



**COUNCIL OF
THE EUROPEAN UNION**



16041/10

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PRESS RELEASE

Extraordinary Council meeting

Competitiveness (Internal Market, Industry, Research and Space)

Brussels, 10 November 2010

President

Mr Vincent VAN QUICKENBORNE
Minister for Enterprise and Simplification
of Belgium

P R E S S

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Main results of the Council

The Council discussed, during a public session, on a draft regulation aimed at establishing **translation arrangements for a future EU patent system.**

Given the absence of unanimity, the Presidency will now reflect on the most appropriate steps for taking the work forward.

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OTHER ITEMS APPROVED

none

¹ Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks. Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>). Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

PARTICIPANTS

The Governments of the Member States and the European Commission were represented as follows:

Belgium:

Mr Vincent VAN QUICKENBORNE

Minister for Enterprise and Simplification

Bulgaria:

Mr Peter STEFANOV

Deputy Permanent Representative

Czech Republic:

Mr Martin KOCOUREK

Deputy Minister for Education, Youth and Sport

Denmark:

Mr Jonas BERING LIISBERG

Deputy Permanent Representative

Germany:

Ms Birgit GRUNDMANN

State Secretary, Federal Ministry of Justice

Estonia:

Mr Gert ANTSU

Deputy Permanent Representative

Ireland:

Ms Geraldine BYRNE NASON

Deputy Permanent Representative

Greece:

Mr Ioannis PANARETOS

Deputy Minister for Research

Spain:

Mr Diego LÓPEZ GARRIDO

Secretary of State for the European Union in the Spanish Ministry of Foreign Affairs and Cooperation

France:

Mr Hervé NOVELLI

Secretary of State for Trade, Crafts, Small and Medium-sized Enterprises, Tourism, Services and Consumer Affairs

Italy:

Mr Andrea RONCHI

Minister of European Affairs

Cyprus:

Mr Antonis PASCHALIDES

Minister of Commerce, Industry and Tourism

Latvia:

Ms Lelde LICE-LICITE

Deputy Permanent Representative

Lithuania:

Mr Rimantas ŽYLIUS

Deputy Minister for the Economy

Luxembourg:

Ms Michèle EISENBARTH

Deputy Permanent Representative

Hungary:

Mr Zoltán CSÉFALVAY

Minister of Industry and Trade

Malta:

Mr Jason AZZOPARDI

Parliamentary Secretary

Netherlands:

Mr Maxime VERHAGEN

Minister for Economic Affairs, Agriculture and Innovation

Austria:

Mr Harald GÜNTHER

Deputy Permanent Representative

Poland:

Mr Marcin KOROLEC
Mme Grażyna HENCLEWSKA

Deputy State Secretary, Ministry of Economic Affairs
Deputy State Secretary, Ministry of Economic Affairs

Portugal:

Mr José MAGALHÃES

State Secretary for Justice and Judicial Reform

Romania:

Mr Alexandru STRENC

Director General

Slovenia:

Mr Viljem PŠENIČNY

State Secretary for Economic Affairs

Slovakia:

Mr Peter JAVORČÍK

Deputy Permanent Representative

Finland:

Ms Anni SINNEMÄKI

Minister for Labour

Sweden:

Ms Ewa BJÖRLING

Minister for Trade

United Kingdom:

Baroness WILCOX

Parliamentary Under-Secretary of State for Business,
Innovation and Skills

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Commission:

Mr Michel BARNIER

Member

ITEMS DEBATED**Future EU patent system: language regime**

Meeting in public, the Council held a policy debate on a draft regulation aimed at establishing translation arrangements for a future EU patent system.

The Belgian Presidency put forward a compromise proposal ([15395/10](#) + [15395/10 ADD1](#)) which aims to take into account the different concerns expressed by EU delegations during previous discussions.

At the end of the debate, the Presidency made the following statement:

"We have come a long way since these negotiations began.

Most delegations have shown greater flexibility than ever before, because the Council understands the importance of securing an EU patent system, especially in the current economic situation, where we have to stimulate innovation and employment.

I would like to express my sincere gratitude to all those delegations who have made efforts and shown flexibility to bring us this far.

We have left no stone unturned. However, in spite of the progress made, we have fallen short of unanimity by a small margin.

The Presidency will now reflect on how to capitalise on the momentum that delegations have given us".

The subject was last discussed by the Competitiveness Council on 11 October, on the basis of a previous compromise proposal ([14377 /10](#)).

The draft regulation ([11805/10](#)) is aimed at setting up translation arrangements for the EU patent that are:

- cost-effective, by reducing costs to ensure accessibility to patent protection;
- simplified, by reducing the administrative burden and complexity for the users; and that
- ensure legal certainty, by avoiding uncertainty caused by translations having legal effect.

The EU patent, providing protection throughout the EU, is viewed as necessary for the completion of the internal market for innovative products. The complexity and high costs of the validation process for European patents give rise to a fragmented system in the EU, which is a major obstacle for innovative companies and therefore has a negative impact on the functioning of the internal market.

OTHER ITEMS APPROVED

None
