

Romania to ratify the Unitary Patent Court Agreement

20 November 2023

On 16 November 2023, the Romanian Government approved the draft law aimed at ratifying the Unitary Patent Court Agreement ("UPCA"). Going forward, the draft law will be sent to the Romanian Parliament for its approval.

This means that Romanian inventors will soon be entitled to the Unitary Patent Right ("UPR") and have access to the Unitary Patent Court ("UPC"), which aims to simplify the complex national patent system in Europe.

The UPR is a single registration that applies in multiple countries with no separate validation requirements. It provides uniform protection and has equal effect in all participating Member States. It may only be limited, transferred, revoked or lapse in participating Member States.

The UPC is a specialised patent court which became operational on 01 June 2023 and comprises a Court of First Instance, a Court of Appeals, and a Registry. The UPC hears both infringement and revocation actions and is composed of judges from all over Europe. The panels comprise both legally and technically qualified judges with significant expertise in patent litigation.

Currently, there are 24 Member States that have signed the UPCA, 17 of which have ratified it. Another seven (7) Member States are expected to ratify the UPCA in the coming years, Romania has already begun the ratification process.

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