

**PRESS RELEASE**

## **European SMEs strangled by costs of Patents** **EUROCHAMBRES urges Competitiveness Council to** **make political progress on patent system**

Commenting on the informal meeting of the Competitiveness Council concluding today in Finland, EUROCHAMBRES reiterates that patent accessibility is the main concern for enterprises, as regards both the European patent and the future Community patent.

Arnaldo Abruzzini, Secretary General of EUROCHAMBRES, said: *“We welcome the focus that the Finnish Presidency has put on innovation at this informal competitiveness Council meeting. However, in order to boost growth, innovation, competitiveness and jobs, it is necessary to make political progress on the stalled European Patent, implement an effective intellectual property rights system and put in place alternative dispute resolution procedures.”*

### **Costs of patents – A major hurdle for European companies**

The cost of obtaining a patent is a key factor for SMEs. This includes the all costs to the applicant, from the filing to the granting of the patent, as well as its validation in the different countries mentioned in the application. It also includes internal costs (personnel costs, typically incurred by the Patent Department, when it exists) and external costs (translation services, offices' fees, Intellectual Property Councils).

Once validated in the different countries, a patent must be upheld through the payment of annual fees to the national offices which – since they are patents obtained through Europe – give back 50% to the European Patent Office. The payment of maintenance fees is mostly carried out through intermediaries who charge for this service. The maintenance cost for the patent charged to the company is too high and has no direct relation to the actual cost.

### **Mediation – A first way to reduce costs**

One system to reduce costs would be the use of mediation instead of court as an alternative dispute resolution procedure.

Mr Simon concluded: *“We advocate a strong policy decision from the European Union, in order to minimize the patent translation costs, optimise the use of information technologies and promote a more appropriate dispute resolution procedure like mediation.”*

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