Resolution

Adopted by the General Assembly of the European Patent Lawyers Association (EPLAW) Brussels – 02 December 2005

In view of:

- the fact that the work on the Community Patent is being stalled by translation and other problems.
- the work on the European Patent Litigation Agreement is finished to a large extent,
- the Resolution of leading patent judges in Europe of October 14-16, 2005,
- the proposal of the European Parliament to harmonize divergences in the post-grant phase of European patents between national courts and the patent granting practice of the European Patent Office,

the European Patent Lawyers Association urgently asks for co-operation between the EU Commission, the EU Council and the European Patent Office to make progress:

- without delay for enhanced co-operation on EPLA for all member states interested in a European litigation system for EPO patents.
- to revise the text of the Community Patent Regulation with participation of experienced patent judges and attorneys,
- on the harmonisation of divergences in the practice of the national courts and the EPO

in order to arrive at a combined solution to advance innovation in Europe as effectively as possible.