

International Prosecution

-Tips on how to prepare a global filing
with considerations for Europe

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Agenda

- European patent system
- European national patents
- Tips for preparation for European filings

European Patent System

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European Patent System

- **Separate National patents in each country**
- **European Patent Convention**
 - **38 member states, + 6 extension/validation states**
 - **Not to be confused with the European Union (27 Countries)**
 - **operated by European Patent Organisation and its regional patent office:**
 - **Central examination of applications + 3rd party opposition**
 - **Granted EPC patent results in bundle of national patents (or your choosing)**
 - **Can be more cost effective than separate filings**
 - **Granted cases litigation subject to national and EU law**
 - **Attempts to establish Unitary Patent and Unified Patent Court for EU is still ongoing**

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European National Patents

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European national patents

- **First-to-file system**
- **One type of patent**
 - Inventions
 - there are also Design Rights under national or EU law
- **Four ways of filing**
 - Direct filing
 - Paris convention filing
 - PCT filing designating EPO
 - PCT filing designating countries

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[Global Trends in Patent Prosecution and Enforcement \(2020\)](#)

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