



UPC opt-out fee abolished

The Preparatory Committee for the Unified Patent Court (UPC) agree the 'Rules on Court fees and recoverable costs', which determine the fees associated with the new court.

At its meeting on 24-25 February 2016, the Preparatory Committee for the Unified Patent Court (UPC) agreed the 'Rules on Court fees and recoverable costs', which determine the fees associated with the new court. A copy of the proposal document which includes the agreed fees can be found [here](#).

One aspect of the agreed fees which will be welcomed by users is the decision to abolish the proposed fee for opting conventional European patents out of the jurisdiction of the UPC, and also for opting such patents back in to the new system. This decision will address some of the reservations of patent holders, especially those with large portfolios, many of whom had expressed concern that the cost of opting their European patents out of the new system, particularly in its early stages when the new court is still an unknown entity, would be prohibitively high.

Having always stated that the fees for both the opt-out and its withdrawal should be set at a level which would only recoup administrative costs, the Preparatory Committee determined that any administrative costs would be almost entirely associated with processing the payment of the fee itself, such that removing the fee would remove this cost.

The draft Rules document is still subject to legal finalisation, but the agreed fees themselves are not expected to change.

For any further information, please do not hesitate to contact your usual A.A. Thornton & Co. advisor or one of our attorneys via our website at www.aathornton.com.

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