

Requirements for Validation of European Patents and Unitary Patents

If a European patent is to be made effective in countries designated in the patent at the time of grant, the applicant must decide, (based on commercial requirements and the costs involved) in which countries it requires the European Patent (EP) to be validated. It is not required to make the patent effective in all countries. Any number of the designated countries may be selected. A request for a Unitary Patent (UP) may also be filed. A Unitary Patent can be combined with a classic European Patent: it is possible to seek a Unitary Patent and, in addition, validate the European patent in those EPC contracting states whose territories are not covered by the Unitary Patent.

UP Validation – Full Translation

To request a UP, the EPO requires a full translation of the European patent specification: (i) into English if the language of the proceedings before the EPO was French or German or (ii) into any other official language of an EU member state if the language of the proceedings was English. A figure of £1000 for a twenty page specification is typical. HGF’s fees will be £630 per UP request.

EP Validation – Full Translation

The following countries require a full translation of the specification to be provided in their local language within three months of grant. Also, certain formalities such as the appointment of a local address for service may be required.

Local Patent Attorney’s charges vary, but a figure of £2000 for a twenty page specification is typical. However, a substantial variation in cost is to be expected depending on the length of the specification to be translated, even up to £10,000 per country for 100+ page specifications. Some countries have higher charges than others, in any event. HGF’s fees will be £255 per country.

Austria (German)	Bulgaria	Cyprus	Czech Republic
Estonia	Greece	Italy	Montenegro
Poland	Portugal	Romania	San Marino
Serbia	Slovakia	Spain	Turkey

EP Validation – Claims Translation

The following countries only require the claims of the patent to be translated into their language, provided the remainder of the specification is available in English. These claims translations must be filed within three months of grant of the European patent.

Since only the claims are translated, local Patent Attorney charges are likely in the range £500 to £1500. HGF’s fees will be £255 per country.

Albania	Bosnia and Herzegovina	Croatia	Denmark
Finland	Hungary	Iceland	Latvia
Lithuania	Macedonia	Morocco	Netherlands
Norway	Slovenia	Sweden	

EP Validation – No Translation

In the following countries, if the European patent is in English, no translation at all is now needed, and therefore the patent becomes effective in the relevant country from grant without further action being absolutely necessary.

Belgium (French)	France	Germany
Ireland	Luxembourg	Malta
Monaco	Switzerland/Liechtenstein	United Kingdom

Nevertheless, for these countries, HGF still needs instructions in respect of the appointment of a local address for service. This is desirable in the event that communications from the local patent office are issued and essential for non-EU applicants in the case of Malta. Local Patent Attorney’s fees for this service are in the range Euros 200 to 500. HGF’s fees will again be £255 per country.