



Industry fears of unitary patent costs

The Chartered Institute of Patent Attorneys has warned European signatories to the unitary patent system against setting renewal fees too high.

Signatories to the new system are seeking high fees to file patent protection that will be valid in the majority of the EU, but the move could make Europe uncompetitive, according to Jim Boff, chairman of the CIPA patent committee.

Under the unitary patent system, a filer will be able to choose a European patent that is essentially a bundle of national rights, or opt for unitary coverage.

Germany, Austria and the Netherlands are the top three most expensive countries to file in, with the UK fourth, which could result in a significantly higher fee level than average patent costs, according to CIPA.

Under the new system, given the scope covered by the patent, CIPA said it would be “understandable” to charge more than the basic rate of the UK combined with France and Germany.

The institute proposed on 14 May that renewal fees should instead be set near a “top 3 ½” level to get the top average renewal fee across all member state signatories.

An article in the unitary patent system framework stipulates that renewal fees should be set at a level that makes the right accessible to SMEs, reflects the size of the market and fosters the competitiveness among European businesses.

CIPA fears that setting fees any higher would force many SMEs to spend their limited budgets on filing at their national office, as opposed to broad European protection.

“The [unitary patent] is set to make a significant impact to the way intellectual property is handled in Europe. It is therefore important that the price of the [unitary patent] is set at a reasonable rate, so that the industry can thrive and grow,” said Joan Mill of FusionExperience