

# UNITARY PATENT UPDATE

CHRISTINA TEN HÖVEL | EXPERT | KEY ACCOUNT MANAGEMENT AND CUSTOMER SERVICES

8 APRIL 2025

## AGENDA

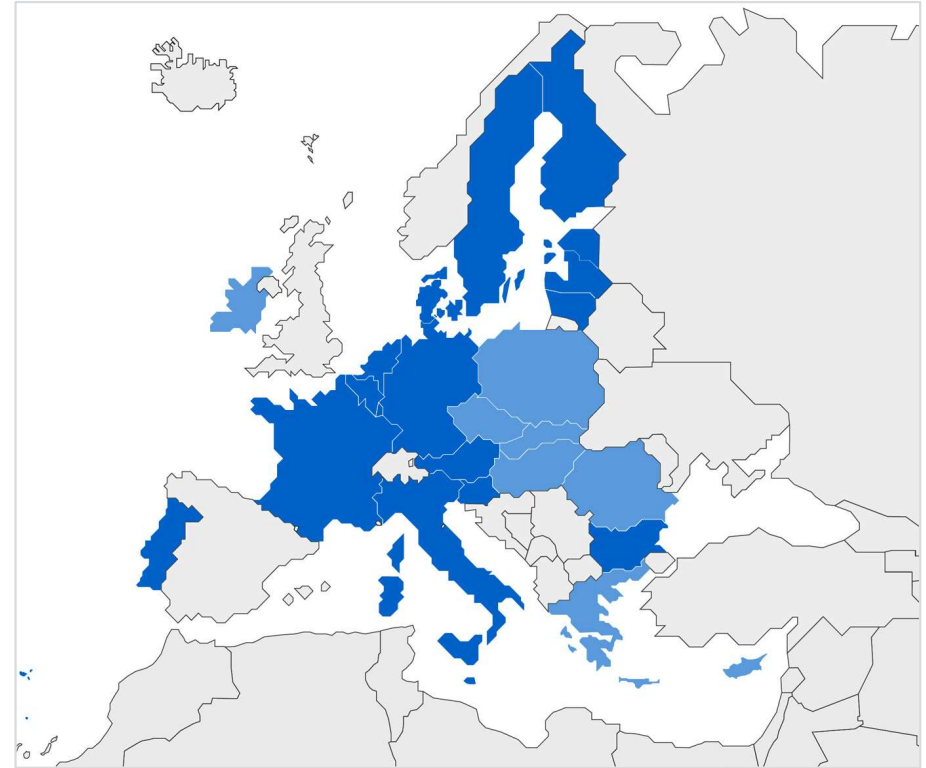
- Accession of Romania, territorial scope
- Milestones
- Statistics
- Formal requirements and registration
- Select procedural aspects

- The ratification of Romania took effect **1 September 2024**
- Requests for delay of registration are no longer accepted

*Notice from the European Patent Office dated 5 June 2024 concerning Romania's ratification of the Agreement on a Unified Patent Court and the possibility of requesting a delay in the registration of unitary effect, OJ EPO 2024 (advance publication)*

## UNITARY PATENT - TERRITORIAL SCOPE

- EU enhanced co-operation + UPCA in force on the date of registration of unitary effect
- *So far **18 states**: AT, BE, BG, DE, DK, EE, FI, FR, IT, LT, LV, LU, MT, NL, PT, SE, SI, RO*
- Generation 2 includes Romania (as from 1 September)
- Territorial coverage indicated in the UPP Register
- No extension of the territorial coverage to participating member states that ratify the UPCA after the registration of unitary effect



## MILESTONES – UNITARY PATENTS AT THE EPO

epo.org

Transition al measures (early requests, deferred publica- tions)	Launch of Unitary Patent system	First unitary effect for 587 (mostly deferred) published EPs	Launch of <a href="#">UP dashboard</a> at <a href="#">epo.org</a>	10K milestone reached for registered unitary effect	17.5% uptake rate (EP→UP) reached	Romania as 18 <sup>th</sup> state	25.6% uptake rate (EP→UP) reached
Jan–May 2023	1 June 2023	12 June 2023	July 2023	September 2023	December 2023	September 2024	December 2024



## LATEST RELEVANT FIGURES (MARCH 2025)



### UP requests, Compensation requests

- **52.250** received and **51.558** registered
- **1.998** received and **1.686** registered



### Uptake rate (EP grants → UP)

- 17.5% in 2023, 25.6 in 2024 and 27.8% in 2025 so far



### Filing strategy

- 63.9% of requests are based on Euro-PCT applications
- 36.1% on Euro-direct applications







### Origin of proprietors

- 64.0% of requests from EPC states
- 15.2% from the US
- 12.9% from Japan, Rep. Korea, China

## EPO SERVICES TO CUSTOMERS

epo.org

	<b><u>UP dashboard</u> on EPO website</b>	<ul style="list-style-type: none"> <li>■ Full transparency to the public at large</li> <li>■ The dashboard is being continuously enhanced</li> </ul>	1 July 2023
	<b>Acceleration of opposition proceedings</b>	<ul style="list-style-type: none"> <li>■ In case of parallel infringement or revocation proceedings</li> <li>■ Once informed accordingly by the UPC, no request needed</li> </ul>	January 2024
	<b>MyEPO – new online services (free of charge)</b>	<ul style="list-style-type: none"> <li>■ Requests for registrations of transfers of rights and licences</li> <li>■ Certification of UP certificates and extracts of the UP Register</li> </ul>	1 April 2024
	<b>Producing UP Guidelines</b>	<ul style="list-style-type: none"> <li>■ Within the context of the EPO guidelines cycle (2024-2025)</li> <li>■ Users consulted during the year (online consultation, SACEPO)</li> </ul>	1 March 2025

# DEFICIENCIES AND DECISIONS SINCE 1 JUNE 2023

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## **Formal deficiencies**

3.512, of which 106 pending and 3.406 rectified



## **Decisions on unitary effect**

70 rejections, mostly due to different set of claims,  
missed 1-month time limit or missing translations



## **Re-establishment of rights**

73 requests for re-establishment of unitary effect, of which 46 granted and 11 refused



## **Unified Patent Court (UPC)**

No decision of the UP division appealed to the UPC so far



# UNITARY PATENT DASHBOARD

## Requests for unitary effect

Last updated  
31.3.2025

Cumulative

This dashboard shows the location of patent proprietors; the status and evolution of their **requests for unitary effect**; the technology fields (IPC) to which their patents relate; as well as the language in which their European patents were published and subsequently translated. Click on any block or map location to customise your display. The **35 technology fields** are those defined by WIPO and as used in the **Patent Index**. The uptake rate 2023 or 2024 is the percentage of requests received with respect to European patents granted in 2023 or in 2024, including when the display relates to any one technology field. [The data on "Top 25 proprietors" and "European proprietors' profile" is updated only monthly and is not interactive.]

Requests  
received  
**52 250**

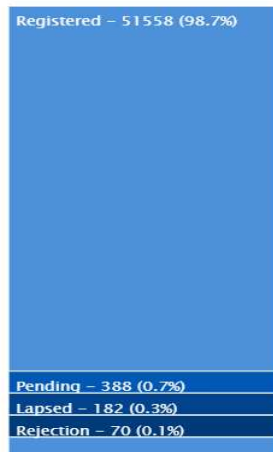
Registered  
Unitary Patents  
**51 558**

Uptake rate  
Global  
**22.1%**

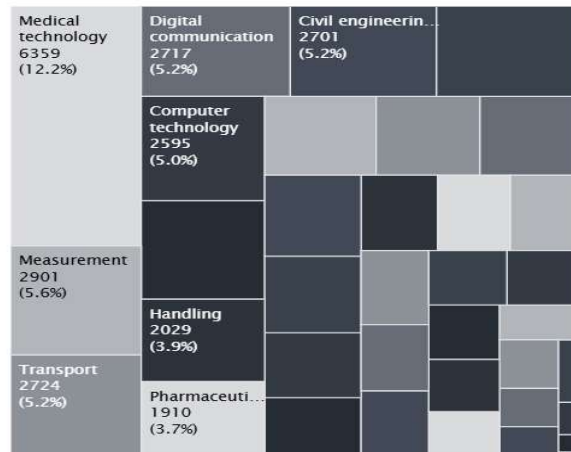
Uptake rate  
EPO States  
**31.8%**

Uptake rate  
European Union  
**32.4%**

### Status of registration



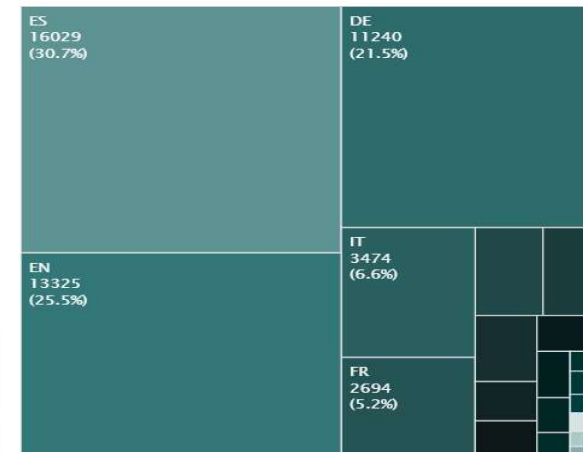
### WIPO's technology fields (IPC)



### Procedural language



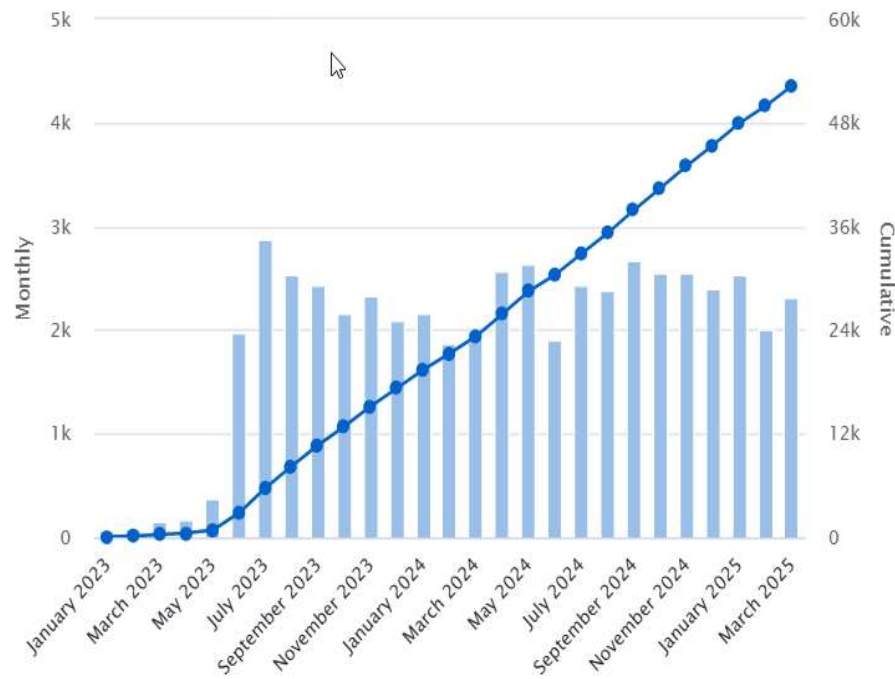
### Translation language



# UNITARY PATENT DASHBOARD

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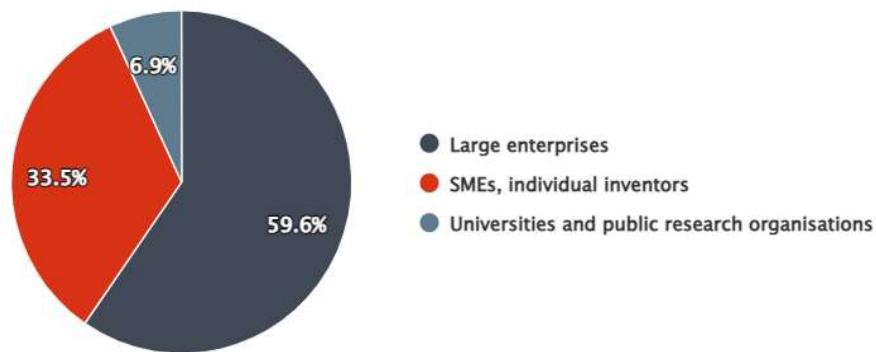
Evolution of requests received



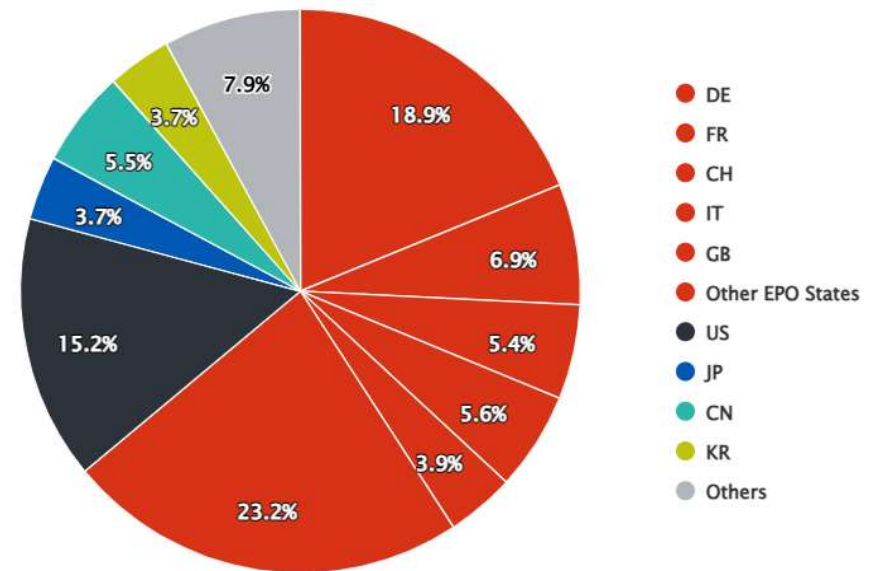
Origin of proprietors (first named on requests received)



European proprietors' profile (not interactive; last update: 30.09.2024)



Origin of proprietors (geographical distribution)

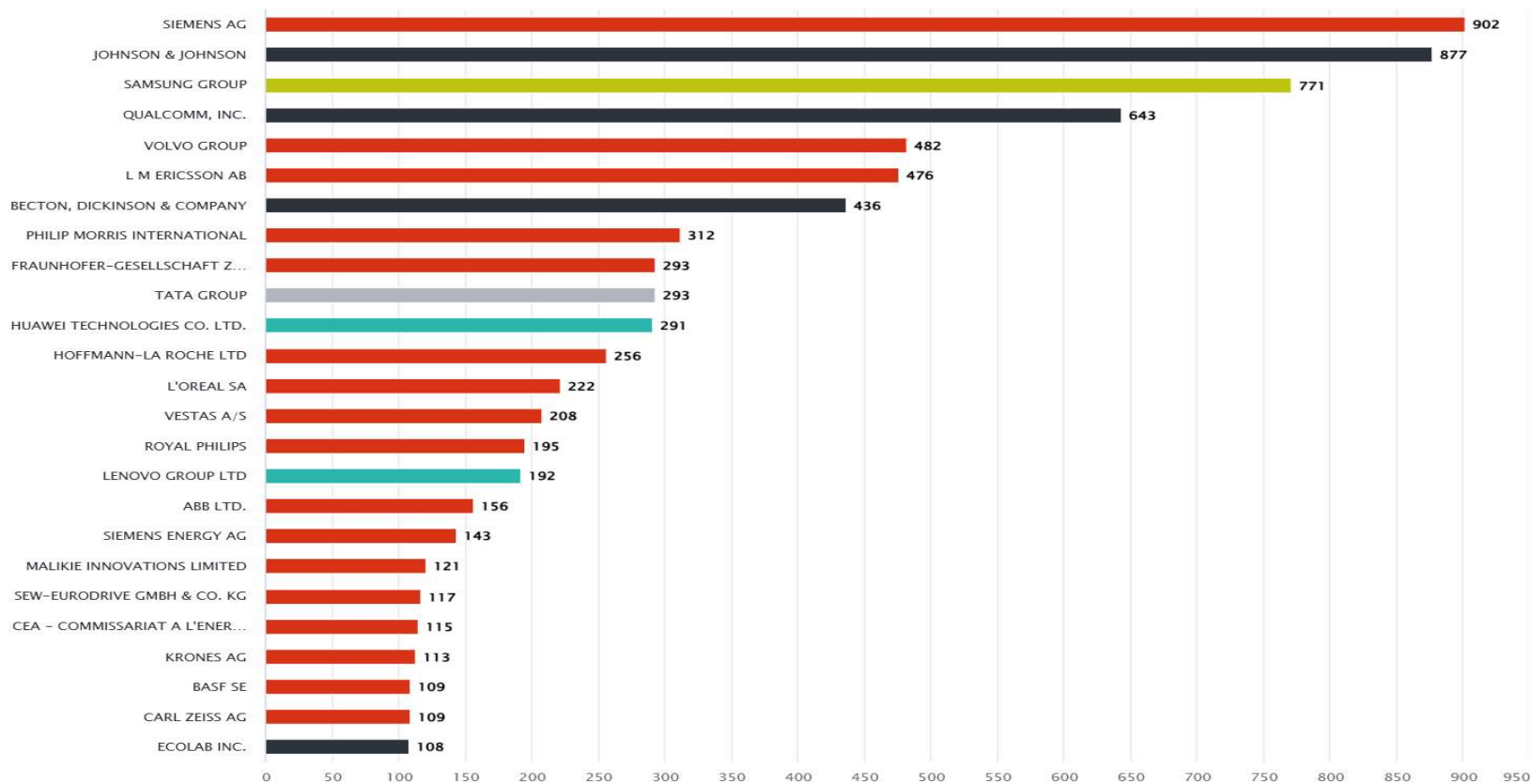


EPO States: 33,433 (64.0%)

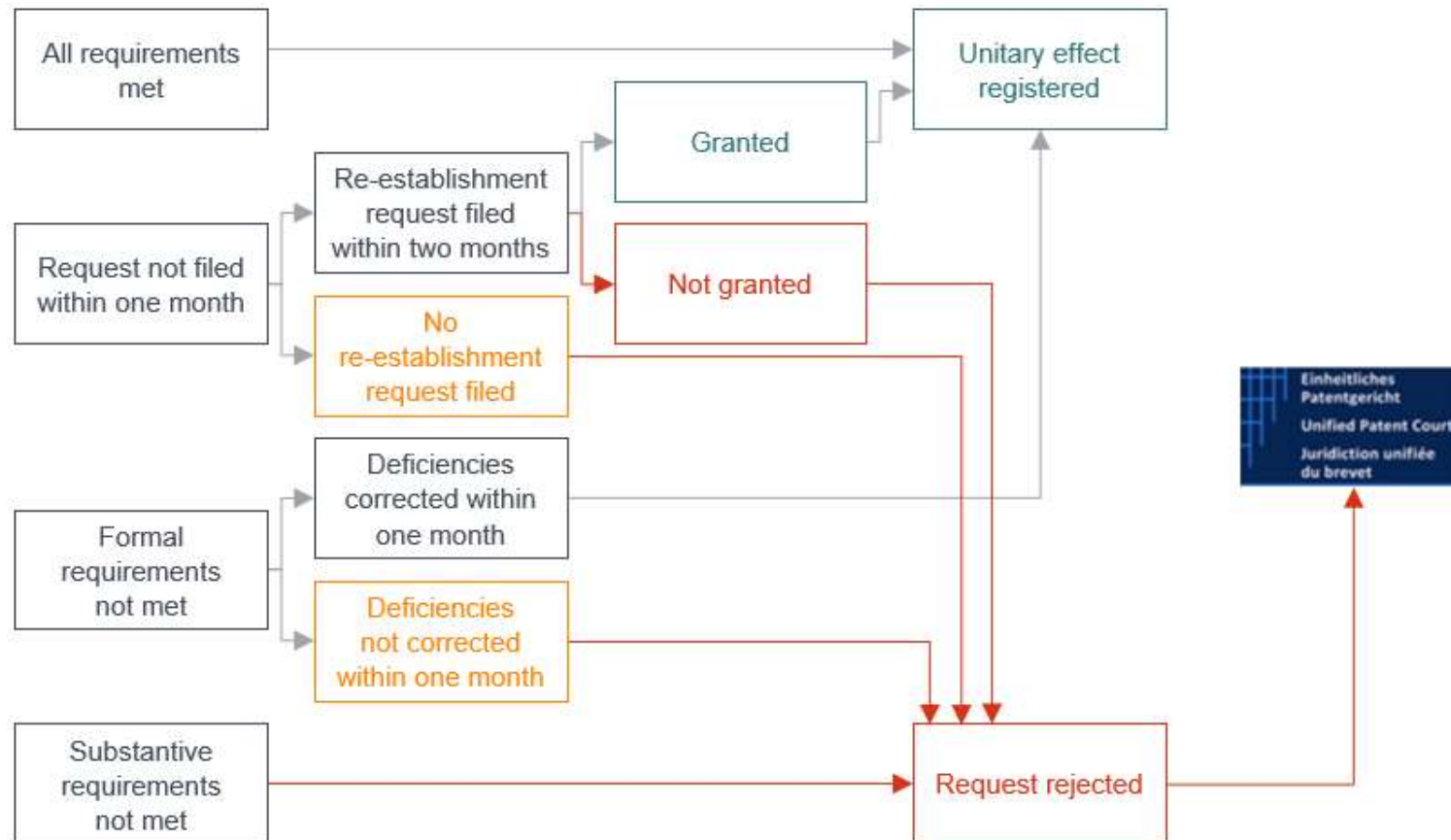
# UNITARY PATENT DASHBOARD

Top 25 proprietors (not interactive; updated monthly)

● EPO States 
 ● US 
 ● China 
 ● Rep. Korea 
 ● Others



# EXAMINATION OF THE REQUEST FOR UNITARY EFFECT



# REQUIREMENTS FOR THE REGISTRATION OF UNITARY EFFECT

## Substantive requirements

Unitary effect can be requested for European patents granted

- on or after the date of entry into operation of the Unitary Patent package
- in respect of all 25 participating EU Member States, and
- with the same set of claims for all of states



## Main procedural requirements

Request filed by the patent owner

- in writing in the language of the proceedings
- within one month of EP grant
- containing:
  - particulars of the requester(s) and of the representative(s)
  - Number of the EP for which unitary effect is requested
  - the translation of the EP as per requirements

## EXAMINATION OF THE REQUEST FOR UNITARY EFFECT

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The request for unitary effect must include each proprietor's name and complete postal address (Rule 6(2)(a) UPR and Rule 41(2)(c) EPC)

A change in proprietor data must be requested separately

Regarding representation, the same rules apply under the UPR and the EPC (Rule 20 UPR and Article 133 EPC)

If an authorisation is needed, it must cover the proceedings relating to Unitary Patent (Forms 1003/1004 and Forms 7003/7004)

# AUTHORISATION – FORMS 1003 AND 1004

**Vollmacht  
Authorisation  
Pouvoir**

Zeichen des Anmelders / Applicant's reference / Référence du demandeur

1 Ich (Wir) /  
I (We) /  
Je (Nous)

☐ Weitere Vollmachtgeber sind auf einem gesonderten Blatt angegeben.  
Additional authorisers are indicated on separate sheet.  
Les autres mandataires sont mentionnés sur une feuille supplémentaire.

2 bevollmächtigte(n) hiermit /  
authorise (authorisations) par la présente  
bitt(e) angeben, ob zugelassener Vertreter, Rechts-  
anwalt, Angestellter oder Zusammenschluss von  
Verfahren (Name und Registrierungsnummer) /  
please specify whether professional representative,  
legal practitioner, employee or association of  
representatives (name and registration number) /  
veuillez préciser s'il s'agit d'un mandataire agréé,  
d'un avocat, d'un employé ou d'un groupement de  
mandataires (nom et numéro d'inscription).

☐ Weitere Bevollmächtigte sind auf einem gesonderten Blatt angegeben.  
Additional authorisers are indicated on separate sheet.  
Les autres mandataires sont mentionnés sur une feuille supplémentaire.

3 mich (uns) zu vertreten als / to represent me (us) as / à me (nous) représenter en tant que

☐ Anmelder oder Patentinhaber / applicant(s) or patent proprietor(s) /  
demandeur(s) ou titulaire(s) du brevet

☐ Einsprechenden (Einsprechende) / opponent(s) / opposant(s)

4 und in den durch das Europäische Patentübereinkommen geschaffenen  
Verfahren betreffend die folgenden(e) europäisch(e)n Patentanmeldungen(en)  
oder folgende(n) europäisch(e)n Patent(e) für mich (uns) zu handeln und  
Zahlungen für mich (uns) in Empfang zu nehmen / to act for me (us) in all  
proceedings established by the European Patent Convention concerning the  
following European patent application(s) or patent(s) and to receive  
payments on my (our) behalf / à agir en mon (nos) nom(s) dans toute  
procédure instituée par la Convention sur le brevet européen et concernant  
la (les) demande(s) de brevet ou le(s) brevet(s) européen(s) suivant(s) et à  
recevoir des paiements en mon (nos) nom(s).

☐ Fortsetzung auf einem gesonderten Blatt / Additional applications or patents are  
indicated on a separate sheet / Suite sur une feuille supplémentaire.

5 Diese Vollmacht gilt auch für Verfahren nach dem Vertrag über die internationale Zusammenarbeit auf dem Gebiet des Patentwesens. /  
This authorisation also applies to any proceedings established by the Patent Cooperation Treaty. /  
Le présent pouvoir s'applique également à toute procédure instituée par le Traité de coopération en matière de brevets.

6 Diese Vollmacht gilt auch für Verfahren nach Artikel 9 (1) der Verordnung (EU) Nr. 1257/2012 in Verbindung mit der Durchführungsverordnung zum  
einheitlichen Patentschutz. / This authorisation also applies to any proceedings established by Article 9(1) Regulation (EU) No. 1257/2012 in conjunction  
with the Rules relating to Unitary Patent Protection. / Le présent pouvoir s'applique également à toute procédure instituée par le règlement (UE) n° 1257/2012  
ensemble le règlement d'application relatif à la protection unitaire conférée par un brevet.

☐ Diese Vollmacht gilt auch für etwaige europäische Teilmeldungen. / This authorisation also covers any European divisional applications. /  
Le présent pouvoir vaut également pour toute demande divisionnaire européenne.

7 Es kann Untervollmacht erteilt werden. / Sub-authorisation may be given. / Le présent pouvoir peut être délégué.

8 Ich (Wir) widerrufe(n) hiermit frühere Vollmachten in Bezug auf die oben genannte(n) Anmeldung(en) oder das (die) oben genannte(n) Patent(e). /  
Je (Nous) révoque(n) par la présente tout pouvoir antérieur donné pour la (les) demande(s) ou le(s) brevet(s) mentionné(s) ci-dessus.

Name des (der) Unterzeichneten (in Druckschrift) /  
Name of signatory/signatories (block capitals) /  
Nom(s) du (des) signataire(s) (en caractères d'imprimerie)

Bei juristischen Personen Stellung des (der) Unterzeichneten innerhalb der  
Gesellschaft / For legal persons, position of signatory/signatories within the  
company / Si s'agit d'une personne morale, fonction occupée au sein de celle-ci  
par le(s) signataire(s)

Ort und Datum / Place and date / Lieu et date

Unterschriften(en) / Signature(s)

9 \* Das Formular muss vom (von den) Vollmachtgeber(n) eigenhändig, bei juristischen Personen vom Unterschriftsberechtigten, unterschrieben sein. /  
\* The form must be signed by the authorizer(s) or, in the case of legal persons, the signature must be that of the person empowered to sign on behalf of the company. /  
\* Le formulaire doit être signé de la propre main du (des) mandant(s). Dans le cas des personnes morales, la signature doit être celle de la personne ayant qualité pour signer au nom de la société.

**Allgemeine Vollmacht  
General authorisation  
Pouvoir général**

Bitte übermitteln Sie das Original an die Rechtsabteilung  
des EPA (Ref. 5.3.2.1) in München. / Please send the  
original directly to the EPO's Legal Division (D. 5.3.2.1) in  
Munich. / Prière de faire parvenir l'original directement à  
la division juridique (D. 5.3.2.1) de l'OEB à Munich.

Nr. der allgemeinen Vollmacht /  
General authorisation No. /  
N° du pouvoir général

Vom EPA auszufüllen / To be completed by  
the EPO / À compléter par l'OEB

1 Ich (Wir) /  
I (We) /  
Je (Nous)

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please specify whether professional representative,  
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3 mich (uns) in den durch das Europäische Patentübereinkommen geschaffenen Verfahren vor dem Europäischen Patentamt (EPA) zu vertreten und  
alle Handlungen dinstädig für mich (uns) vorzunehmen. / to represent me (us) in all proceedings established by the European Patent Convention  
before the European Patent Office (EPO) and to act for me (us) in all patent transactions. / à me (nous) représenter dans toute procédure instituée  
par la Convention sur le brevet européen et à agir en mon (nos) nom(s).

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relating to Unitary Patent Protection. / Le présent pouvoir s'applique également à toute procédure instituée par le règlement (UE) n° 1257/2012 ensemble le  
règlement d'application relatif à la protection unitaire conférée par un brevet.

5 Diese Vollmacht umfasst die Befugnis, Zahlungen für mich (uns) in Empfang zu nehmen. / This authorisation includes the power to receive payments on my  
(our) behalf. / Le présent pouvoir inclut le pouvoir de recevoir des paiements pour mon (notre) compte.

6 Es kann Untervollmacht erteilt werden. / Sub-authorisation may be given. / Le présent pouvoir peut être délégué.

7 Bitte ein Exemplar, ergänzt um die Nummer der allgemeinen Vollmacht, an den Vollmachtgeber zurücksenden. / Please return a copy showing the allocated  
general authorisation number to the authoriser. / Prière de renvoyer au mandant une copie, munie du numéro du pouvoir général.

Name des (der) Unterzeichneten (in Druckschrift) /  
Name of signatory/signatories (block capitals) /  
Nom(s) du (des) signataire(s) (en caractères d'imprimerie)

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company / Si s'agit d'une personne morale, fonction occupée au sein de celle-ci  
par le(s) signataire(s)

Ort und Datum / Place and date / Lieu et date

Unterschriften(en) / Signature(s)

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\* Le formulaire doit être signé de la propre main du (des) mandant(s). Dans le cas des personnes morales, la signature doit être celle de la personne ayant qualité pour signer au nom de la société.

# AUTHORISATION – FORMS 7003 AND 7004

**Europäisches Patentamt  
European Patent Office  
Office européen des brevets**

**Europäisches Patent mit einheitlicher Wirkung  
European patent with unitary effect  
Brevet européen à effet unitaire**

**Vollmacht – Authorisation – Pouvoir**

Zeichen des Patentinhabers / Patent proprietor's reference / Référence du titulaire du brevet

1 Ich (Wir) /  
I (We) /  
Je (Nous)

2 bevollmächtigte(n) hiermit /  
hereby authorize /  
autorise (authorises) par la présente

3 mich (uns) vor dem Europäischen Patentamt (EPA) in Verfahren nach Artikel 9 (1) der Verordnung (EU) Nr. 1257/2012 in Verbindung mit der Durchführungsordnung zum einheitlichen Patentschutz betreffend das (die) folgende(n) europäisch(e)n Patent(e) mit einheitlicher Wirkung zu vertreten und alle Handlungen diebezüglich für mich (uns) vorzunehmen / to represent me (us) before the European Patent Office (EPO) in all proceedings established by Article 9(1) Regulation (EU) No 1257/2012 in conjunction with the Rules relating to Unitary Patent Protection concerning the following European patent(s) with unitary effect / à me (nous) représenter et à agir en mon (nos) nom(s) devant l'Office européen des brevets (OEB) dans toute procédure instituée par l'article 9(1) du règlement (UE) n° 1257/2012 ensemble le règlement d'application relatif à la protection unitaire conférée par un brevet et concernant le(s) brevet(s) européen(s) à effet unitaire suivant(s)

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5 Ich (Wir) widerrufe(n) hiermit frühere Vollmachten in Bezug auf das (die) oben genannte(n) europäisch(e)n Patent(e) mit einheitlicher Wirkung. / I (We) hereby revoke all previous authorisations in respect of the above European patent(s) with unitary effect. / Je révoque (nous révoquons) par la présente tout pouvoir antérieur donné pour le(s) brevet(s) européen(s) à effet unitaire mentionné(s) ci-dessus.

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Unterschrift(en) / Signature(s) /

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**Europäisches Patentamt  
European Patent Office  
Office européen des brevets**

**Europäisches Patent mit einheitlicher Wirkung  
European patent with unitary effect  
Brevet européen à effet unitaire**

**Allgemeine Vollmacht / General authorisation / Pouvoir général**

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Vom EPA auszufüllen / To be completed by the EPO / À compléter par l'OEB

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# UNITARY PATENT CERTIFICATE




**EINHEITSPATENT | UNITARY PATENT  
BREVET UNITAIRE**

Hiermit wird bescheinigt, dass die einheitliche Wirkung für das nachstehende europäische Patent im Register für den einheitlichen Patentschutz eingetragen wurde.  
 It is hereby certified that unitary effect has been registered in the Register for unitary patent protection for the European patent indicated below.  
 Il est certifié que l'effet unitaire a été inscrit au Registre de la protection unitaire conférée par un brevet pour le brevet européen ci-dessous.

Europäisches Patent Nr. European patent No. Brevet européen n°  <b>1052769</b>	Tag der Eintragung Date of registration Date d'inscription  <b>18.05.2022</b>
Territorialer Geltungsbereich Territorial scope Champ d'application territoriale AT, BE, BG, DE, DK, EE, FI, FR, IT, LV, LT, LU, MT, NL, PT, SI, SE	Tag des Inkrafts der Wirkung Date of effect Date de prise d'effet <b>05.05.2022</b>

Patentinhaber | Proprietor(s) of the patent | Titulaire(s) du brevet  
 Biomet UK Limited  
 Waterton Industrial Estate  
 Bridgend  
 South Wales CF31 3XA/GB

  
 António Campinos  
 Präsident des Europäischen Patentamts | President of the European Patent Office | Président de l'Office européen des brevets  
 München, den | Munich, | Munich, le **00.00.0000**

URKUNDE | CERTIFICATE | CERTIFICAT



EP/POC/058 7902/022

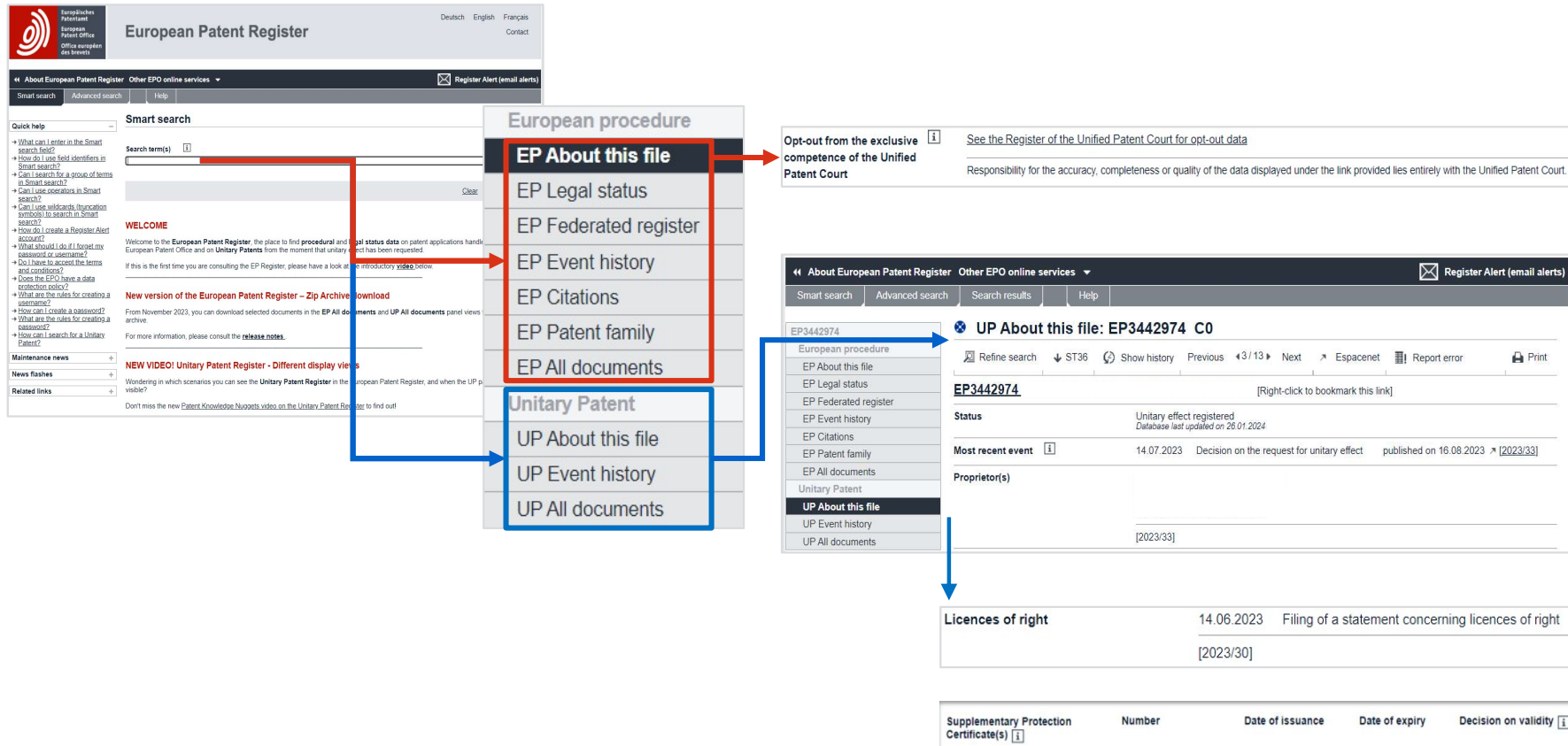
UP certificate is issued  
with EPO Form 7055

Unitary Patents are assigned  
the specific identifier "C0",

EP3987216 **C0**

# REGISTER FOR UNITARY PATENT PROTECTION – FILE INSPECTION

epo.org



The screenshot shows the European Patent Register website. The navigation menu on the left includes 'Smart search', 'Advanced search', and 'Help'. The main content area displays search results for 'EP3442974'. The 'UP About this file' section is highlighted, showing details for the unitary patent. The 'Licences of right' section is also visible, showing a filing of a statement concerning licences of right on 14.06.2023.

**European procedure**

- EP About this file
- EP Legal status
- EP Federated register
- EP Event history
- EP Citations
- EP Patent family
- EP All documents

**Unitary Patent**

- UP About this file
- UP Event history
- UP All documents

**Opt-out from the exclusive competence of the Unified Patent Court**

See the [Register of the Unified Patent Court for opt-out data](#)

Responsibility for the accuracy, completeness or quality of the data displayed under the link provided lies entirely with the Unified Patent Court.

**UP About this file: EP3442974 C0**

Refine search ↓ ST36 Show history Previous 3/13 Next Espacenet Report error Print

**EP3442974** [Right-click to bookmark this link]

**Status** Unitary effect registered  
Database last updated on 26.01.2024

**Most recent event** 14.07.2023 Decision on the request for unitary effect published on 16.08.2023 [2023/33]

**Proprietor(s)**

[2023/33]

**Licences of right** 14.06.2023 Filing of a statement concerning licences of right  
[2023/30]

Supplementary Protection Certificate(s)	Number	Date of issuance	Date of expiry	Decision on validity



# REGISTER FOR UNITARY PATENT PROTECTION

Smart search

Advanced search

Help

Quick help

- How many search terms can I enter per field?
- Can I use truncation?
- How do I enter an EP application/publication number?
- How do I enter a WO (PCT) application/publication number?
- What are the valid date formats?
- Can I enter a date range for my search?
- How do I enter the name of a person or an organisation?
- How can I find out if an opposition was filed in a specific technical field?
- How do I enter an International Patent Classification (IPC) symbol?
- How do I enter keywords in the title?
- How do I enter an appeal case number?
- What does "Open recent" mean?

Maintenance news

News flashes

Related links

Advanced search

Enter numbers with or without country code

Publication number

e.g. EP1883031

Application number

e.g. EP07010825

Priority number

e.g. US20030423700

Enter one or more dates (and/or date range for publication date)

Filing date

e.g. 20070919

Publication date

e.g. 20070919

Priority date

e.g. 20070919

Date of grant

e.g. 20070919

Unitary effect request date

e.g. 20070919

Unitary effect registration date

e.g. 20070919

Enter the name of one or more persons or organisations

Applicant(s)/Proprietor(s)

e.g. IBM

Inventor(s)

e.g. Smith

Representative


e.g. vande gucht

Opponent

e.g. basf

# REGISTER FOR UNITARY PATENT PROTECTION

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Europäisches Patentamt  
European Patent Office  
Office européen des brevets

Deutsch English Français  
Contact

About European Patent Register Other EPO online services

Smart search Advanced search Search results Help

Register Alert (email alerts)

Quick help
 

- How can I navigate through the results?
- Can I sort the result list?
- Why are there dots instead of a name in the Representative column in my result list?

Maintenance news

News flashes

Related links

## Search results

Refine search

Sort by  Sort order

76 items found, displaying 1 to 20.  
Search term(s): **urd = yes**

1 2 3 4 ▶▶

Application No.	Publication No.	Applicant	Unitary Patent	Representative	IPC
<b>Retransmission method, wireless communication apparatus, and relay station</b>					
<input type="radio"/> Application No. EP	<input type="radio"/> Publication No. EP	<input type="radio"/> Applicant	<input checked="" type="radio"/> Unitary Patent	<input type="radio"/> Representative	IPC H04L1/16 H04L1/18 H04L1/00 (+5)
			Request date: 14.09.2016 Registration date: 15.09.2016		
<b>FLUORORESIN POWDER COATING COMPOSITION EXCELLENT IN BASE PROTECTION</b>					
<input type="radio"/> Application No. EP	<input type="radio"/> Publication No. EP	<input type="radio"/> Applicant	<input checked="" type="radio"/> Unitary Patent	<input type="radio"/> Representative	IPC C09D5/03 C09D127/12
			Request date: 10.10.2016 Registration date: 20.10.2016		
<b>Method and thermal recasting assembly for producing a hardened, thermally recast workpiece</b>					
<input type="radio"/> Application No. EP	<input type="radio"/> Publication No. EP	<input type="radio"/> Applicant	<input checked="" type="radio"/> Unitary Patent	<input type="radio"/> Representative	IPC B21D22/20 B21D24/16 B21D37/16 (+4)
			Request date: 30.04.2014 Registration date: 07.05.2014		
<b>Navigation apparatus, operation control method, and mobile terminal apparatus</b>					
<input type="radio"/> Application No. EP	<input type="radio"/> Publication No. EP	<input type="radio"/> Applicant	<input checked="" type="radio"/> Unitary Patent	<input type="radio"/> Representative	IPC G01C21/26
			Request date: 30.04.2014 Registration date: 07.05.2014		

# REGISTER FOR UNITARY PATENT PROTECTION

EP2234309

- European procedure
- EP About this file
- EP Legal status
- EP Federated register
- EP Event history
- EP Citations
- EP Patent family
- EP All documents
- Unitary Patent
- UP About this file**
- UP Event history
- UP All documents

Quick help

- What happens if I click on the "XML" or "ST36" buttons?
- What kind of information can be found if I click on the "Show history" button?
- What kind of information can be found under "Status"?

Maintenance news

News flashes

Related links

**UP About this file: EP** **C0**

Refine search ST36 Show history Previous 1 / 76 Next Espacenet Submit observations Report error Print

**EP2234309 - Retransmission method, wireless communication apparatus, and relay station** [Right-click to bookmark this link]

Status Unitary effect registered  
Database last updated on 01.03.2022

Most recent event **1**

23.05.2017	Filing of request for unitary effect	published on 22.06.2017	→ [2017/25]
23.05.2017	Decision on the request for unitary effect	published on 22.06.2017	→ [2017/25]
23.05.2017	Transfer of Rights	published on 22.06.2017	→ [2017/25]

Proprietor(s)

[2017/25] Transfer of Rights

Inventor(s)

→ [2010/39]

Representative(s)

[2017/25]

Application number, filing date

[2010/39] 12.01.2010

Procedural language

EN

(Principal) place of business on the date of filing **1**

→ Principal place of business **1**

Place of business **1**

[2017/25]

Unitary Patent Protection

14.09.2016	Date of request for unitary effect [2017/25]
15.09.2016	Decision on the request for unitary effect: Positive [2017/25]
15.09.2016	Date of registration [2017/25]
14.09.2016	Date of legal effect [2017/25]

Member States covered by Unitary **1**

15.09.2016	AT, BE, BG, DE, DK, FI, FR, GB, GR, HU, IT, MT, NL, SE, SK [2017/25]
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## PLACE OF BUSINESS ON THE DATE OF FILING

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**Voluntary** indication of a place of business on the date of filing of the European patent application (Article 7(1)(b) Regulation (EU) No 1257/2012 and Rule 16(1)(w) UPR)

- it must be provided together with the request for unitary effect
- it must be in a participating member state in which the UPCA has taken effect at the date of registration of unitary effect
- EPO's online filing tools provide a specific field for entering a place of business in connection with the request for unitary effect (Form 7000)

# PLACE OF BUSINESS ON THE DATE OF FILING

Place of business on the date of filing of the European patent application

☒ Voluntary indication of a place of business of the applicant(s) on the date of filing of the European patent application (Article 71(1)(b) Regulation (EU) No 1257/2012, Rule 16(1)(ii) UPR)

It can prove useful to have an entry in the Register for unitary patent showing "a place of business on the date of filing" within the meaning of [Article 71\(1\)\(b\) Regulation \(EU\) No 1257/2012](#) (see [Rule 16\(1\)\(ii\) UPR](#)) in cases where an applicant, when filing a European patent application or international application under the PCT designating or electing the EPO (Euro-PCT application), did not have a residence or principal place of business in one of the participating Member States within the meaning of [Article 7\(1\)\(a\) of that Regulation](#).

Please see point 5 of the notes on the request for unitary effect for more details as well as the [Unitary Patent Guide](#).

Applicant name\*  
Test AG ✓

Department  
[Empty field]

Country/territory\*  
DE - Germany ✓

Region:  
[Empty field]

City\*  
Berlin ✓

Address line 1  
Unter den Linden 10 ✓

Address line 2  
[Empty field]

PO box  
[Empty field]

Postcode  
12345 ✓

○ Name of applicant on the date of filing of the European patent application

Overview

**General information**

Parties

Documents

Fees

Information about place of business under tab **general information**

## COMPENSATION - ELEGIBILITY

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- European patent application was filed in an **official EU language other than English, French or German**
- **Residence or principal place of business** in an **EU member state**, and
- **natural person** or entity falling within one of the following categories:
  - **SME** as defined in European Commission Recommendation 2003/361/EC dated 6 May 2003, or
  - **non-profit organisation** as defined in Article 2(1)(14) of Regulation (EU) No 1290/2013, or
  - **university or public research organisation**
- The request for compensation must be filed together with the request for unitary effect. It must contain a declaration that the proprietor is a natural person or one of the entities mentioned above (Rule 9 UPR)



# RENEWAL FEES FOR UNITARY PATENT

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- One single renewal fee is payable yearly to the EPO
- Due date: Last day of the month of the anniversary of the date of filing of the European patent giving rise to the Unitary Patent (Rule 13 UPR and Rule 51(1) EPC)
- Additional six-month payment period, but then additional fee due
- A three-month safety period for renewal fees falling due:
  - within three months of the notification of the communication indicating the date of registration of unitary effect
  - between the grant of the European Patent and the registration of unitary effect

# RENEWAL FEES FOR UNITARY PATENT

**Submit EP 1038, PCT-SFD**

Save in folder \*

Submissions

User's file reference\*

test7038


✓


Role in proceedings \*

Representative

✓

Form \*

 **EP 1038** Subsequently filed documents

 **UP 7038** European patent with unitary effect - letter accompanying subsequently filed items

Payment method

Not specified

✓

Language of the proceedings \*

English

Cancel

Start

Form 7038 in OLF 2,0 has the same structure and functionalities as form 1038, but documents and fee codes relate to the Unitary patent

# RENEWAL FEES FOR UNITARY PATENT

	Fee code and description	Amount in €	Reduction	Quantity	Amount to pay
<input type="checkbox"/>	732 - Renewal fee for the 2nd year				
<input type="checkbox"/>	733 - Renewal fee for the 3rd year				
<input checked="" type="checkbox"/>	734 - Renewal fee for the 4th year	145.00		1	€ 145.00
<input type="checkbox"/>	735 - Renewal fee for the 5th year				
<input type="checkbox"/>	736 - Renewal fee for the 6th year				
<input type="checkbox"/>	737 - Renewal fee for the 7th year				
<input type="checkbox"/>	738 - Renewal fee for the 8th year				
<input type="checkbox"/>	739 - Renewal fee for the 9th year				
<input type="checkbox"/>	740 - Renewal fee for the 10th year				
<input type="checkbox"/>	741 - Renewal fee for the 11th year				
<input type="checkbox"/>	742 - Renewal fee for the 12th year				
<input type="checkbox"/>	743 - Renewal fee for the 13th year				
<input type="checkbox"/>	744 - Renewal fee for the 14th year				
<input type="checkbox"/>	745 - Renewal fee for the 15th year				
<input type="checkbox"/>	746 - Renewal fee for the 16th year				
<input type="checkbox"/>	747 - Renewal fee for the 17th year				
<input type="checkbox"/>	748 - Renewal fee for the 18th year				
<input type="checkbox"/>	749 - Renewal fee for the 19th year				
<input type="checkbox"/>	750 - Renewal fee for the 20th year				
<input type="checkbox"/>	752 - Add. fee for renewal fee 2nd year				
<input type="checkbox"/>	753 - Add. fee for renewal fee 3rd year				
<input checked="" type="checkbox"/>	754 - Add. fee for renewal fee 4th year	72.50		1	€ 72.50

Example: Payment of a renewal fee plus additional fee

- The request for unitary patent and the request of compensation are free of charge
- Central Fee Payment, credit card payment and bank transfer:  
all possible payment information and payments to UP (renewal fee, fee for reestablishment of rights, surcharges, transfer of rights, automatic debit orders, refunds)
- Form 7038: Setting up automatic debit order, all possible fees related to UP, refund instructions
- Form 7000: Setting up automatic debit order, procedural fees, refund instructions, but no payment of a renewal fee before registration of unitary effect!

## REGISTRATION TRANSFER OF RIGHTS, LICENCES, RIGHTS IN REM

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- Transfer of rights, licences and right in rems can be requested for European patents with unitary effect
- Rules 22, 23, 24 EPC apply *mutatis mutandis* via Rule 20(2)(b) UPR
- Within Rule 85 EPC time limit, one request and fee due for both, EP and UP proceedings
- Request, evidence, fee (**free of charge via MyEPO Portfolio**)
- Transfer of rights and rights in rem are recorded for all participating member states
- Licences may be recorded for all or part of the territories of the participating member states

## STATEMENT CONCERNING LICENCES

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- Statement indicating that proprietor is prepared to allow anyone to use their invention as a licensee in return for an appropriate consideration (Rule 12 UPR, Article 8(1) Regulation (EU) No 1257/2012 and Rule 12(1) UPR)
- Form 7001
- Reduction of 15% in future renewal fees
- Recording of an exclusive licence not possible once a statement on a licence of right has been filed
- Withdrawal possible (Form 7002) if reduced amounts of renewal fees are repaid to the EPO



**THANK YOU FOR YOUR ATTENTION!**