



**A I P P I**

**ASSOCIATION INTERNATIONALE  
POUR LA PROTECTION DE LA PROPRIETE INTELLECTUELLE**

**INTERNATIONAL ASSOCIATION  
FOR THE PROTECTION OF INTELLECTUAL PROPERTY**

**INTERNATIONALE VEREINIGUNG  
FÜR DEN SCHUTZ DES GEISTIGEN EIGENTUMS**

**ExCo**

**Berlin, Germany**

**September 24 to 29, 2005**

**Report**

**Special Committee Q162**

**Community Patent Regulation  
Règlement sur le brevet communautaire  
Die Gemeinschaftspatent-Verordnung**

# **Report Q162**

## **Community Patent Regulation**

### **1 Names and Functions of Committee Members**

Chairman:	Peter-Ulrik PLESNER (Denmark)
Co-Chairman:	Luc SANTARELLI (France)
Secretary:	Enrique ARMIJO (Spain)
Members:	Geoffrey BAYLISS (United Kingdom) Nanno LENZ (Germany) Ana FERREIRA DA SILVA (Portugal) Takashi ISHIDA (Japan) Gerald J. MOSSINGHOFF (USA) Luigi Carlo UBERTAZZI (Italy)

### **2 History**

The Special Committee was established to study and prepare an opinion paper expressing the views of AIPPI National and Regional Groups of the European Commission Proposal for a Community Patent Regulation.

The Special Committee has prepared a Report of 10 June 2002 for the Lisbon EXCO Meeting, a Report of 30 October 2003 for the Lucerne EXCO Meeting and a Report of 1 June 2004 to the Geneva Congress.

Neither the EXCO Meetings nor the Congress passed any Resolution in relation to the Community Patent.

### **3 Development since the Geneva Congress**

3.1 In accordance with a press release of 17 May 2004 the Council did not reach the necessary unanimity about the Irish Presidency's compromise proposal for a Community Patent Regulation. Germany, France, Spain and Portugal voted against the proposal and Italy abstained from voting.

3.2 In the autumn of 2004 the Dutch Chairmanship held some bilateral meetings in order to evaluate whether it was possible to reach an agreement. The discussion did not result in an actual proposal.

3.3 In the spring of 2005 and during the summit held on 22–23 March 2005 in Brussels Mr Durao Barroso, President of the EU Commission, discussed the question with some Prime Ministers. Even though the Community Patent is a part of the Lisbon Strategy there have been no new proposals.

We will have to wait and see what happens during the next British Presidency.

### **4 Future work for the Special Committee**

Special Committee Q162 will continue to follow the development.