



**COUNCIL OF
THE EUROPEAN UNION**

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PI 95

WORKING DOCUMENT

from: General Secretariat of the Council
to: Working Party on Intellectual Property (Patents)

No. prev. doc.: 13031/10 PI 94

Cion prop.: 11805/10 PI 77 + ADD 1 + ADD 2

Subject: Proposal for a Council Regulation (EU) on the translation arrangements for the European Union patent
- Drafting suggestions by the Presidency

Delegations will find in Annex drafting suggestions for recitals 5 and 6, as well as a proposal for a new Article 4a, drawn up by the Presidency, to be discussed at the meeting of the Working Party on Intellectual Property (Patents) on 8/9 September 2010.

Changes in relation to the Commission proposal (11805/10) are highlighted.

Recitals

- (5) In order to facilitate access to the EU patent system, particularly for SMEs, applicants having their residence or principal place of business within a Member State which has one or several official languages other than one of the official languages of the EPO, should be able to file their applications in one of these languages, provided that it is an official language of the European Union. As a complementary measure, for applicants obtaining EU patents and having their residence or principal place of business within a Member State which has one or several official languages other than one of the EPO official languages, a system of additional reimbursements of costs related to the translation from one of these languages, into the language of the proceedings of the EPO should be established, beyond what is currently already in place for European patents.
- (6) In order to promote the availability of patent information and the dissemination of technological knowledge, machine translations of EU patent specifications and patent applications, should be available into all official EU languages, building on the existing machine translation system of the EPO. Machine translations should be available on demand, by electronic means and free of charge. They should serve for information purposes only and should not have any legal effect. The Commission should support the further development of the system, by the EPO, and shall continue to cooperate with the EPO in order to ensure the timely availability of high quality machine translations into all official languages of the EU.

New Article 4a
Machine Translations

1. The Commission shall cooperate with the EPO in order to ensure the availability of high quality machine translations for EU patent specifications and patent applications into all official languages of the European Union, which should be available on demand, by electronic means and free of charge.
2. The Commission shall regularly report to the Council on the functioning of the EPO machine translation system, with special regard to the availability and quality of machine translations into all official languages of the European Union.
