

Unitary Patents and the Unified Patent Court (UPC) – Practical Aspects and Lessons so Far

Background

The Unitary Patent and the Unified Patent Court have brought about the biggest change in European patent law since the adoption of the European Patent Convention (EPC) more than 45 years ago. The Unified Patent Court already has jurisdiction over Unitary Patents, but will also, after a transitional period, replace the national court systems with respect to European patents. Now that the new system has been running for some months, the time has come to familiarize yourself in depth with the opportunities it offers.

Course Content

The decision as to whether to opt-out or pursue for a Unitary Patent is not straightforward, and will depend on a number of factors. The session will explore this critical decision in depth.

In addition, the presentation will cover the following topics:

- Overview of the system.
- Local, regional and central divisions.
- The appeal process in the Unified Patent Court.
- Division of responsibilities by subject matter.
- Forum shopping – lessons so far.
- Language issues.
- Case law – initial impressions.
- Transparency and lack thereof.

These questions play a major role in approaching litigation for patentees and defendants alike.

Speakers



Khushbu Solanki (Associate) – Cleveland Scott York UK

Khushbu is a European Patent Attorney, and specialises in patent matters relating to life sciences, chemistry, biochemistry, biotechnology, and pharmaceutical sectors. She has been heavily involved in preparing the firm for the new Unified Patent Court and Unitary Patent, and is one of the first attorneys to be awarded the European Patent Litigation Certificate.



Dr Adrian Bradley (Partner) - Cleveland Scott York UK

Adrian is a frequent visitor to, and fan of, the Czech capital. He advises numerous Czech universities, research institutes and private organisations with respect to building patent portfolios, mainly in the healthcare sector.