) the European patent has been granted with the same set of claims in respect of all the participating Member States, and
- (b) the proprietor of the European patent is not subject to the restrictive measure laid down in Article 5s(2) of Regulation (EU) No 833/2014 as amended by Regulation (EU) 2024/1745, having regard to Article 5s(5) of that amended Regulation."

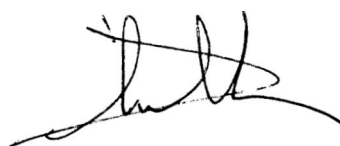
Article 2

- (1) Rule 5, paragraph 2, of the Rules relating to Unitary Patent Protection as amended under Article 1 of this decision shall enter into force on 15 November 2024.
- (2) Rule 5, paragraph 2, of the Rules relating to Unitary Patent Protection as amended shall apply to requests for unitary effect pending on the date of entry into force referred to under paragraph 1 and to those filed on or after that date.

- (3) Rule 5, paragraph 2, of the Rules relating to Unitary Patent Protection as amended under Article 1 of this decision shall be repealed on the date Article 5s(2) of Regulation (EU) No 833/2014 as amended by Regulation (EU) 2024/1745 ceases to have effect, and shall be replaced by the version of that Rule in force prior to its amendment.

Done at Munich, 13 November 2024

For the Select Committee
of the Administrative Council
The Chairperson

A handwritten signature in black ink, appearing to read 'J. Debrulle', with a long horizontal flourish extending to the right.

Jérôme DEBRULLE