



“The voice of SMEs in Europe”

Press Release

FOR IMMEDIATE ISSUE

Community Patent should be back at the top of the EU agenda

- **Filing, translation and litigation costs for SMEs must be reduced**

Brussels, 12 July 2006. The current framework for patent protection in Europe does not suit the needs of small and medium businesses, according to UEAPME, the European SME employers' organisation. Speaking at a public hearing on “Future Patent Policy in Europe” organised by the European Commission today (Wednesday), UEAPME Legal Affairs Adviser **Maria Cimaglia** backed the Community Patent project and stressed that a workable EU-wide patent must reduce costs for SMEs and create legal certainty throughout the EU.

“Due to their limited size and structure, SMEs have to refer to costly external experts to file their patent applications. Translation requirements further raise the administrative costs: we believe that English should be chosen as the official language of the procedure, as it is already the universal language in the field of patents. As an alternative solution, patent applications could be filed in any of the EU languages and the main claims could be then translated into English”, said Ms Cimaglia.

As far as litigation issues are concerned, UEAPME put forward the idea of a centralised system, with local Courts of First Instance working with a single European Patent Court. “Litigation-related expenses are an additional obstacle for SMEs, which usually lack the financial and technical means to face them. A centralised system would reduce both litigation costs and the risk of getting diverging decisions. It would also increase legal certainty for patent holders and third parties by providing a single interpretation for intellectual property case law”, continued Ms Cimaglia.

According to UEAPME, measures supporting the Community Patent should include an information campaign, to reinforce enterprises' knowledge and make them aware of the economic advantages arising from the appropriate use of the patent system. National patent offices should play an active role in supporting SMEs in their own language, particularly in their search for information about patent applications and publications.

“A carefully drafted Community Patent, incorporating an effective litigation management system, would be extremely beneficial for SMEs. However, all patent-related expenditures must be reduced for the new system to have a real impact on small businesses. We hope that the European Commission will take stock of our proposals and put the Community Patent back at the top of the EU agenda”, concluded Ms Cimaglia.

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EDITORS' NOTE: UEAPME is the employer's organisation representing crafts, trades and SMEs from the EU and accession countries at European level. UEAPME has 78 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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