

Notes on the decision to grant a European patent (EPO Form 2006A)

Since 1 June 2023, when Regulations (EU) No 1257/2012 and No 1260/2012 began to apply, a number of options have been available for validating your European patent.

1. Conventional national validation in the EPC contracting states

The exact validation procedure and any associated translation requirements vary from state to state. The brochure "**National law relating to the EPC**", available on our website, provides useful information on the formal requirements and procedural steps the various national patent offices will ask you to complete to obtain patent protection in their state.

Some EPC contracting states require **a translation of the European patent specification**. Depending on whether or not the state concerned has signed up to the London Agreement, you will need to provide a translation of either just the claims or the entire specification. If you do not provide the translations required, your European patent may be deemed void from the outset.

2. Unitary Patent: "unitary" validation in the participating EU member states via a centralised EPO procedure

A European patent with unitary effect (or "Unitary Patent") is a European patent granted by the EPO for which unitary effect has been registered at the proprietor's request. It covers the territories of those participating member States in which the UPCA has taken effect at the date of registration of unitary effect by the EPO. For more detailed information, see the "**Unitary Patent Guide**" available on the EPO website.

To obtain a Unitary Patent, you must file a **request for unitary effect with the EPO**, in the language of the proceedings, no later than **one month** after the date on which the mention of the patent grant was published in the European Patent Bulletin. Your request must be accompanied by a **translation of the full patent specification**, either into English if the language of your proceedings was French or German or into another EU official language if the language of your proceedings was English. We strongly recommend that you use the **Form 7000** functionality specially provided in Online Filing (eOLF) and Online Filing 2.0 to file your request.

Natural persons, SMEs, non-profit organisations, universities and public research organisations that filed their patent application in an EU official language other than German, English or French may be eligible for lump-sum **compensation of their translation costs** if their residence or principal place of business is in an EU member state.

To maintain a Unitary Patent, you only need to pay **one single renewal fee** to the EPO each year.

3. Combining a Unitary Patent with conventional national validations

A Unitary Patent is valid only in EU member states participating in the scheme set up under Regulation (EU) No 1257/2012 that have also ratified the Agreement on a Unified Patent Court. This means it does not cover all of the EPC contracting states.

If, in addition to your Unitary Patent, you want patent protection in other EPC contracting states too, you will therefore have to follow their national validation procedures (see point 1 above).

The procedural steps involved in each of the above validation options are subject to change, so you should always consult the latest editions of the two brochures mentioned above and the information on the EPO website (epo.org).