

Leaflet Unitary Patent

Scope of Protection

The Unitary Patent has effect in all member states participating in the Agreement on a Unified Patent Court on the date of registration of the unitary effect.

The territorial scope remains unchanged over the entire term of a Unitary Patent, i.e. even if further member states join to the Agreement in the future, this will not change the scope of your Unitary Patent. The valid scope of protection is indicated in the data sheet provided by us for the respective property right.

Duration

The patent has a term of 20 years starting with the European filing date, provided that the national renewal fees are paid.

Marking

Marking is not required and does not affect the award of damages for infringement.

Jurisdiction

The responsibility for renewal fees, as well as the decision-making competence in case of a possible opposition, lies with the European Patent Office.

The Unified Patent Court is exclusively responsible for the enforcement of Unitary Patents as well as possible nullity actions.

Prior art

Older national rights in a member state constitute prior art for unitary patents, which means that also national rights in a member state filed before the filing date or priority date of the unitary patent but not yet published may constitute novelty-destroying prior art.