

notice

The London Agreement update

Dramatic cost reductions for validating European Patents

The cost of obtaining patent protection in Europe has been dramatically reduced due to the implementation of the 'London Agreement'.

Until 1 May 2008, when a European patent was granted, the entire patent specification (including description and claims) had to be translated into the national language of a designated country in order to validate the patent in that country. This could be a costly procedure. However, with the implementation of the London Agreement, this is no longer the case. Instead, assuming that the application is in English, the following translations are required for each country that has signed the Agreement:

Country	Translations required
United Kingdom, France, Germany, Switzerland, Liechtenstein, Luxembourg, Monaco and Ireland	French and German translations of the claims only (these already need to be prepared at the grant stage before the EPO)
Albania, Croatia, Denmark, Iceland, Latvia, Lithuania, the Netherlands, Norway, Slovenia, Sweden, Hungary, Finland, and Former Yugoslav Republic of Macedonia	French and German translations of the claims and a translation of the claims only into the national language

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The newly-implemented procedure applies only to the validation of a European patent in a designated country. If an action for infringement is brought in a designated country, then a full translation of the specification into the national language of that country will usually be required.

The procedure for validating a European patent in countries that have not signed the Agreement has not changed. As a consequence, a full translation of the whole patent specification into the national language is still required for non-London Agreement countries.

The London Agreement is extremely good news for industry. The costs associated with the validation stage of a European patent have been reduced significantly - by as much as 50% in some cases. Since the validation stage represents a large proportion of the total cost of obtaining a European patent, the implementation of the Agreement is resulting in major savings.