

**OPENING SPEECH OF MR. TIBOR NAVRACSICS, DEPUTY PRIME MINISTER  
OF HUNGARY**

**Opening conference of the Training Centre of the Unified Patent Court**

**Budapest, 13-14 March 2014**

**Dear Secretaries of States, dear Presidents, dear experts and guests!**

It gives me a great pleasure to personally welcome all speakers and participants of the present opening conference in Budapest on the occasion of the inauguration of the Training Centre of the Unified Patent Court. I would like to thank all present participants for accepting our invitation and it is a real honour and privilege for me to welcome Mr. Benoît Battistelli, President of the European Patent Office and Mr. António Campinos, President of the Office for the Harmonization in the Internal Market among the speakers of the conference.

I am convinced that this occasion is a milestone not only for Hungary as the host of the Training Centre, but also for all Contracting States to the Agreement on the establishment of the Unified Patent Court. It took several decades to come to an agreement regarding the patent reform and we are particularly pleased that the settlement on the enhanced cooperation of 25 Member States was reached during the 2011 Hungarian EU Presidency.

While taking an overview on the reform process, we have witnessed a number of significant achievements such as the adoption of the two regulations on the creation of the unitary patent protection and on the applicable translation arrangements, as well as the signing of the UPC Agreement by 25 EU Member States. These results could not have been attained without the conscientious and persistent work of the Belgian, Polish, Danish, Cypriot and Irish Presidency; therefore, I do thank them for their contribution to this success.

This reform is undoubtedly essential for the European Union to remain competitive on a global scale. The advantages of the patent reform have been widely advocated on a number of occasions; however, the real success of this newly established patent system

can be best measured through its implementation. The pledge of the effective operation of the unified patent system is a solid judicial framework, since the Unified Patent Court will serve as the guardian of the whole system. There are a plenty of elements being crucial for the establishment of the UPC, however, there is one factor, which is indispensable for its efficiency. It is the highly qualified judiciary.

This fact gives the importance of the forthcoming two days. These are the days of solemnity when we are honoured to open the Training Centre and to discuss a specific aspect of the patent reform: the training of future judges.

Even though the continuous and organised training of judges is not a widely known notion in Europe – with the exception of major Member States being at the forefront regarding the provision of training –, Hungary is proud of its Judicial Training Academy launched in 2006. Thus, we are exceptionally honoured to provide the seat of the Training Centre in Budapest.

Nevertheless, it is not the end of the row of our tasks, but rather the beginning of a large-scale project. There is still a tremendous work ahead us. The Preparatory Committee, especially its working group responsible for human resources and training issues, does its utmost to elaborate an appropriate training scheme for the future judges and to complete the pre-selection process of candidate judges.

The pre-selection process was indeed useful as it reinforced that there are numerous well-qualified patent lawyers in the majority of EU Member States with considerable practical experience. However, it should be noted that the establishment of a new European judicial forum reorganises the patent litigation landscape as it requires the elaboration and application of new rules. It means that the future judges shall have a thorough knowledge on these new rules such as the Agreement itself or the Rules of Procedure, and be prepared to apply them in the most appropriate and consistent way. Taking into account that the UPC shall be operable from the day of the entry into force of the UPC Agreement, it is even more important to count on judges having perfection in the new legal environment by this date. Besides getting acquainted with the new legal norms, it is of key importance for the judges to have a solid knowledge of legal

terminology in at least one official language of the EPO to ensure the high-level performance of their duties. Therefore, the training of future judges is an essential prerequisite before the UPC Agreement enters into force.

The next step ahead us is the start of the training of the preparatory phase; nevertheless, we should not forget about the organisation of the permanent training framework of judges after the launch of the UPC, either. The aim of the Advisory Panel, being responsible for the pre-selection and the selection of UPC judges, is to choose the best candidates among the bests from each Member State and confer all knowledge on them which is possible before the real decision-making can start. Armed with this knowledge on the one hand, and with the practice obtained in different legal systems on the other hand, judges will begin their work in different central, regional or local divisions sitting in a panel with colleagues coming from different states and jurisdictions. I am convinced that there is a great potential in this cumulative knowledge, the UPC will benefit from to a great extent. However, in the interest of uniform application of law and the elaboration of a uniform jurisprudence, the maintenance of the training framework is undoubtedly necessary, meaning an ideal forum for the sharing and dissemination of this cumulative knowledge.

This two-day conference intends to present and summarize the results achieved so far concerning the establishment of the training framework for judges and to give an impetus to the further work in this field. The first day's programme gives a general introduction to the work of the Preparatory Committee and introduces the achievements regarding the different aspects of establishing this new court. Then, the coordinator of the HR working group renders an overview of the work carried out by the working group and highlights the plans and tasks for the future. The challenges of the setting up of the training system will be discussed by a panel with prominent participants from the patent field. On the course of the second day's discussions, the Chairman of the Select Committee will give a summary of the on-going debates concerning the enforcement of the regulations on the unitary patent system; moreover, representatives of institutions currently offering training on IP law will share their

experience with us. Finally, the last panel discussion of the conference will feature users' and professional representatives' expectations and views on the training.

In the light of the above mentioned considerations, I hope that the conference will be considered as a useful and thought-provoking one by all of you. I would like to encourage you to make good use of the two-day time and exchange your views on the issues of the conference.

Thank you very much for your kind attention!