

"The 3 March 2003 Agreement on the Community patent reduces translation cost for patents in Europe by more than 50%".

The deal is very competitive on price

- Translation costs for an average Community patent under the agreed deal will be less than half the translation costs for a current average European patent (estimated €4,845 compared to €10,200).

In addition to being less expensive, the Community patent has significant other advantages:

- It gives coverage automatically over the whole territory of the European Union. Although patentees have the **option** of this coverage with a current European patent, very rarely is it taken out in practice because the translation and other costs associated with validation in all Member States are very high. The average European patent designates 8 countries and is maintained for 10 (of a possible 20) years.
- Community Patent holders will benefit from the single centralised system of litigation. This will bring further important cost savings. Under the current European patent system, patentees may have to defend and/or assert their rights in several national courts, each with its associated representation and other fees, and the possibility of different outcomes.

It is estimated that the **overall cost** of an average Community patent (including professional, procedural and translation costs) will be as shown in the table below:

Model	Translation costs (€)	Procedure fees (€)	Agents fees (€)	Maintenance fees (€)	Total (€)
Community Patent Agreed compromise:	4845	4300	5500	8500	23145
Comparison Current European Patent	10200	4300	5500	8500	28500

Notes:

1. **What we mean by an "average" patent.** The current average European patent has 17 pages of description and 3 pages of claims. It designates 8 Member States and is maintained in force for 10 years. Designating more countries and/or maintaining the patent for longer incurs greater costs. It is assumed that an "average" Community patent will be the same size and will also be maintained for 10 years; however Community patents are automatically valid in the whole of the EU, so the question of designations does not arise.

2. These figures assume translation costs based on €85 for claims and €76 for description, and use estimates of procedure and agents fees given in the April 2002 paper of the Spanish Presidency. The Community patent under the agreed compromise will involve translation of the claims only into all official languages (19 translations), whereas the figure for the current "average" European patent valid in the 8 most frequently designated contracting parties requires 6 translations of the full patent specification.

3. Maintenance (renewal) fees are paid annually to maintain a patent in force. The figure of €8500 reflects the accepted estimate of the fees payable over the lifetime of a current average patent and represents the agreed ceiling for the Community patent.