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European patent

MEPs abdicate control over intellectual property to non-EU institution

The European Parliament today voted to adopt the unitary European patent. The Greens/EFA group has raised concerns about the legality of the proposal, as well as the decision to grant wide-ranging intellectual property powers to a non-EU institution, the European Patent Office (and Court). The group hit out at the vote, with Green legal affairs spokesperson **Eva Lichtenberger** stating:

"In their haste to force through this ill-conceived legislation, MEPs from the larger political groups have ignored the legal uncertainty with the proposals. On top of uncertainty about the legal soundness of the proposals, there are major concerns with these far-reaching plans for intellectual property enforcement in Europe. In effect, the EU institutions are abdicating powers on intellectual property to a non-EU organisation: the European Patent Office and Court. This is clearly a negative development for EU citizens."

Greens/EFA IP spokesperson **Christian Engström** added:

"There are insufficient guarantees that the EPO will respect EU legislation and the legislation in EU member states, which it has ignored in the past. We know that despite clear rules against the patenting of software, the EPO grants software patents anyway. The same applies to patents on life forms, with the EPO ignoring national laws and the European Parliament by granting patents. A true unitary patent, integrated into the legal and political structures of the EU, would have been a good thing. Unfortunately, this new patent system goes in the opposite direction, and hands control over European innovation policy to patent lawyers with vested interests, and not the democratically elected legislators."

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