

DI/JPC/mgh/5/10/1  
Contact: J. Chauvin

6 July 2001

Ms Ana Palacio Vallelersundi  
Committee on Legal Affairs and Internal Market  
European Parliament  
rue Wiertz, 60 (ASP 11e242)

B - 1047 Bruxelles

Dear President,

RE: PROPOSAL FOR A REGULATION CREATING A COMMUNITY PATENT

The creation of a cost-effective and simple-to-obtain Community patent was ranked high on the list of deliverables by the Lisbon Summit. The deadline for adoption of this instrument was set for 2001.

The example of the Community trademark gives evidence of the need for and success of Community instruments to protect intellectual property rights. A one-stop-shop patent system could provide users with a strong, cost-effective and reliable instrument.

The European Commission took appropriate steps by tabling an excellent proposal that was supported by UNICE.

UNICE has followed very closely the discussion during the Swedish Presidency and has taken note of the common approach agreed during the latest Internal Market Council meeting. Even though we welcome the fact that a strong political commitment was reaffirmed during this meeting, we are concerned about some of the orientations taken by the Council working group dealing with this subject.

UNICE has always been involved in the issue, pointing out that any delay in agreement on the text would maintain a patent system in Europe which is less supportive of innovation than those in the US and Japan in terms of time and costs.

In this context, UNICE appeals to the European Parliament to commit itself strongly in view of putting in place the framework needed by European companies, in particular SMEs.

We trust that you will seek to build up the impetus needed on this dossier, which is one of the important elements for the EU to become "*the most competitive and dynamic knowledge-based economy in the world by 2010*".

You will find at annex a copy of UNICE's general message and detailed comments on the proposal for a Regulation creating a Community patent. Our experts remain at your disposal if you wish to discuss any aspects of our comments further.

Yours sincerely,

*(original signed by)*  
Daniela Israelachwili  
Acting Secretary General