

Operation of the Unitary Patent system

Contribution by the European Patent Office to the European
Commission report on the operation of Regulation (EU) No 1257/2012

November 2025



Table of Contents

Executive Summary	3
1. Introduction	5
2. Key findings	6
3. Objectives of the creation of the Unitary Patent system	9
3.1 General	9
3.2 Adoption of the Unitary Patent package	11
4. Smooth integration and successful start of the new system	12
4.1 Operations	12
4.2 Fee related aspects	17
4.3 Importance and value of the Unitary Patent system for EU companies in the home market	18
5. Successful legal, technical, financial and operational implementation and strong awareness raising	20
5.1 Governance	20
5.2 Legal Implementation	21
5.3 Technical implementation	25
5.4 Financial implementation	25
5.5 Communication-related implementation and awareness raising	26
5.6 Capacity-building	27
5.7 Interactions between the UPC and the EPO	28
6. Next steps and outlook	28
7. Conclusions	29
Annex 1	31

Executive Summary

The Unitary Patent system has transformed the landscape for Europe's innovators. In just over two years, it has delivered on its promise to simplify, streamline, and reduce the cost of patent protection and dispute settlement across Europe. The system has become a game-changer, offering businesses a one-stop shop to realise the full potential of the EU's Single Market. With Unitary Patents, innovators can now obtain patent protection in 18 EU Member States, representing a market of over 317 million inhabitants, and benefit from simpler procedures, a single and competitive set of renewal fees and one comprehensive register.

The uptake of the Unitary Patent has exceeded expectations. It is used extensively across all industrial sectors, with almost a third of European patents being now converted into Unitary Patents. Uptake rates are even higher among EU-based proprietors of European patents, at 40%. These proprietors account for over 60% of all requests. This proves the system's attractiveness to European innovators, dispelling concerns voiced prior to its introduction that overseas users would dominate the Unitary Patent system. Furthermore, nearly 40% of all European patent holders who have requested unitary effect for their granted patents are small and medium-sized enterprises (SMEs) and public research organisations, proving those wrong who believed that the Unitary Patent would appeal only to big business. Amongst European SMEs, there is a higher-than-average uptake rate of 66%. A similarly high uptake rate of 51% is seen among European universities and public research organisations. This figure is all the more remarkable considering that European patent applications from European SMEs and individual inventors make up 22% of the total, and 7% of the total originate from universities and public research organisations. This underscores the system's accessibility and appeal, particularly for European innovators and European SMEs.

In addition, the streamlined translation regime of the Unitary Patent reflects the realities of modern technology and advances in machine translation tools. This makes technical information contained in Unitary Patents widely accessible to the public and businesses across Europe.

Cooperation between the European Patent Office (EPO), participating EU Member States and the European Commission has been exemplary. This has ensured stable governance and effective administration by the EPO, a fact that was recognised by over 8 000 users in the latest independent User Satisfaction Survey. The EPO has managed the Unitary Patent related tasks within the timeliness expectations, and transparently distributed information and knowledge, for example by making all statistical data publicly available on the Unitary Patent Dashboard.

The robust and adaptable institutional framework established through the Select Committee, including the adoption and subsequent amendments of the Rules relating to Unitary Patent Protection, has also proven its worth.

Meanwhile, the Unified Patent Court has established itself as a fast and effective centralised forum for resolving disputes across Europe. This has enhanced legal certainty and consistency, while reducing the need for parallel proceedings. The UPC boasts Europe's most specialised patent judges, sophisticated procedures, and advanced IT infrastructure, including a new Case Management System developed by the UPC with support from the EPO. Its steadily expanding body of balanced and high-quality case law continues to strengthen confidence in the system. The Court's fees are comparable and competitive with those of national courts and, in view of its multinational

jurisdiction, cannot be regarded as disproportionately high. In addition, the UPC's 40% fee reduction for SMEs ensures that litigation remains fully accessible to smaller entities.

In summary, the Unitary Patent and the Unified Patent Court have quickly proven their worth, and the EU institutions were correct to entrust the EPO with the tasks relating to the Unitary Patent. Its implementation has proven to be effective, legally secure, of a high quality, and with business-friendly processes and costs. It is essential that all stakeholders continue to work together to support these positive trends and further enhance the attractiveness of the system. The Unitary Patent system provides the foundation for the free flow of technology in Europe, offering the legal certainty that research, investment, and scale depend on. The fragmentation of the European patent landscape sets a further bureaucratic hurdle for less-experienced users, especially for European SMEs and research institutions. It is therefore vital that all EU Member States join the Unitary Patent system so that its full potential can be realised, as emphasised in the Draghi and Letta reports and the EU's Single Market Strategy.

1. Introduction

1. Innovation and the protection thereof are of great importance to promote R&D, technological progress and economic growth in an increasingly competitive world. This was already recognised many decades ago when a group of European states decided to adopt the European Patent Convention (EPC) in 1973¹, creating a centralised patent application, examination, and opposition procedure.²
2. The European Patent System is well functioning and is widely accepted by applicants from Europe³ and abroad. It has steadily been updated not only legally, but also technically through increased digitisation of procedures to reflect the latest technological state of art. In 2024, 200,000 patent applications were filed with the European Patent Office (EPO), which examines applications via a centralised procedure determined by the EPC⁴.
3. However, once a European patent is granted by the EPO for a contracting state, it has in that state the same effects as a national patent granted by that state. The fragmented post-grant system led to administrative complexity due to different requirements as to the filing of translations and payment of renewal fees under different rules and sometimes different currencies, as well as high costs and possibly divergent decisions when patents were litigated before several national courts and other authorities.
4. Consequently, access to comprehensive patent protection in Europe was costly and complex and rendered enforcement more difficult, in particular for SMEs.⁵

¹ Convention on the Grant of European Patents of 5 October 1973.

² In parallel, the Community Patent Convention (CPC) (Official Journal of the European Communities L 17, 26 January 1976, L:1976:017:TOC), establishing a community patent, was concluded. However, it never entered into force due to the lack of the required ratifications. Multiple further efforts to complete the reform were made between 1976 and 2006, for which the texts are available via <https://www.epo.org/en/legal/up-upc/travaux-preparatoires-and-upc>

³ Commission staff working paper, Summary of the impact assessment, Accompanying document to the Proposal for a Regulation of the European Parliament and the Council implementing enhanced cooperation in the area of the creation of Unitary Patent protection and the Proposal for a Council Regulation implementing enhanced cooperation in the area of the creation of Unitary Patent protection with regard to the applicable translation arrangements, SEC(2011) 483 final, 2.

⁴ Convention on the Grant of European Patents of 5 October 1973.

⁵ Commission staff working paper, Summary of the impact assessment, Accompanying document to the Proposal for a Regulation of the European Parliament and the Council implementing enhanced cooperation in the area of the creation of Unitary Patent protection and the Proposal for a Council Regulation implementing enhanced cooperation in the area of the creation of Unitary Patent protection with regard to the applicable translation arrangements, SEC(2011) 483 final, 2.

5. The Unitary Patent package was established to address and overcome these difficulties and complexities. It consists of two pillars: firstly, the Unitary Patent as such, created and regulated by the European Union's legislation, namely Regulation (EU) No 1257/2012⁶ and Regulation (EU) No 1260/2012⁷ adopted in enhanced cooperation between Member States and implemented at the EPO; and secondly, the Unified Patent Court (UPC), established through the Agreement on a Unified Patent Court (UPC Agreement). The high uptake of the Unitary Patent demonstrates its success.

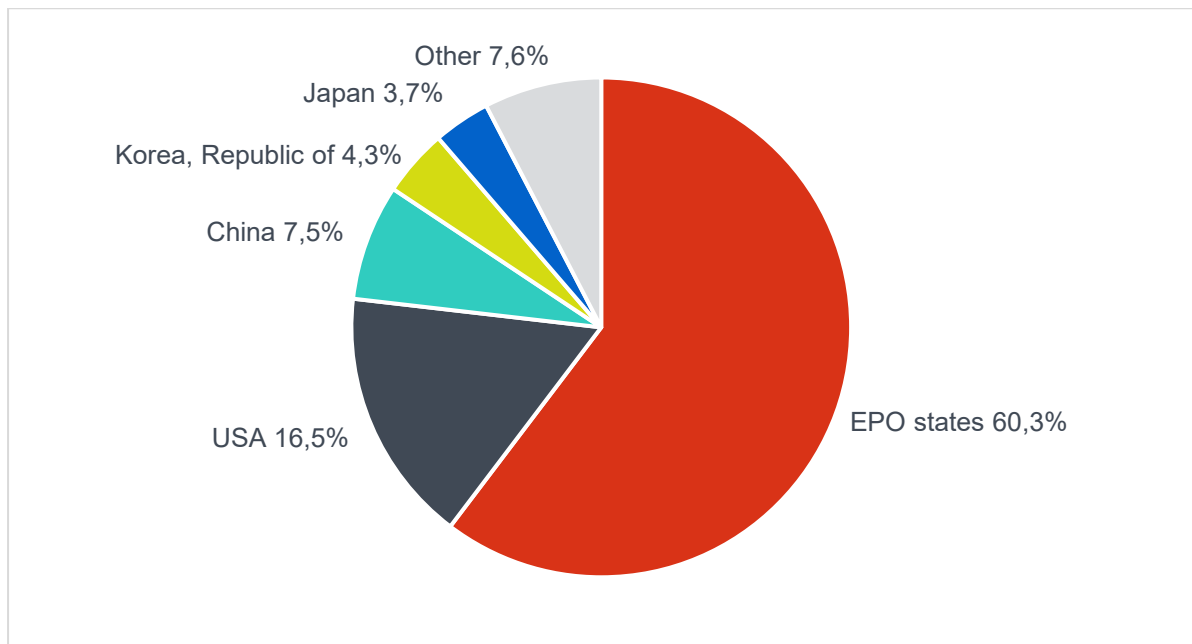
2. Key findings

6. Under Article 16(1) of Regulation (EU) No 1257/2012, the European Commission shall, not later than three years from the date on which the first European patent with unitary effect took effect, and every five years thereafter, present to the European Parliament and the Council a report on the operation of the Unitary Patent system. The Commission's report should evaluate the functioning of the system and, where necessary, make appropriate proposals for its revision. Additionally, under Article 1 of the EPO and the European Commission's Working Arrangement relating to European Patents with unitary effect, the EPO and the European Commission are to co-operate and jointly evaluate the functioning of the Unitary Patent system within 30 months of its launch. The conclusions of the evaluation will support the work of the Commission under Article 16 of Regulation (EU) No 1257/2012.
7. The participating Member States gave certain administrative tasks relating to Unitary Patents to the EPO. These tasks regard the administration of requests for unitary effect, the registration of unitary effect and of any limitation, licence, transfer, revocation or lapse of Unitary Patents, the collection and distribution of renewal fees, the publication of translations for informational purposes during the transitional period and the administration of a compensation scheme for the reimbursement of translation costs incurred by applicants filing European patent applications in a language other than one of the official languages of the EPO. In view of these tasks, there are many areas where the EPO can be expected to make key contributions to the Commission's report mandated under Article 16 of Regulation (EU) No 1257/2012.

⁶ Regulation (EU) No 1257/2012 of 17.12.2012 implementing enhanced cooperation in the area of the creation of Unitary Patent protection

⁷ Regulation (EU) No 1260/2012 of 17.12.2012 implementing enhanced cooperation in the area of the creation of Unitary Patent protection with regard to the applicable translation arrangements

8. The launch of the Unitary Patent package has been a markedly strong success, achieving the core objectives identified during its development phase. It has already demonstrated its effectiveness as an alternative, simplified and cost-effective route to patent protection and dispute settlement throughout Europe. The Unitary Patent significantly simplifies the process of obtaining patent protection across much of the European Union. Before its introduction, inventors and companies had to validate a European patent in several individual EU countries, which was time-consuming and expensive. The Unitary Patent streamlines this by allowing a single request to cover multiple participating states, reducing administrative burden, legal complexities, and costs. This harmonization makes it especially attractive for small and medium-sized enterprises (SMEs). Across the 18 EU Member States that currently participate in the system, a market of 317 million consumers can be easily covered. As the renewal fees for the Unitary Patent have been set at a business-friendly level, the Unitary Patent also provides better value for money. In addition, the establishment of the UPC provides proprietors with a single venue for centralised litigation of Unitary Patents and classic European Patents. This increases legal certainty, limits costs for users and reduces the need for parallel litigation before different courts. The UPC offers fast and efficient procedures that can result in injunctions and damages awards with effect in all 18 currently participating Member States.
9. Evidence of the Unitary Patent package's success is clearly visible through the high uptake rates, i.e. the rate of European patents being transferred into Unitary Patents, amongst the EPO's user communities. In 2023, its first year of operation, the EPO received 17 254 requests for unitary effect, resulting in a global uptake rate of 17.5%. By the end of November 2025, the number of requests had surpassed 75 000, with the global uptake rate for 2025 rising to 28.3%, meaning that more than a quarter of all European patents which have so far been granted this year resulted in Unitary Patent protection. Uptake rates have been even stronger amongst applications from the EU, reaching almost 40% in 2025, with a similarly high rate of 39.5% observed among all EPC Contracting States.
10. Geographically, in 2025 around 60% of Unitary Patent proprietors are located in the EPC Contracting States. Unitary Patent proprietors from the United States make up around 16%, while those from Japan, South Korea and China account for around 15%. This highlights that European innovators benefit most from the Unitary Patent, while also showing its appeal beyond Europe.



Graph 1: Geographic origin of requesters of unitary effect in 2025 (status 26.11.2025)

11. It is also particularly encouraging that smaller entities such as SMEs, universities and public research organisations have been highly active during the system's first two years of operation. These users accounted for around 40% of all European proprietors opting for Unitary Patent protection each year. For European SMEs, 66% of those holding a European patent have requested registration of unitary effect. A similarly high uptake rate of 51% is seen among European universities and public research organisations. These figures are all the more remarkable considering that European patent applications from European SMEs and individual inventors make up 22% of the total applications, while 7% of European patent applications originate from European universities and public research organisations.
12. The implementation by the EPO has been smooth, efficient, and successful across all relevant domains, including legal, operational, governance, financial/fees, and IT. The exemplary work within the Select Committee⁸ and in particular the successful adoption of the Rules relating to Unitary Patent Protection and the Rules relating to Fees for Unitary Patent Protection show that the legal and governance framework building the foundations for the implementation was a strong success. This institutional framework has also shown the required flexibility through the amendment of the Rules relating to Unitary Patent Protection to incorporate provisions of the EU's 14th package of sanctions against Russia, as well as the smooth and efficient inclusion of the 18th participating Member State, Romania, in the system. On the operational side, the Unitary Patent was successfully integrated into the EPO's existing systems, building upon the well-established processes and tools within the patent grant process.

⁸ The Select Committee of the Administrative Council of the European Patent Organisation is the legislative body responsible for the Unitary Patent within the organisation. It is composed of the EPC contracting states which are members of the EU and participate in the enhanced cooperation concerning unitary patent protection, as well as the European Commission, other EPC contracting states and user organisations acting as observers.

13. The system has been widely praised by users, with its effectiveness reflected by the minimal number of challenges brought before the UPC against decisions of the EPO in relation to requests for unitary effect and other tasks related to the Unitary Patent, underlining the high level of acceptance. Additionally, the EPO's support to the UPC in the development and operation of the court's Case Management System has been repeatedly positively acknowledged by the UPC, users, and involved states, further confirming the overall success and quality of the implementation process.
14. Overall, the Unitary Patent system has proven to be a great success and an important contribution to foster Europe's innovation capacity and its competitiveness vis-à-vis the United States and Asia.

3. Objectives of the creation of the Unitary Patent system

3.1 General

15. The EPC⁹ established a common centralised patent application, examination, and opposition system for Europe. It provides the basis for the granting of European patents for the European Patent Organisation with its currently 39 contracting states¹⁰, including all EU Member States. In addition, European patents can be extended or validated in seven states¹¹ on the basis of their national law. The EPO has the task of granting patents on behalf of the European Patent Organisation. This system is well-functioning, widely accepted by applicants from Europe¹² and abroad, and is continuously improved by increased digitalisation of procedures to reflect the latest technological state of the art. Since the EPO took up its work in the late 1970s, it has granted more than 2 million patents.
16. When the legal requirements set by the EPC are met, the EPO grants a "bundle patent"¹³, i.e. a European patent comprising a bundle of patents which take effect in the territory of each of the 39 EPC contracting states. The bundle-patent approach has the effect that once a patent has been granted by the EPO, the common centralised procedure basically comes to an end, although it is still possible to file an opposition against the patent before the EPO.¹⁴ In a number of contracting states the patent proprietor needs to complete certain acts to validate the patent. In other contracting states the validation of the patent does not require specific acts before the next renewal fee falls due.

⁹ Convention on the Grant of European Patents of 5 October 1973.

¹⁰ Albania, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxemburg, Malta, Monaco, Montenegro, North Macedonia, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovenia, Slovakia, Spain, Sweden, Switzerland, Türkiye, United Kingdom.

¹¹ Bosnia-Herzegovina (extension state), Morocco, Republic of Moldova, Tunisia, Cambodia, Georgia, Lao People's Democratic Republic (validation states)

¹² Commission staff working paper, Summary of the impact assessment, Accompanying document to the Proposal for a Regulation of the European Parliament and the Council implementing enhanced cooperation in the area of the creation of Unitary Patent protection and the Proposal for a Council Regulation implementing enhanced cooperation in the area of the creation of Unitary Patent protection with regard to the applicable translation arrangements, SEC(2011) 483 final, 3.

¹³ See Article 2(2) EPC and Article 64(1) EPC.

¹⁴ Article 99 EPC.

17. This leads in particular to:

- High costs related to the translation and publication of patents at national level, the need to pay renewal fees in multiple countries, as well as the high costs of professional representation and enforcement,
- Differences in the maintenance of patents in different Member States, including the level of fees and payment rules and the administrative complexity of registering transfers, licences and other rights, the latter leading to reduced transparency when Register information is not actualised, and
- The possibility of different outcomes in parallel litigation, leading to legal uncertainty.

Category	Unitary Patent (UP)	UP and European Patent (EP) for GB	UP and EP for CH	Unitary Patent (UP) and EP for GB and CH	Conventional European patent (EP) validated and maintained in four countries
Total official fees (years 5–10)	4400	5235	5522	6357	4661
Total external costs* (years 5–10)	2988	3490	3661	4163	6106
Total cost up to year 10	7388	8725	9183	10520	10767
Savings vs. European patent	3379 (31%)	2042 (19%)	1583 (15%)	247 (2%)	
Total official fees (years 5–12)	7635	8946	9422	10733	8261
Total external costs* (years 5–12)	3764	4552	4837	5623	8266
Total cost up to year 12	11399	13498	14259	16356	16527
Savings vs. European patent	5127 (31%)	3029 (19%)	2267 (14%)	170 (1%)	
Total official fees (years 5–15)	15025	17404	18245	20624	16591
Total external costs* (years 5–15)	5538	6966	7470	8898	13264
Total cost up to year 15	20563	24370	25715	29522	29855
Savings vs. European patent	9292 (31%)	5485 (18%)	4140 (14%)	333 (1%)	
Total official fees (years 5–20)	35270	40654	42500	47884	37461
Total external costs* (years 5–20)	10397	13627	14735	17965	25786
Total cost up to year 20	45667	54281	57235	65849	63247
Savings vs. European patent	17580 (28%)	8965 (14%)	6012 (10%)	-2603 (-4%)	

Table 1: Estimated overall cost (incl. external costs) of validation and maintenance in EUR

18. To deal with these negative aspects in the post-grant phase, the “Europe 2020 Strategy” and “the Single Market Act” sought to improve the framework conditions for businesses to innovate by creating Unitary Patent protection in the EU Member States, complemented by a unified European patent litigation system.¹⁵
19. The Unitary Patent system aimed to enhance the functioning of the Single Market and foster growth and innovation by increasing SMEs access to patent protection and increasing the scope of patent validations and knowledge dissemination. It was the general understanding that these objectives could only be reached by lowering the overall costs of patent protection in Europe by, in particular, reducing the translation and publication costs and simplifying the maintenance of patents and the registration of transfers, as well as licensing agreements and other rights.¹⁶

3.2 Adoption of the Unitary Patent package

20. In the years 2007 to 2012, negotiations on the Unitary Patent package led to the adoption of the legal instruments required to bring into effect the Unitary Patent and the Unified Patent Court. This was achieved by resorting to enhanced cooperation among a group of 25 EU Member States¹⁷ to enable the European Parliament and the Council to reach agreement on the two Regulations (EU) 1257/2012¹⁸ and 1260/2012¹⁹, and by adopting in parallel an international agreement²⁰ on the creation of the UPC.
21. Following adoption of the two EU Regulations on 17 December 2012 and the signature of the UPC Agreement on 19 February 2013, a preparatory phase took place during which the Select Committee of the European Patent Organisation and the Preparatory Committee for the UPC prepared the framework for the future operation of the Unitary Patent system. This included drafting and adopting a series of legal and financial implementing rules to allow the UPC and the new Unitary Patent Protection Division at the EPO (UPP Division) to carry out the tasks related to the Unitary Patent entrusted to the EPO.

¹⁵ Commission staff working paper, Impact assessment, Accompanying document to the Proposal for a Regulation of the European Parliament and the Council implementing enhanced cooperation in the area of the creation of Unitary Patent protection and the Proposal for a Council Regulation implementing enhanced cooperation in the area of the creation of Unitary Patent protection with regard to the applicable translation arrangements, SEC(2011) 482/2, 4.

¹⁶ Commission staff working paper, Summary of the impact assessment, Accompanying document to the Proposal for a Regulation of the European Parliament and the Council implementing enhanced cooperation in the area of the creation of Unitary Patent protection and the Proposal for a Council Regulation implementing enhanced cooperation in the area of the creation of Unitary Patent protection with regard to the applicable translation arrangements, SEC(2011) 483 final, 3.

¹⁷ Under Articles 20 TEU and 329 TFEU. See Council Decision of 10.03.2011, 2011/167/EU, OJ EU L 76/53, 22.03.2011. Today, the following 25 EU Member States participate in enhanced cooperation: Austria, Belgium, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Czech Republic, Romania, the Slovak Republic, Slovenia and Sweden. Italy was authorised to join the enhanced cooperation on 30.09.2015 (Council Decision 2015/1752/UE, OJ UE n° L 256, 01.10.2015).

¹⁸ Regulation (EU) No 1257/2012 of 17.12.2012 implementing enhanced cooperation in the area of the creation of Unitary Patent protection

¹⁹ Regulation (EU) No 1260/2012 of 17.12.2012 implementing enhanced cooperation in the area of the creation of Unitary Patent protection with regard to the applicable translation arrangements

²⁰ Agreement on a Unified Patent Court of 19.02.2013 (UPC Agreement)

22. In parallel, ratifications of the UPC Agreement took place in the EU Member States²¹ – including in the three states in which the highest number of European patents were in force in 2012²² – so that the UPC Agreement could enter into force and the Unitary Patent system could start on 1 June 2023.
23. Also to be noted is the solid legal foundation on which the Unitary Patent system is based. On two occasions, in 2013 and 2015, the CJEU confirmed the robustness of the legislative choices made by the Commission, the European Parliament, the Council and the EU Member States, upholding both the legality of enhanced cooperation in the area of unitary patent protection (C-274/11 and C-295/11), as well the legal soundness and conformity with the EU legal order of the Unitary Patent system as a whole (C-146/13 and C-147/13), including the creation and functions of the Select Committee, the new tasks attributed to the EPO, and the translation arrangements laid down for the Unitary Patent.
24. These protracted negotiation and preparation phases and the many obstacles to be overcome along the road delayed until 2023 a reform which was long overdue, as evidenced by the impressive start and the high acceptance rates by users in the first months and years after the start of the new system.

4. Smooth integration and successful start of the new system

4.1 Operations

25. The integration of the Unitary Patent into the EPO's operational systems was completed seamlessly in 2023. Leveraging the EPO's established patent grant procedures and robust digital tools, such as MyEPO, the Unitary Patent system offers users a consistent, cost-effective and efficient experience. By allowing users to operate within familiar workflows and tools, the system enhances usability and supports widespread adoption. Also, the accession of Romania to the Unitary Patent scheme in September 2024 was implemented smoothly and in a user-friendly manner, marking the successful launch of a new generation of Unitary Patents. This milestone also demonstrates the EPO's operational capability to welcome new states participating in the Unitary Patent at any point in time in the future.
26. Transparency has been ensured through the creation of the [Register for Unitary Patent Protection](#) ("UP Register"), integrated into the [European Patent Register](#), and the [Unitary Patent Dashboard](#), which provides detailed figures and trends on system use. The UP Register offers up-to-date, publicly accessible legal information on Unitary Patents, while information on proprietors is available via [Espacenet](#) and the [EPO Deep Tech Finder](#) (DTF)²³.

²¹ As of today, the following 18 states have ratified the UPC Agreement: Austria, Belgium, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Romania, Slovenia and Sweden, see www.consilium.europa.eu.

²² As required by Article 89 UPC Agreement.

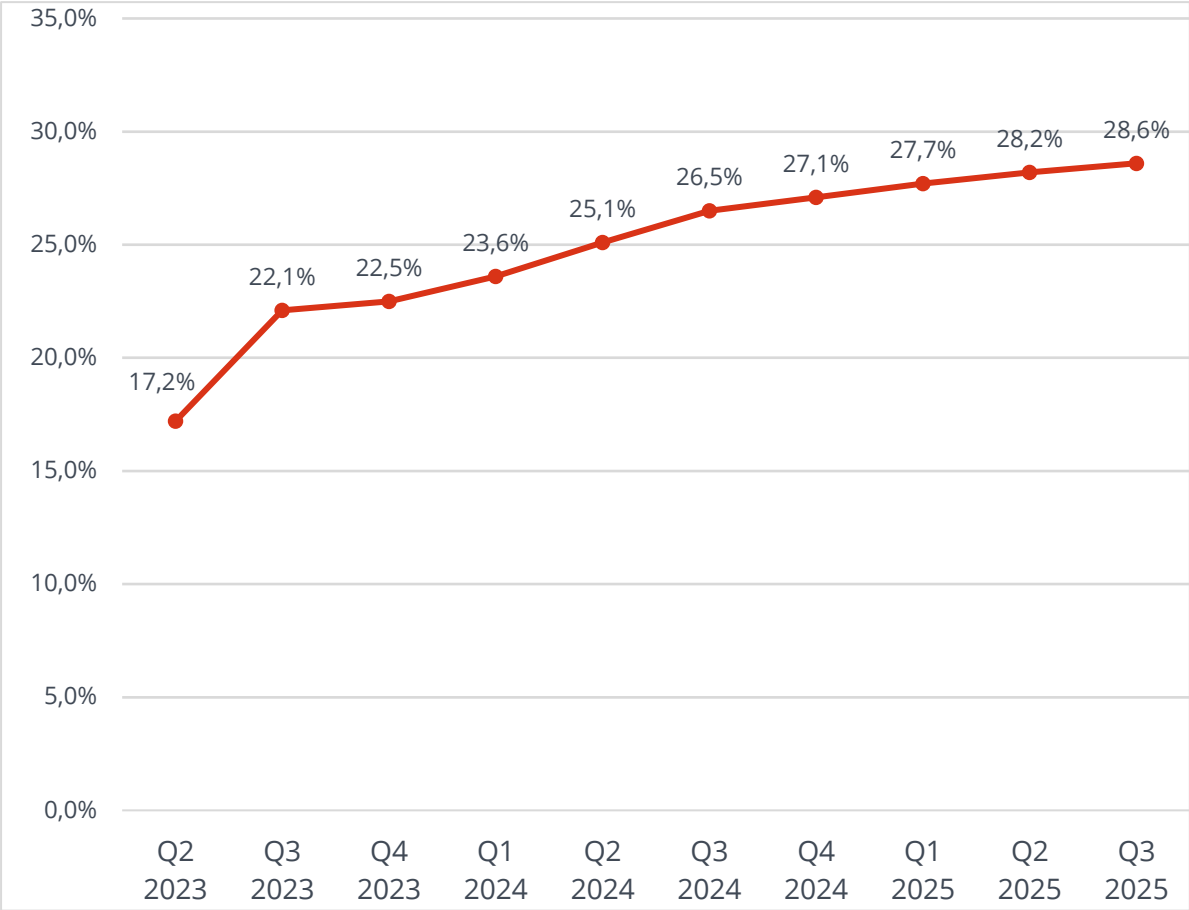
²³ Available at <https://www.epo.org/en/about-us/observatory-patents-and-technology/tools/deep-tech-finder>.

27. Studies carried out by the EPO and the EUIPO²⁴ show that European SMEs are more profitable, more likely to grow, and more likely to attract funding when they own European patents. The Unitary Patent reinforces those benefits for SMEs, by providing enhanced flexibility to enter national markets, facilitating cross-border collaborations, and signalling value to investors. The DTF is a free, interactive and easy to use tool available both online and in mobile app format that has been designed to accelerate those benefits, connecting investors to startups, universities and research organisations that have filed European patent applications. Importantly, as European patents and Unitary Patents are valuable, high-quality, legally robust assets for start-ups that can attract increased levels of venture capital investment²⁵, start-ups, public research organisations (PROs), universities and spin-outs with granted patents and patent applications are clearly identified on the DTF. This increases the visibility of investment-ready entities, and the option to display licensing intentions, introduced in response to investor feedback, further supports the matching of innovations with funding opportunities across key technology sectors.
28. Complementing these measures, the EPO has invested extensively in awareness-raising and training. Through the European Patent Academy, a wide range of materials, webinars, and courses are available on the EPO website, equipping patent proprietors, attorneys, and other stakeholders to confidently engage with the new system.
29. To run Unitary Patent related operations, the newly established UPP Division (see 5.1) carries out most of the tasks entrusted to the EPO under Article 9 of Regulation (EU) No 1257/2012. The UPP Division is responsible in particular for registering requests for unitary effect and for maintaining the UP Register, including the recording of transfers of rights and licenses. These activities are governed by Regulation (EU) No 1257/2012, as well as the Rules relating to Unitary Patent Protection, as adopted by the Select Committee on 15 December 2015 and last amended on 23 March 2022. A table with extensive data on the tasks carried out by the EPO is annexed to the present report, in application of Article 2 of the Working Arrangement between the European Commission and the EPO regarding European patents with unitary effect (see Annex 1).

²⁴ EPO-EUIPO, Intellectual property rights and firm performance in the European Union, January 2025; EPO-EUIPO, Intellectual property rights and firm performance in Europe: an economic analysis, June 2019; EPO-EUIPO, Patents, trade marks and startup finance: funding and exit performance of European start-ups, October 2023. Studies available at <https://www.epo.org/en/about-us/services-and-activities/chief-economist/studies>.

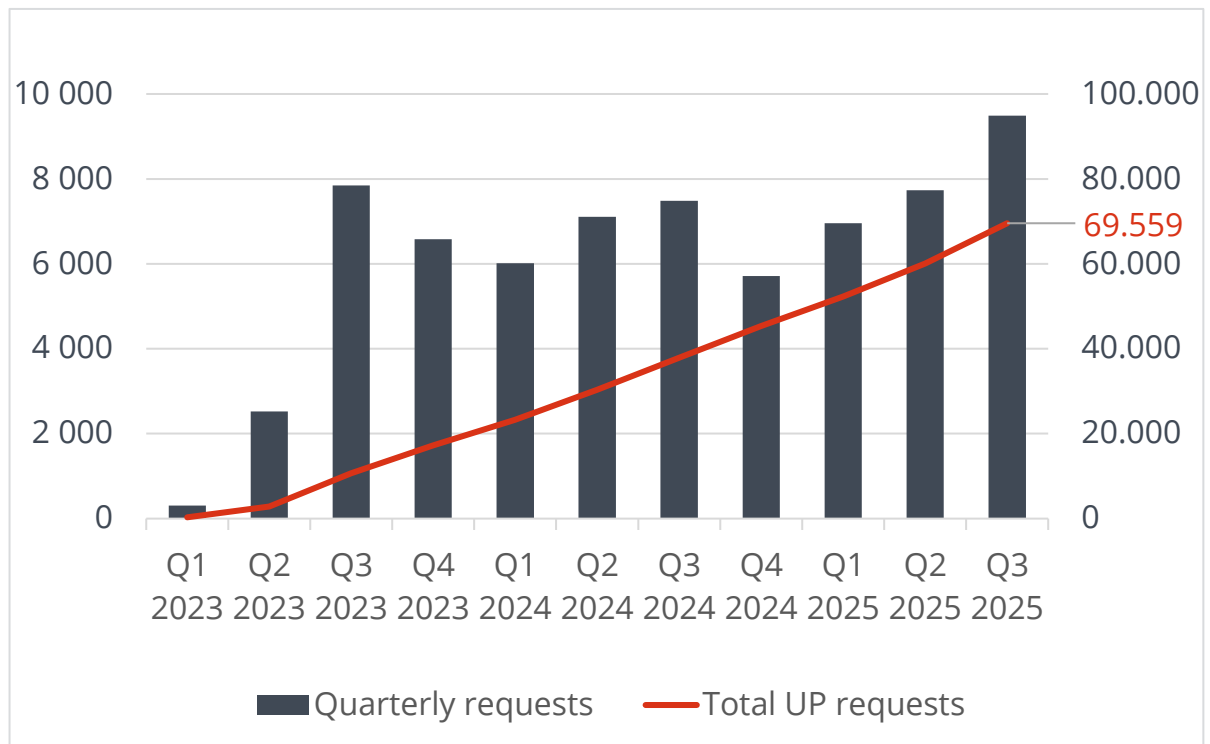
²⁵ EPO, EUIPO, Patents, Trade Marks and Startup Finance: funding and exit performance of European start-ups, October 2023, available at <https://www.epo.org/en/about-us/services-and-activities/chief-economist/studies>

30. With respect to the administration of requests for unitary effect, the EPO has been managing a steadily increasing workload. Since the system’s launch in June 2023 up until 26 November 2025, a total of 75 039 requests were received. In the first half of 2025 alone, the EPO processed 14 962 requests—an increase of 14% compared with the 13 125 requests filed during the same period in 2024 (see Graph 3). The overall uptake rate, measured as the share of requests for unitary effect relative to the number of European patents granted by the EPO, has risen to over 28% in the first three quarters of 2025, up from 25.6% in 2024 (see Graph 2).



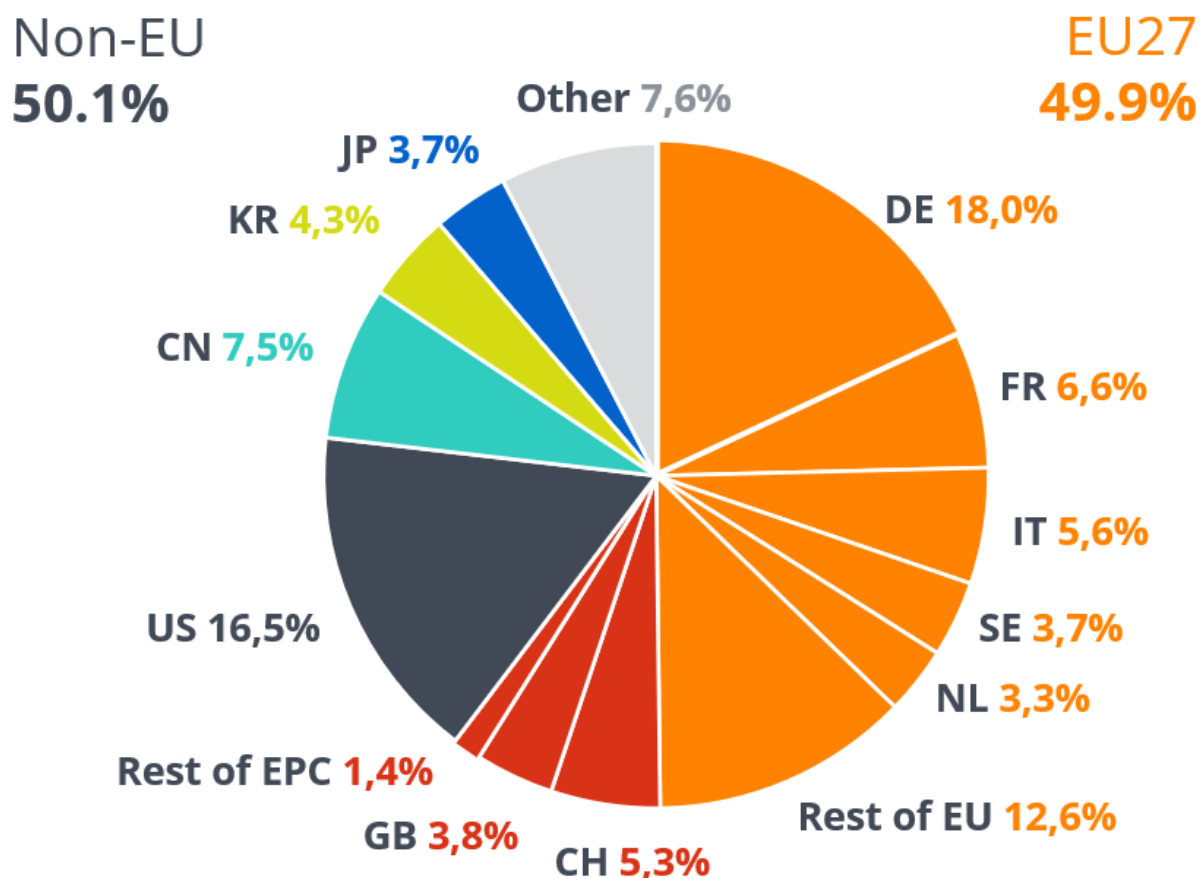
Graph 2: Development of global uptake rate 2023-2025

31. Despite the rising number of requests, the EPO has maintained short processing times, remaining under ten days overall and averaging just seven days for standard requests. The timeliness of the procedure to request unitary effect at the EPO, from submission of a request for unitary effect to registration, was rated positively by 88% of respondents in the 2024/2025 User Satisfaction Survey, where the Unitary Patent related tasks were addressed for the first time. Satisfaction with the online filing tools was even higher, with 92% of users giving positive feedback. The results of the User Satisfaction Survey, gathered from over 8000 users, provide further evidence that the EPO was the correct body to be entrusted with the operational aspects of the Unitary Patent, as the EPO provides a timely and high-quality post-grant procedure that is trusted by users.



Graph 3: Requests for unitary effect received to Q3 2025 (status 30.09.2025)

32. The Unitary Patent system appears to be fulfilling its core objective of serving European industry, as evidenced by the high uptake rate among European companies at around 40%, and the dominant share of requests for unitary effect coming from proprietors originating from the EU, which is almost 50% so far in 2025 (see Graph 4). This strong participation underscores the system's relevance and value to the EU industrial landscape. Notably, European SMEs are making particularly effective use of the Unitary Patent system, accounting for 31.6% of all requests – while they represent only 22% of European patent applications - (see Table 2). European SMEs have also achieved an impressive uptake rate of 66% over the first half of 2025. The inclusion of supportive measures, such as a compensation scheme for SMEs and individual proprietors, along with the option for Unitary Patent proprietors to register an intention to license (see point 4.2) entitling them to a 15% reduction in renewal fees, further enhances the system's attractiveness and accessibility for smaller entities and innovators.



Graph 4: Origin of UP proprietors (2025, status 26.11.2025)

Profile	EP applications	UP requests
SME (< 250 employees), individual inventors	22%	31.6%
Large enterprises	71%	61.6%
Universities & public research institutions	7%	6.8%

Table 2: Profile of European proprietors (2024, comparison of EP applications and UP requests)

33. The Unitary Patent system is easy to use, and well-understood by the user community. As a result, very few requests do not meet the requirements needed for registration of unitary effect. Even after the implementation of the exclusion of Russian proprietors from registering unitary effect as part of the package of sanctions against Russia, the very low rejection rate - 0.14% of total requests, demonstrates the quality of the EPO's implementation and the simplicity of the system. Decisions of the UPP Division may be challenged before the Central Division of the UPC. To date, only four such actions have been lodged with the UPC. One case resulted in an interlocutory revision by the EPO, another in a withdrawal of the action and in a third case, the action was considered inadmissible by the UPC. In a fourth case, the action was rejected on the merits by the Court of First Instance and the decision of the EPO maintained. This decision was confirmed by the Court of Appeal of the UPC.²⁶

²⁶ UPC_CoA_796/2025; APL_35508/2025.

4.2 Fee related aspects

34. As regards the fees incurred for the Unitary Patent, requesting unitary effect is entirely free of charge. There are no filing, examination or registration fees in relation to a request for unitary effect. To maintain a Unitary Patent, the patent proprietor must however pay annual renewal fees. For conventional European patents, renewal fees have to be paid for each state, which can vary in amount and currency and must be paid to different national patent offices operating under different legal requirements, in particular in terms of their deadlines. On the other hand, a Unitary Patent proprietor pays one single renewal fee directly to the EPO, in Euros and under a single legal regime as regards deadlines and admissible means of payment. This greatly simplifies matters for users and reduces the administrative burden and cost.
35. The renewal fees for maintaining a Unitary Patent are set at a very attractive and business-friendly level. They correspond to the combined renewal fees due in the four EU Member States participating in the enhanced cooperation where European patents were most often validated in 2015, when the fee level was agreed by the Select Committee. This pricing strategy makes the Unitary Patent especially cost-effective for patents maintained in multiple countries.²⁷
36. Over a typical patent lifetime of 10 to 12 years, the overall costs incurred for a Unitary Patent can yield savings of 31% compared to the costs for a conventional European patent validated in the four aforementioned countries. The total cost of renewal fees for a Unitary Patent over the first ten years, which is the average lifetime of a European patent, are less than EUR 5 000. A comparison of the overall costs of a Unitary Patent with those of a conventional European patent should consider not only the level of the renewal fees but also the costs associated with the validation and maintenance of a conventional European patent. Based on such a comparison, a Unitary Patent is significantly less expensive than a European patent validated and maintained in four countries. The more countries a conventional European patent would have been validated in, the more cost-effective a Unitary Patent is.
37. With the Unitary Patent covering 18 Member States, as is currently the case, applicants can cover a market of 317 million consumers in one go. If the 7 additional EU Member States that participate in enhanced cooperation would join the Unitary Patent system (all EU MS except Croatia and Spain), a market of around 397 million consumers would be covered, representing a GDP of 16.3 trillion EUR. And if Croatia and Spain were also to join the Unitary Patent, a market of 450 million inhabitants would be covered, with a GDP of 18 trillion EUR.

²⁷ Further information and statistics on the cost of a Unitary Patent are available at <https://www.epo.org/en/applying/european/unitary/unitary-patent/cost>

38. A Unitary Patent offers SMEs and other small entities, which typically have only limited resources available, a simpler and more cost-effective route to broad and uniform protection for their inventions. A particular advantage of a Unitary Patent for these entities is the compensation scheme, which reduces translation costs for SMEs, natural persons, non-profit organisations, universities, and public research organisations by providing a lump-sum payment of EUR 500. Moreover, Unitary Patent proprietors who file a statement that they are prepared to allow any person to use their invention (licence of right) will additionally benefit from a 15% reduction in renewal fees which are due after the receipt of their statement.
39. The Unitary Patent renewal fee level has proven resilient even during economic downturns. The Unitary Patent has achieved a high uptake rate, despite what many would consider economically challenging times. The uptake rate is the percentage of requests for a Unitary Patent received by the EPO with respect to granted European patents. This uptake rate was very strong from the outset (17,5%) and has steadily increased, reaching 28% in the first three quarters of 2025, suggesting that the renewal fee level is both attractive to users and sustainable for the system, in line with the objectives set forth in Regulation (EU) No 1257/2012.
40. On the revenue side, the fee income has surpassed expectations as income from Unitary Patent fees has covered the Unitary Patent related costs earlier than anticipated. Stronger-than-expected demand enabled the projected revenue for 2025 to remain robust and even surpass initial estimates, reaching EUR 45.5 million, which is 19% above budget.
41. Member States participating in the Unitary Patent framework receive revenue shares from renewal fees. In accordance with Article 39(1) EPC, 50% of renewal fees are retained by the EPO, and 50% distributed to the participating states after reduction of the Unitary Patent related costs of the EPO according to a distribution key. Due to the higher-than-expected uptake, states are receiving more income than initially projected. For 2025, their share of Unitary Patent-related income is forecast at EUR 22.7 million, which is 19% above the original estimate. These funds can be reinvested in innovation support programs, patent awareness initiatives, and outreach activities targeting SMEs and public research organisations.
42. Given the strong uptake and financial sustainability, the current Unitary Patent renewal fee level appears well calibrated. Small inflation-based adjustments to the renewal fee schedule may be appropriate over time. However, the evidence does not support sweeping increases of the fees. In fact, modest indexing would preserve the Unitary Patent's attractiveness while continuing to meet cost coverage and income generation goals. Particularly, a review of the fees for Unitary Patents was foreseen to be conducted after five years from 1 June 2023.

4.3 Importance and value of the Unitary Patent system for EU companies in the home market

43. The Unitary Patent strengthens the position of European companies in the global innovation landscape by providing a more efficient and streamlined system of patent protection. In doing so, it helps bridge a competitive gap with companies based in jurisdictions like the United States and China, which already benefit from centralised and unified patent regimes in their home markets. The Unitary Patent levels the playing field, empowering EU-based innovators with a single, cost-effective patent enforceable across much of the EU.

44. Compared to the conventional European Patent system which involves costly and complex validation procedures in individual countries, the Unitary Patent offers a clear competitive advantage. It simplifies administrative processes, reduces legal fragmentation, and lowers the overall cost of protecting inventions across borders. On a strategic level it has been shown to potentially attract increased trade and foreign direct investment (FDI) levels within the EU.²⁸ These improvements not only benefit large multinational corporations but also provide greater accessibility for SMEs, startups, and research institutions, helping them scale more efficiently within Europe and beyond. It reduces the administrative burden placed on patent proprietors relating to checking time limits and requirements for payment of renewal fees as well as requirements for registration of transfers and licences in a fragmented system. With the creation of one single register for Unitary Patents, the transparency of the system is enhanced and the possibility for further Unitary Patent related data to be disseminated via the Unitary Patent Register is offered.
45. However, the full potential of the Unitary Patent system can only be realized once all EU Member States participate. While the current system already covers a significant portion of the EU single market, a fully unified patent market would maximize legal certainty, close gaps in protection and enforcement, reduce regulatory complexity, and further enhance Europe's attractiveness as a hub for innovation.
46. The strategic importance of the Unitary Patent has been acknowledged at the highest policy levels. Both the Draghi²⁹ and Letta³⁰ reports, as well as the EU's most recent industrial and innovation strategies recognize the Unitary Patent and the UPC as essential tools for deepening the Single Market and boosting the EU's technological sovereignty. Mario Draghi's report, titled "The Future of European Competitiveness" (September 2024), presents a comprehensive strategy to transform the EU into a globally competitive innovation powerhouse. In the context of intellectual property and innovation policy, the report highlights the Unitary Patent system as a pivotal tool to reduce patenting costs, broaden uniform territorial protection, and lower litigation risk through the UPC. It contains a clear call for full adoption of the Unitary Patent system by all EU Member States, emphasizing its role in eliminating fragmented national systems, fostering scale-up of innovative companies, and enhancing legal certainty. The report frames the Unitary Patent as essential to helping European businesses compete with U.S. and Chinese counterparts, by enabling them to operate under a unified legal framework and access a larger innovation ecosystem. The earlier Letta Report (April 2024) highlights the need to address the fragmentation of the Single Market, and the Unitary Patent system is a step in that direction by providing a single, harmonized set of rules for patent protection in participating countries.

²⁸ EPO, Patents, Trade and FDI in the European Union, November 2017, available at <https://www.epo.org/en/about-us/services-and-activities/chief-economist/studies>

²⁹ Mario Draghi, The future of European competitiveness – A competitiveness strategy for Europe, September 2024.

³⁰ Enrico Letta, Much more than a Market, April 2024.

47. A major milestone in this trajectory was the accession of Romania to the UPC Agreement, which took effect on 1 September 2024. Romania's inclusion brought the number of participating states to 18, further expanding the territorial scope of the system and underscoring its growing momentum. Additional accessions from remaining EU Member States are both expected and encouraged, as they are critical to completing the vision of a truly unified European patent market.

5. Successful legal, technical, financial and operational implementation and strong awareness raising

5.1 Governance

48. One of the merits of the founding parents of the EPC in 1973 was to include a Part IX (Articles 142ff EPC) laying down provisions for the case that a “special agreement” would be concluded among a group of EPC contracting states and additional tasks would be given to the EPO.
49. Almost 40 years later, by virtue of Regulation (EU) No 1257/2012, new administrative tasks – notably the administration of requests for unitary effect, the registration of unitary effect, the collection and distribution of renewal fees and the publication of translations for information purposes during a transitional period – were attributed to the EPO by the group of EU Member States participating in enhanced cooperation. Furthermore, a special department operating within the institutional framework of Article 143(2) EPC and Rule 4(1) of the Rules relating to Unitary Patent Protection (UPR): the UPP Division, was set up within the EPO to carry out the new tasks (see point 4.1).
50. As concerns governance, the EPC lays down in Article 142(1) that any group of Contracting States which have provided by a special agreement that a European patent granted for those States have a unitary character throughout their territories, may provide that a European patent may only be granted jointly in respect of all those States. It also provides that the group of Contracting States may give additional tasks to the EPO and set up special departments within the EPO to carry out the additional tasks (Art. 143 EPC). The group of Contracting States may set up a Select Committee of the Administrative Council for the purpose of supervising the activities of the special departments (Art. 145(1) EPC).
51. This is reflected by Article 9 of Regulation (EU) No 1257/2012 and the UPR providing respectively for the composition of the Select Committee. Cooperation in the Select Committee has been exemplary over the years, involving not only the statutory representatives of the participating member states and the Commission but also the President of the EPO and representatives of other EPC contracting states and of European user associations (BusinessEurope and epi). Non-participating EU Member States and non-EU EPC contracting states have observer status. The Select Committee held its inaugural meeting in March 2013 and has met regularly ever since.

52. Following the early adoption of a work programme, the complete legal and financial framework required for the implementation and operation of the Unitary Patent system at the EPO was discussed and adopted by the participating Member States with due regard for the position of the Commission. Major milestones were the adoption in 2015 of the rules enabling the UPP Division to carry out its tasks, and the level of renewal fees and the share of distribution of the renewal fees in accordance with Articles 12 and 13 of Regulation (EU) 1257/2012.
53. After the start of operation of the Unitary Patent system on 1 June 2023, cooperation between the EPO and the Commission has intensified – for example with the conclusion of the Working Arrangement provided for under Article 14 of Regulation (EU) 1257/2012. An institutional relationship has also been established with the UPC with the signature of a Memorandum of Understanding. The UPC is now participating as an observer in the meetings of the Select Committee, and, similarly, the EPO is represented as an observer in the UPC’s Administrative Committee and Budget Committee. Furthermore, it could be considered to expand the composition of the Select Committee by including the European Parliament as an observer to increase transparency and widen the visibility of the EPO’s implementation of the Unitary Patent system within the EU.
54. Finally, inconspicuous because hardly even used so far, the “effective legal protection” against decisions of the UPP Division, which is indispensable for the legal robustness of the Unitary Patent system and required by Article 9(3) of Regulation (EU) 1257/2012 has been carried out by the UPC in accordance with Article 32(1)(i) of the UPC Agreement. The very low number of actions lodged at the UPC against decisions of the EPO, four to date (see section 4.1 Operations), is strong evidence for the high standards and legal professionalism of the work in the UPP Division and to the attention and resources devoted by the EPO to its responsibilities in this area.

5.2 Legal Implementation

55. The Unitary Patent package consists of two EU regulations that provide the legal framework for the Unitary Patent and an international agreement, the UPC Agreement, which sets up the UPC. Additionally, to support the Unitary Patent package, the Select Committee adopted two key pieces of legislation that further implemented the Unitary Patent protection system and are of central importance to its users, namely the UPR and the Rules relating to Fees for Unitary Patent Protection (RFeesUPP).
56. The UPR sets out detailed provisions governing all procedures carried out by the EPO under the two relevant EU regulations. Most of the provisions of the UPR concern the procedure for requesting unitary effect, i.e. obtaining a Unitary Patent from the EPO. In addition, the UPR includes essential rules on the compensation scheme for translation costs, licences of right, renewal fees, and lapses. It also provides for the creation of a centralised Register for Unitary Patent protection and specifies the types of entries it should contain. Furthermore, the UPR incorporates (or references) several procedural provisions that are largely derived from the EPC and its Implementing Regulations, and which apply *mutatis mutandis*.

57. The RFeesUPP define the amounts of all fees and expenses payable to the EPO by Unitary Patent proprietors, along with the accepted methods of payment (see [OJ EPO 2022, A42](#)). These rules also specify the amount of compensation available to eligible proprietors for translation costs. It is important to note that the core provisions of the EPC Rules relating to Fees also apply to the Unitary Patent, especially those governing fee payment procedures at the EPO.
58. The Select Committee also adopted the Budgetary and Financial Rules ([OJ EPO 2016, A41](#)) that set out the provisions applicable to managing the income and costs related to Unitary Patents.
59. To help the users of this new system, the EPO also published three editions of the "Unitary Patent Guide", which aimed to provide companies, inventors and their representatives with an outline of the procedure involved in obtaining a Unitary Patent from the EPO once it has granted a European patent on the basis of the provisions laid down in the EPC. It gave a practical overview of the new system for users and provided useful information on how to obtain a Unitary Patent, without establishing guidelines for the execution of tasks related to the Unitary Patent by the EPO. The Unitary Patent Guide has now been discontinued and replaced by the Unitary Patent Guidelines (UP Guidelines), although the latest edition of the Guide is currently still available online.³¹
60. The [UP Guidelines](#) provide comprehensive guidance on the practice and procedure for Unitary Patent protection, in accordance with the applicable EU Regulations, the UPR and the RFeesUPP. The first edition of the UP Guidelines, which is freely available on the EPO website, where future editions will also be published,³² entered into force on 1 April 2025. They comprise eight sections covering general provisions; the request for unitary effect; fees and compensation; re-establishment of rights; interruption and resumption of proceedings; registration of changes of name and address, transfers, licences and other rights; proceedings before the Unitary Patent Protection Division; and an annex containing an alphabetical keyword index. A new revision cycle of the UP Guidelines starts each spring, whereby the EPO invites users to provide feedback on the most recent version of the UP Guidelines in an online user consultation. The UP Guidelines establish working instructions for execution of tasks for the EPO staff members and in parallel they provide information about the procedural details and processes, thus guiding all stakeholders through the use of tools in the registration process.

³¹ Available at <https://www.epo.org/en/legal/guidelines/archive>

³² Available at <https://www.epo.org/en/legal/guidelines-up>

61. With a view to supporting users in taking up the Unitary Patent before its launch on 1 June 2023, the EPO also introduced two transitional measures applicable to European patent applications having reached the final phase of the grant procedure. These measures were available from 1 January to 31 May 2023, ahead of the entry into force of the Unitary Patent system. The two transitional measures were interrelated but separate from a procedural perspective. They were available for European patent applications for which a communication under Rule 71(3) EPC had been dispatched, i.e. which had reached the final phase of the grant proceedings. Users were offered the possibility of requesting a delay in issuing the decision to grant a European patent in response to a communication under Rule 71(3) EPC (see [OJ EPO 2022, A102](#) and [A104](#)). Moreover, the EPO accepted requests for unitary effect filed prior to the date of the entry into force of the Unitary Patent system (See [OJ EPO 2022, A105](#)). The uptake of these two measures was considerable: 1706 requests for delayed registration and 910 early requests for unitary effect were filed, thereby facilitating the introduction and uptake of the Unitary Patent system in the transitional phase.
62. After the Unitary Patent system became operational, the EPO additionally implemented a system allowing users to file requests for unitary effect earlier, as soon as the decision to grant the European patent has been issued (EPO Form 2006A). Such requests represent around 13% of the total received to date. They are, however, not processed by the EPO before the date of the publication of the mention of the grant of the European patent in the European Patent Bulletin and appear in the Register for Unitary Patent protection only as of that date (for further information, see [Supplementary publication 3, OJ EPO 2023, 5](#)).
63. The EPO also introduced another helpful mechanism which allows patent proprietors to request a delay of the registration of unitary effect whenever an additional participating Member State has ratified and is due to accede to the Agreement on a Unified Patent Court. Such a delay can be requested up until the new ratification or accession takes effect. In such cases, the territorial scope of the Unitary Patent will then extend to the new participating Member State(s) as well. The EPO informs users about such a possibility and the applicable conditions via a dedicated notice published in the Official Journal, as in the case of Romania when it was announced that it would join the Unitary Patent system on 1 September 2024 ([OJ EPO 2024, A61](#)).
64. Finally, the participating Member States have given the EPO some additional tasks to be carried out in accordance with its "internal rules". The tasks assigned under Article 9(1)(b) Regulation (EU) No 1257/2012 are the inclusion and administration of the UP Register within the European Patent Register. The EPO built up the Register for Unitary Patent protection which can be consulted as an integral but special part of the European Patent Register kept by the EPO under Article 127 EPC. For reasons of legal certainty and transparency for users, the Register for Unitary Patent protection has the same basic structure and functionality as the European Patent Register. It contains all the entries that are expressly but not exhaustively listed in Regulation (EU) No 1257/2012, in particular the fact that unitary effect has been registered and the date of that registration, as well as any limitation, licence, transfer, revocation or lapse of a Unitary Patent. The Register for Unitary Patent protection can be accessed by the public free of charge via the EPO website ([epo.org](#)). The possibility to register intentions to licence has been frequently used by individual inventors. With such entries in the Register, the proprietor of the Unitary Patent announces the intention to licence the patent and receives a 15% reduction of the renewal fees. This provides useful information for investors and will be linked with the Deep Tech Finder in 2026.

65. After the EU published the 14th package of EU sanctions against Russia, in July 2024 the EPO took the precautionary measure of staying proceedings for requests filed or co-filed by Russian patent holders that fall under the scope of the sanctions. In fruitful discussions with the European Commission, as well as with the participating Member States during the meeting of the Select Committee of the Administrative Council of November 2024, the swift implementation of the sanctions was decided (Decision [SC/D 1/24](#)). The decision of the Select Committee provides the legal framework for the EPO's measures. Following an amendment of the UPR, the EPO rejects requests for unitary effect where the proprietor of the European patent is subject to the restrictive measures of this package.
66. Further amendments to the UPR will enter into force on 1 December 2025 to make the Unitary Patent secondary legislation gender neutral, although all communications and services are already provided in a sustainable and gender-neutral manner. EPO forms and tools likewise use gender-neutral language and are accessible via the EPO website without any extra costs.
67. As regards representation before the EPO for any procedure related to the Unitary Patent, the same regime applies as under the EPC. Patent proprietors who have their residence or principal place of business in an EPC contracting state may act on their own behalf in proceedings before the EPO with respect to the Unitary Patent. Patent proprietors who do not have a residence or a principal place of business in an EPC contracting state must appoint a representative and act through them in all EPO proceedings concerning their Unitary Patent, including the procedural act of requesting unitary effect. However, compulsory representation does not apply to the payment of fees.
68. Professional representatives entered on the list held at the EPO are also entitled to represent parties before the UPC and will be registered at the UPC, provided they have appropriate qualifications, such as a European Patent Litigation Certificate (EPLC). During a transitional period of one year from the entry into force of the UPCA, several other certificates were deemed as appropriate qualifications. Currently over 8 000 of the over 14 500 European professional representatives are registered as representatives before the UPC.
69. The professional representatives' conduct in proceedings before the UPC is governed by the UPC Code of Conduct, complemented with regard to professional representatives before the EPO by the Code of Conduct of the Institute of professional representatives before the EPO (epi) and the Regulation on discipline for professional representatives ([Supplementary publication 1, OJ EPO 2024, 145](#)). A thorough revision of the disciplinary framework for professional representatives before the EPO is currently ongoing. It reinforces self-regulation, procedural efficiency, independence, the use of digital tools, and enhances the professional representative's rights. The revision of the disciplinary framework further acknowledges that the professional obligations and disciplinary proceedings also apply to the conduct of professional representatives in proceedings before the UPC. This position was endorsed by the Administrative Council in 2022, in view of CA/41/22.³³

³³ Available at <https://www.epo.org/en/legal/official-journal/2022/etc/se1/p142.html>

5.3 Technical implementation

70. Due to the already well-advanced existing IT systems at the EPO, the required amendments to these systems remained limited for the purposes of implementing the tasks related to Unitary Patent protection that were allocated to the EPO. This particularly enabled the EPO to keep the costs for technical implementation of the tasks relating to Unitary Patent protection low.
71. The focus of amendments was on the existing patent application filing tools, particularly making it possible to request unitary effect via these existing tools and to pay renewal fees for Unitary Patents via the existing fee payment tools.
72. Furthermore, the legal requirements set out by the EU Regulations and the secondary legislation required the establishment of the Register for Unitary Patent Protection as an integral part of the European Patent Register, ensuring that the required register entries appear in dedicated new sections of the Register. These entries were also reflected in the electronic bibliographic data (EBD) files, which make it possible to automatically share this information with all interested parties, including the national patent offices of the participating EU Member States. This ensures that they can keep their national Registers up to date. In addition, an amendment of the European Patent Bulletin was required to ensure that the pertinent bibliographic and procedural data, as well as data concerning the legal status of Unitary Patents, is published in the appropriate way.
73. The EPO had already introduced a free online automatic translation service for patents in 2012. This so-called “Patent Translate” programme has been continuously improved since its launch and covers all of the official languages of the EU.
74. Within the framework of an enhanced IT cooperation agreement signed between the EPO and the UPC in 2024, the EPO developed a new Case Management System (CMS) for the UPC, replacing the previous system that faced usability and performance issues. The new CMS was rolled out in two phases in July and September 2025 and is very well received by the UPC user community.

5.4 Financial implementation

75. To underpin the financial governance of the Unitary Patent system, a set of Budgetary and Financial Rules was implemented following discussion and adoption by the Select Committee. They have since been successfully applied by the EPO, thereby establishing the financial framework for the Unitary Patent system. These rules ensure that all income and expenditures related to the system are managed in line with the principles of sound financial management, can be reported transparently, and are fully auditable.
76. Together with this framework, the distribution key for renewal fee income was set by the Select Committee on the basis of extensive simulations prepared by the Office, in line with the requirements of Articles 12 and 13 of Regulation (EU) No 1257/2012. Additionally, a safety net mechanism was introduced to ensure that in cases where a participating EU Member State receives less from the distribution of renewal fees than it would have obtained under the previous system with only national patents, the loss is partly compensated. This mechanism ensures fairness among EU Member States and protects their financial interests whilst supporting the stability of the Unitary Patent system.

77. This framework provides for comprehensive financial governance, including the preparation of an annual Unitary Patent budget forming part of the EPO's overall budget, quarterly budget implementation statements, and an annual liquidation. A mechanism for cost control and monitoring is in place to ensure transparency and accountability.
78. From the very beginning, payments have been carried out in time, and the participating EU Member States are informed both promptly and specifically per country via a dedicated reporting system, enabling them to reconcile the payments received. As highlighted, the implementation of the Unitary Patent triggered relatively low costs, since the EPO could make use of its existing systems, tools and expertise. Furthermore, cost control and monitoring are guaranteed by quarterly reporting and key performance indicators (KPIs), which show continuous improvement and demonstrate increasing efficiency, ensuring a high level of transparency and accountability. The reporting has also proven flexible and adaptable in the event of new EU Member States joining the system, as it allows a clear separation of income and expenditure by generation.

5.5 Communication-related implementation and awareness raising

79. In the years prior to 1 June 2023, the EPO provided information about the new Unitary Patent system on its website (epo.org/unitary), updating and expanding these resources as the start date got closer. This included a joint publication with the UPC of the legal texts relating to the Unitary Patent system in June 2023. To raise awareness of the coming changes, hundreds of meetings with user groups took place in Europe and beyond, as well as many [online training sessions](#) from the EPO, and [interviews with experts](#). PowerPoint decks and [information brochures](#) were developed in cooperation with our member states for use with their own local audiences. From January 2023 stakeholder communications about the [transitional measures](#) were published, alerting users to the possibility for deferral of grant and for early requests for unitary effect.
80. The start of the new system on 1 June 2023 was accompanied by a major [launch event](#) hosted in Munich by the EPO President and attended by high level representatives from several EU Member States, the European Commission and the UPC.
81. The [information brochures](#) have been translated into over 25 languages, including most European languages as well as into Chinese, Japanese and Korean. All communications materials were updated when [Romania joined the system](#) on 1 September 2024, which provided another opportunity to promote the Unitary Patent. Our social media channels have been active continuously, for example by reporting on major milestones with requests received, as well as with a dedicated series of [short videos](#) and a podcast.
82. The EPO maintains a [dashboard of Unitary Patent requests](#), updated daily, which can be filtered to show requests by technical field and by the country of the patent proprietor. This provides trends and statistics useful for media coverage in specific countries or trade sectors. As the new patent becomes integrated into the regular daily business of the EPO, it is now a standard component in all communications about the services of the EPO, especially when addressing SMEs, startups, universities and public research organisations. It is mentioned as a key consideration for cost reductions for applicants, in addition to the [fee reductions](#) that the EPO offers to smaller applicants.

83. After two years of operation and the increasing popularity of the scheme amongst patent proprietors in Europe, the EPO is now developing campaigns directed towards applicants in the US, Japan, Korea and China, while keeping the primary focus on European users, particularly through direct contact with the major applicants in those countries and their respective user associations.

5.6 Capacity-building

84. Through the [European Patent Academy](#), a wide range of materials, webinars, and courses are available on the EPO website, equipping patent proprietors, attorneys, and other stakeholders to confidently engage with the new system.
85. The European Patent Academy has delivered three editions of the annual training catalogue (2023, 2024 and 2025) with yearly capacity-building activities dedicated to the Unitary Patent attended by the following target audiences: patent attorneys, patent administrators, university students and staff, staff of national patent offices, businesses, litigators and judges.
86. Partnerships with user organisations combined with the digital, free-of-charge format of the training delivery has facilitated reaching thousands of participants across the EU Member States and beyond. The trainings were aimed at developing participants' capacity to integrate the UP into their operations or to enable them to do so in the future. The post-training satisfaction surveys conducted with the participants demonstrated a high satisfaction rate (rating UP-related training on average above 4,5 points out of 5).
87. A number of training activities were held specifically to support the development of UPC litigation as well as the related mediation and arbitration mechanisms. Furthermore, [interviews with litigation experts](#) on the UPC were held. The new lecture series [Patent Litigation in Europe, as well as the Litigation Matters Conference](#) with UPC judges and major European patent litigators associations were launched to disseminate knowledge about emerging UPC case law and practices. The European Judges' Forum and the expert workshop on patentability issues play an essential role in discussions among UPC and national judges, as well as amongst EPO Boards of Appeal members.
88. At the request of the UPC, the Academy organised and supported the organisation of several training activities for UPC judges (legally and technically qualified) and clerks. These included three trainings in Budapest (2023), one in Milan (2023) and one in Vienna (2024). The activities included training on the UPC's Case Management System (CMS).
89. A self-paced course on the [UP](#) and numerous [recordings on the Unitary Patent, UPC, UP-related data and IT tools](#) are available 24/7. The Academy also produced for pedagogical purposes recorded [mock UPC trials](#) demonstrating selected UPC procedural issues in patent infringement litigation, including preservation of evidence, preliminary injunctions, jurisdiction and remedies. Training curricula and materials addressed to all training audiences were updated to integrate UP-related sections and references.

5.7 Interactions between the UPC and the EPO

90. A patent for which unitary effect has been registered may be opposed within nine months from the publication of the mention to grant (Article 99 EPC). Since the unitary effect is requested and registered early, the same patent might already during the opposition period, or when the opposition proceedings are pending, or when opposition/appeal proceedings are pending, become a subject of proceedings at the Unified Patent Court. The EPO receives information automatically from the UPC when such proceedings have been initiated. In order to ensure legal certainty and procedural efficiency, the EPO accelerates such opposition proceedings *ex officio*. The Boards of Appeal of the EPO similarly apply acceleration of the proceedings. The users have been accordingly informed by the Official Journal (see [OJ EPO 2023, A99](#)) and the UP Guidelines, as well as the [EPO Guidelines for examination](#). The acceleration is well received by the users and noted by the UPC. The number of parallel pending cases varies between 20-25 within a given period.
91. The EPO also monitors the decisions issued by the Unified Patent Court just as it does for national courts and the Boards of Appeal. Monitoring takes place not only on parallel pending cases but also more generally, especially when it comes to decisions of the UPC Court of Appeal interpreting the EPC. The EPO monitors and analyses such decisions to identify if they deviate from the established practice of the EPO. The UPC's decisions interpreting the EPC are, however, not directly binding upon the EPO or the EPO's Boards of Appeal.

6. Next steps³⁴ and outlook

92. Regarding the future of the Unitary Patent, it is clear that the EPO will continue to deliver the allocated tasks with high quality and timeliness. In that context, the transparency measures will continue to be enhanced, meaning continuous development of the Unitary Patent Dashboard, clarity of the information in the UP Register and an annual revision of the Unitary Patent Guidelines, in close cooperation with the user community. The transparency provided by the UP Register will provide opportunities for enhancement of the possibilities of the patent system, taking as an example the information that the registration of an intention to licence provides for potential business investors.
93. As already demonstrated by the accession of Romania, the EPO is well-prepared to implement the necessary legal and technical changes when new countries join the Unitary Patent system. This level of preparedness would be maintained even if several countries were to join at the same time. Furthermore, the EPO proved its capacity and agility when implementing the EU's 14th package of sanctions against Russia, as determined by the Select Committee.

³⁴ For the internal timeline for preparing the EPO's contribution, please see the attached ppt.

94. High-quality machine translations in all official languages of the EU, and beyond, will continue to be provided. Support will also be given to the independent expert committee in due time, as specified in Article 6(3) of Regulation (EU) 1260/2012. This support will help in the objective evaluation of the availability of such translations and in preparing the corresponding report by the European Commission (for further details, refer to Article 6(3) of Regulation (EU) 1260/2012 and the Annex to the Working Arrangement, Point 2).
95. An assessment will be conducted to determine the impact of current fee levels on user uptake, with a particular focus on the effects on SMEs. This assessment will include an overview of renewal fee income for both the EPO and participating Member States. Mid-term financial projections will also be provided, not least in order to assess the current distribution key in relation to Unitary Patent fee income among the participating Member States.
96. Lastly, according to the Rules relating to the Distribution of Fees amongst the participating Member States adopted by the Select Committee, the Office will provide the Committee with an update of the parameters used to define the distribution key set by the participating Member States, as well as an update on the methodology used. The review of the distribution key, as well as of the possibility to prolong the safety net mechanism, is to be made no later than five years from the date of application of Regulation (EU) No 1257/2012 and will go hand in hand with the review of the appropriate renewal fee levels.

7. Conclusions

97. The highly successful start of the Unitary Patent system, with flawless implementation by the Select Committee and the EPO and the immediate high uptake of the Unitary Patent, as well as the very promising beginnings of the UPC with a significant volume of cases, marks a new era in the patent field in Europe. A major further leap forward is being achieved, after the creation of the European Patent Organisation in the 1970s, pushing harmonisation and integration in the field even further. This remarkable achievement is ample evidence, firstly, that the Unitary Patent system serves the long-felt needs of innovative businesses in Europe and, secondly, that those in charge of implementing Regulations (EU) 1257/2012 and 1260/2012 and the UPC Agreement have most professionally prepared and carried out the tasks entrusted to them by the Member States participating in enhanced cooperation in the patent area.
98. The successes and achievements set out above must be balanced against the territorial extent of the Unitary Patent system in its current state: at this juncture, 18 EU Member States participate in the UP system, or put otherwise, nine EU Member States do not yet participate.

99. This is detrimental to users of the Unitary Patent system, as the benefits expected from the system – as set out in full in the Recitals to Regulations (EU) 1257/2012 and 1260/2012 and in the Preamble to the UPC Agreement – cannot be fully attained: in a significant part of the EU, patent protection and enforcement are still subject to national law, and the objectives of the EU in terms of providing uniform protection in the entire internal market are not met. Fragmented patent protection in part of the EU still constitutes an obstacle which may prevent innovative businesses from realising the full potential of the European Single Market. It is important to note that with a Unitary Patent covering 18 EU Member States, Unitary Patent proprietors can today operate in a market of 317 million inhabitants. If the remaining seven EU Member States that participate in enhanced cooperation (all EU Member States, except Croatia and Spain) joined the Unitary Patent system, a market of around 397 million inhabitants would be covered, representing a GDP of around 16.3 trillion EUR. Finally, if Croatia and Spain were also to join the system, a market of 450 million inhabitants would be covered, with a GDP of around 18 trillion EUR.
100. Over and above the legal argument, some fears expressed before the start of the UP system should by now be allayed to a large extent: The translation arrangements based on machine translation which were adopted for the Unitary Patent in 2012 have proven fully in line with digitalisation developments of our time. They have been frequently updated, cover all EU official languages and continue to see massive daily use by businesses, patent offices, and the public at large. Regarding accessibility, the UPC's fees have been demonstrated to be comparable and competitive with national court fees. This is the case even before the UPC's current 40% reduction in court fees for SMEs and other small entities is taken into account.
101. Finally, the conclusions of the Draghi and Letta reports that the Unitary Patent and the Unified Patent Court are essential tools for deepening the Single Market and boosting the EU's technological sovereignty constitute a clear call to action. By joining, the remaining Member States would be eliminating fragmented national systems, fostering scale-up of innovative companies, and enhancing legal certainty across the EU.
102. Based on the remarkable successes of the first two years of operation of the Unitary Patent system, joint efforts of all stakeholders must be maintained in the next years to support these positive trends and, where necessary, to further improve the attractiveness and legal certainty offered by the Unitary Patent system.

Annex 1

Data and information to be provided under Article 2 of the Working Arrangement between the Commission and the European Patent Office regarding European patents with unitary effect - 01.06.2023 to 30.06.2025 (most data is also updated daily and available via the Unitary Patent dashboard on the EPO's webpage)		
	Number of requests for unitary effect	60073
	Number of European patents with unitary effect registered in the Register for Unitary Patent Protection	59425 registered
	Number of rejected requests for unitary effect	92
	Number of requests for unitary effect filed by SMEs <ul style="list-style-type: none"> ▪ from the EPC contracting states ▪ from the EU Member States (estimated figures including individual inventors but not universities)	14361 requests filed by EPC SMEs 11920 requests filed by EU SMEs
	Number of (registered) European patents with unitary effect owned by SMEs <ul style="list-style-type: none"> ▪ from the EPC contracting states ▪ from the EU Member States (estimated figures including individual inventors but not universities)	14200 owned by EPC SMEs 11810 owned by EU SMEs
	Number of statements on licensing (Rule 12 UPR)	72
	Number of licensing commitments in international standardisation bodies (Rule 16(1)(k) UPR)	0
	Number of requests for compensation of translation costs	2255
	Number of granted request for compensation of translation costs	1924
	Number of entries relating to limitations in the Register for Unitary Patent Protection	7 (EP patents with UP)
	Number of entries relating to licences in the Register for Unitary Patent Protection	10
	Number of entries relating to transfers in the Register for Unitary Patent Protection	933
	Number of entries relating to lapses in the Register for Unitary Patent Protection	580
	Number of entries relating to revocations in the Register for Unitary Patent Protection	34 (EP patents with UP)
	Number of interlocutory revision decisions under Rule 24 UPR	1