Council of the European Union
General Secretariat

PUBLIC

Interinstitutional files:
2023/0126 (COD)
2023/0127 (COD)
2023/0128 (COD)
2023/0130 (COD)

Brussels, 02 July 2025

WK 9144/2025 REV 1

LIMITE

PI

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

NOTE

From: To:	the delegations of BE, BG, FI, FR, DE, IT, LV, PT, RO, SI and SE Working Party on Intellectual Property (Patents)
N° Cion doc.:	8851/23, 8869/23, 8887/23, 8894/23
Subject:	Supplementary Protection Certificates (SPCs) – COMMON STATEMENT of Belgium, Bulgaria, Finland, France, Germany, Italy, Latvia, Portugal, Romania, Slovenia and Sweden on the SPC proposals

Delegations will find attached a common statement on the SPC proposals, submitted by the delegations of Belgium, Finland, France, Germany, Italy, Latvia, Portugal, Romania, Slovenia and Sweden on 30 June 2025, ahead of the Danish Presidency of the Council. This common statement has now been joined by the delegation of Bulgaria.

2025-06-30

COMMON STATEMENT OF BELGIUM, BULGARIA, FINLAND, FRANCE, GERMANY, ITALY, LATVIA, PORTUGAL, ROMANIA, SLOVENIA AND SWEDEN ON THE SPCs PROPOSALS, AHEAD OF THE DANISH PRESIDENCY OF THE COUNCIL OF THE EU

PUBLIC

In April 2023, the European Commission presented its proposals on supplementary protection certificates (SPCs). The proposals seek to create unitary SPCs to complement the Unitary Patent System and to set up a centralised examination procedure for national SPCs. The proposals have been of high priority in the Council Working Party on intellectual property, and we are thankful to the Swedish, Spanish, Belgian, Hungarian and Polish presidencies for the time and effort that has been put into this dossier.

We share the objectives of the Commission to harmonize and simplify the system for SPCs. In particular, we wish to stress the importance of creating a system for unitary SPCs. This would be a vital next step to add to the Unitary Patent project, sought after by the users of the Unitary Patent and the Unified Patent Court, and a useful significant improvement for the competitiveness of the IP landscape in Europe. In this regard, we recall the European Council conclusions in June 2023 on the importance of the Unitary Patent reform to help boost innovation and competitiveness. We also note the current debate on simplification, based on the findings of the Draghi report, and the recent commitment by the Commission in its Single Market Strategy to finalise the SPC reform together with all Member States participating in the Unitary Patent System.

With this statement, we wish to emphasize our commitment to the discussions on the SPC proposals within the Council, with a clear focus on unitary SPCs. We acknowledge the different issues that stand before us and call for joint efforts by the different services to find legally sound and workable solutions that preserve the value of the recent reforms in the patent field. We look forward to continuing the work on this dossier and to support the incoming Danish presidency in its work to deliver on the highly prioritised SPC-reform.