

# EUROPEAN PARLIAMENT

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## **MOTION FOR A RESOLUTION**

to wind up the debate on the statement by the Commission

pursuant to Rule 103(2) of the Rules of Procedure, by

- Klaus-Heiner Lehne, Giuseppe Gargani and Nicole Fontaine, on behalf of the PPE-DE Group
- Maria Berger and Michel Rocard, on behalf of the PSE Group
- Sharon Bowles and Toine Manders, on behalf of the ALDE Group

on future patent policy in Europe

**European Parliament resolution on future patent policy in Europe**

*The European Parliament,*

- having regard to the Commission's Green Paper of 24 June 1997 on the Community patent and the patent system in Europe - Promoting Innovation through Patents (COM(1997) 314),
  - having regard to Directive 98/44/EC of the European Parliament and of the Council of 6 July 1998 on the legal protection of biotechnological inventions,
  - having regard to its resolution of 26 October 2005 on patents for biotechnological inventions,
  - having regard to the consultation launched by the Commission on 9 January 2006 on future patent policy in Europe,
  - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas the deficiencies of the Community Patent proposals are unlikely to be resolved in the foreseeable future,
- B. whereas an efficient, competitive and cost-effective patent system accessible to all is a key demand of the Lisbon Strategy for a competitive knowledge-based society and crucial for the thriving of small and medium-sized companies as well as large ones,
1. Urges the Commission to explore all possible ways of improving the patent and patent litigation systems in the EU, including participation in further discussions on the European Patent Litigation Agreement (EPLA) and acceding to the Munich Convention as well as revising the Community Patent proposals; as regards the EPLA, considers that the proposed text needs significant improvements and a satisfactory proposal for the Rules of Procedure of the EPLA Court;
  2. Requests that Parliament's Legal Service be asked to provide an interim opinion on EU-related aspects of the possible conclusion of the EPLA by Member States in the light of overlaps between the EPLA and the *acquis communautaire* and to clarify legislative competences in this field;
  3. Instructs its President to forward this resolution to the Council, the Commission and the Governments and Parliaments of the Member States.