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**COUNCIL OF  
THE EUROPEAN UNION**



16041/10

PRESSE 297  
PR CO 32

## **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*

- <sup>1</sup>
- 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

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