



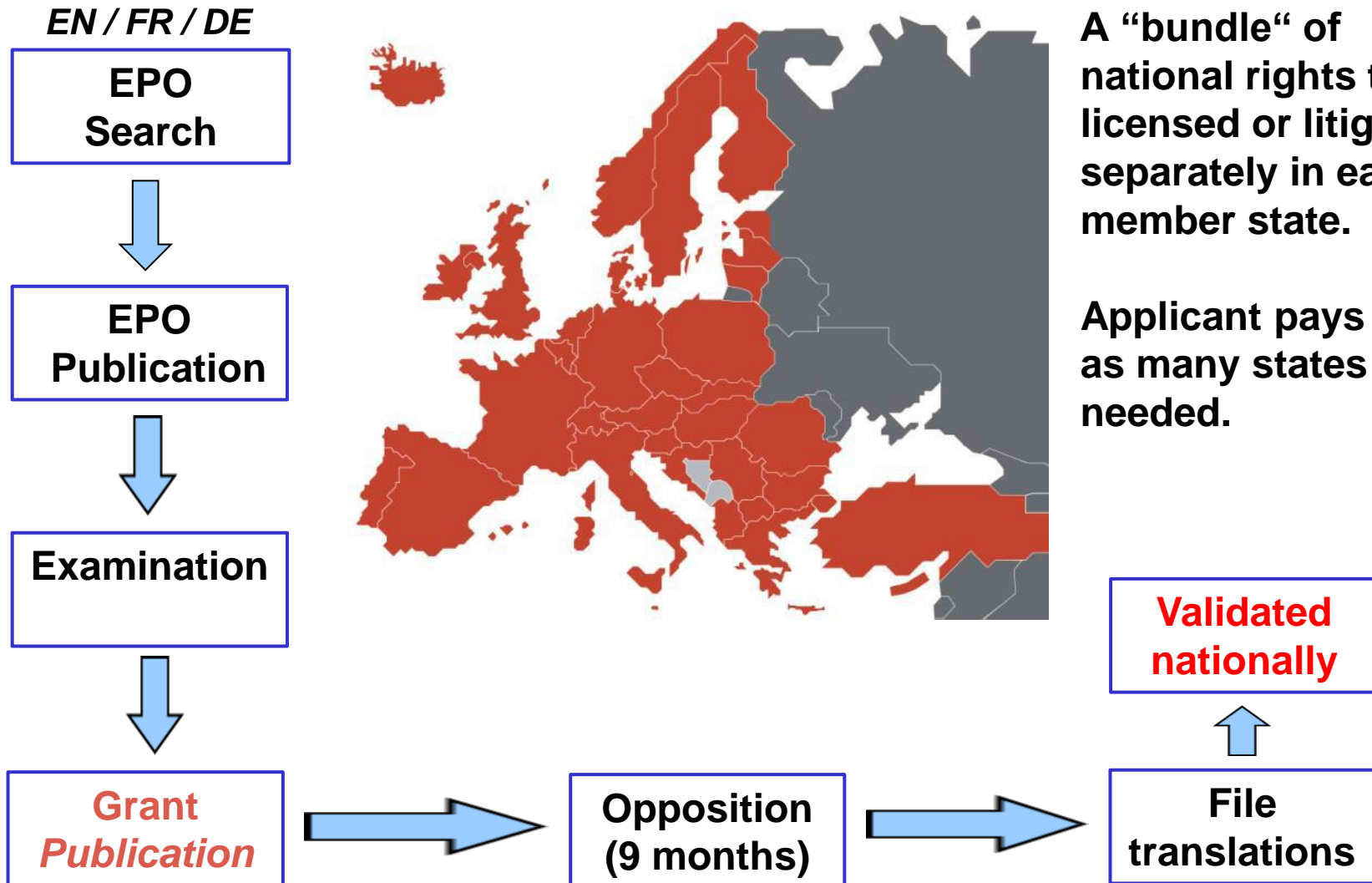
# The European IP Marketplace

## *IPBC 2012 Beijing*

Ian Harvey *co-Director Tsinghua Business School IP Center*

December 3<sup>rd</sup>, 2012

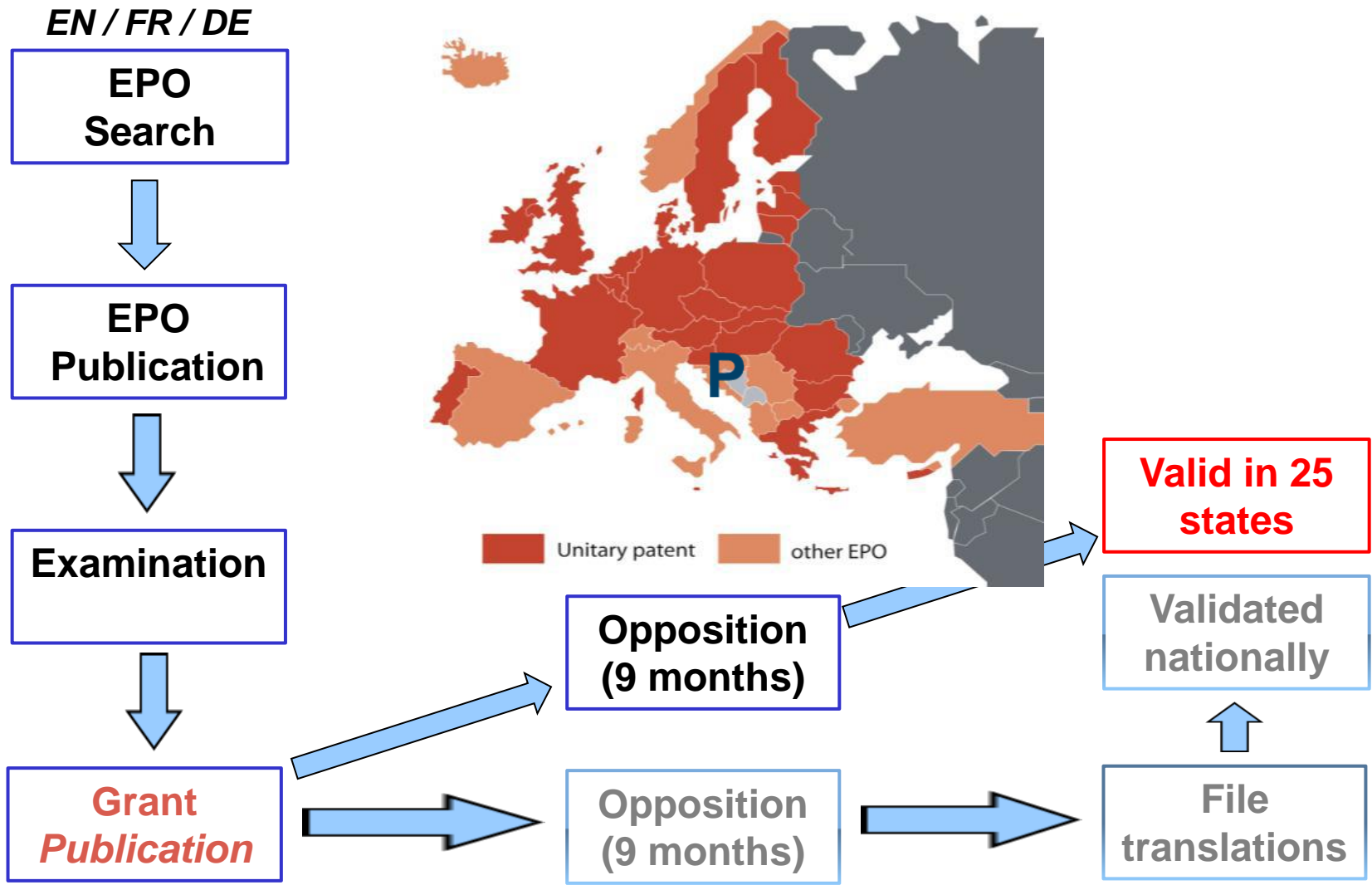
# EPO country coverage 2012 (38+2)



A “bundle“ of national rights to be licensed or litigated separately in each member state.

Applicant pays for as many states as needed.

# EU Unitary Patent 2014? (25)

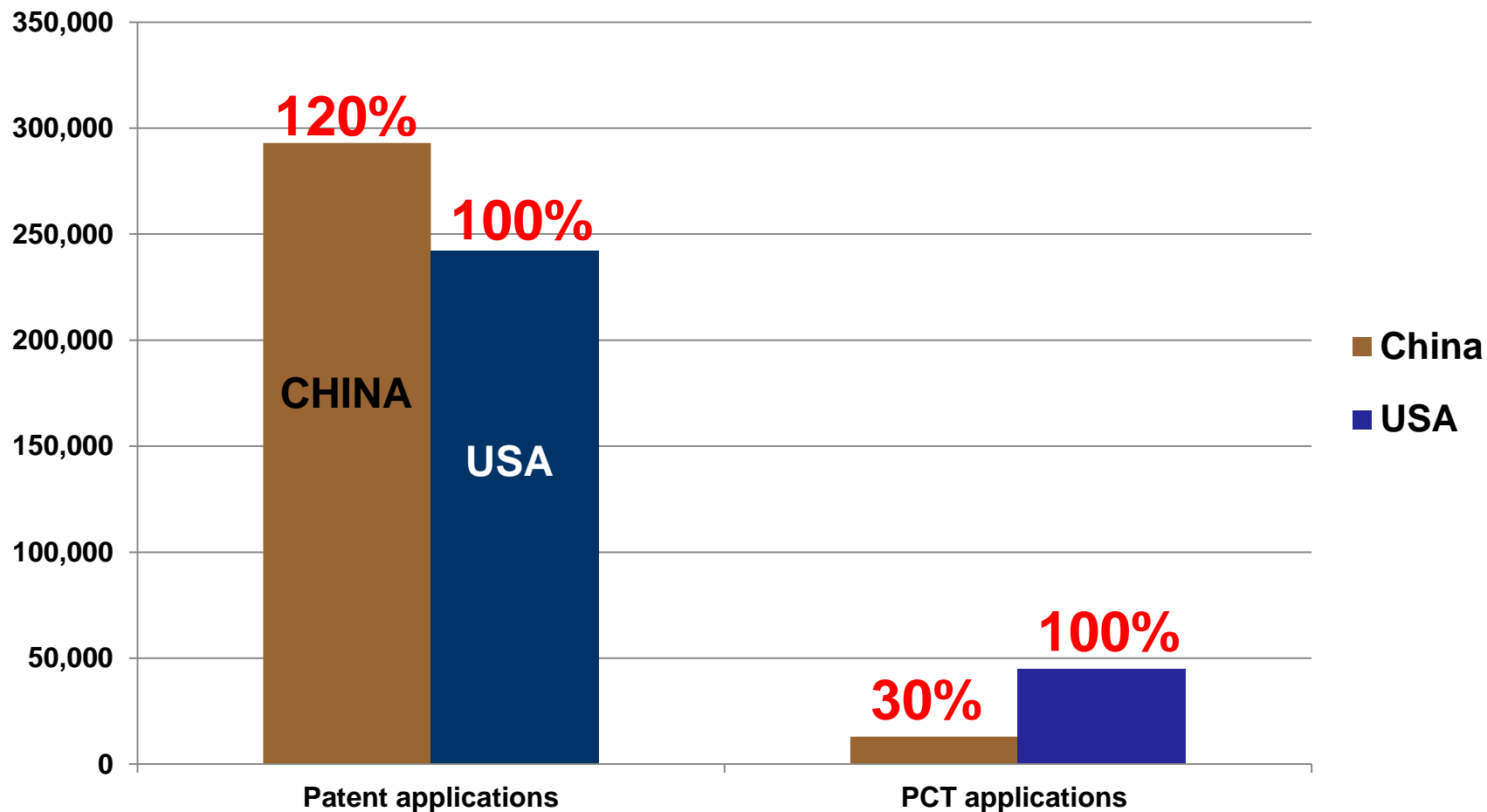


Source: EPO

## The EPO and the Unitary Patent (2014?)

- The Unitary Patent will not replace any of the existing routes to patent protection (national; PCT; “classic” EPO)
- Applications treated the same at the EPO front door; same criteria for grant
- EPO to administer the renewal fee system for Unitary patents – level of fees & their distribution to member states to be decided
- Unified Patent Court: *Paris* +
  - *Munich (Engineering)*
  - *London (Pharma + Chemistry)*

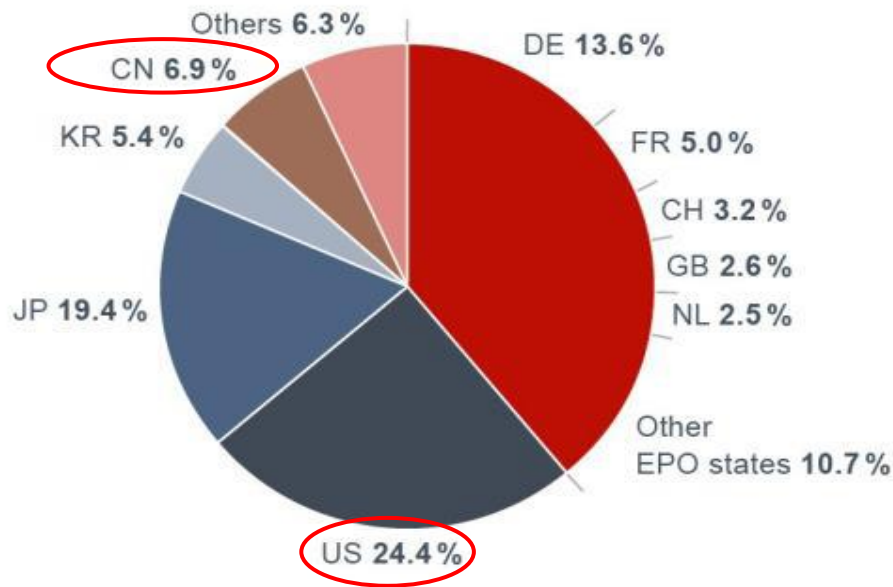
# Domestic & PCT invention\* patents 2010



Sources: SIPO, USPTO, WIPO

\* In the US "Utility" patents

# Origin of European Patent Filings 2011



<span style="color: red;">●</span>	EPO member states	91 835
<span style="color: darkgray;">●</span>	US	59 688
<span style="color: blue;">●</span>	JP	47 404
<span style="color: lightblue;">●</span>	KR	13 254
<span style="color: brown;">●</span>	CN	16 946
<span style="color: pink;">●</span>	Others	15 310

**China 30% of US**

Source: EPO - Direct European filings under the EPC and International filings under the PCT

# What should Chinese businesses do in Europe?

- File patents in Europe using current systems
- Ignore *Unitary Patent* issues – plenty of time!
- Look for partners in Europe
- Search for IP, or companies with IP, in Europe:
  - Patent Translate (*EPO+Google*) = 28 Europe + Chinese, Korean, Japanese, Russian
- Keep it simple!