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London Agreement to enter into force on May 1, 2008

After ratification by the French parliament, the London Agreement will enter into force from May 1, 2008. The London Agreement is a voluntary agreement between member states of the European Patent Organization (EPO), whereby the signatory states dispense with the requirement to have the full text of a granted European Patent translated into the official national language.

Present signatory states to the London Agreement are France, Germany, United Kingdom, the Netherlands, Denmark, Switzerland, Liechtenstein, Monaco, Iceland, Latvia and Slovenia. Sweden is expected to join shortly.

According to the agreement, only the claims will still have to be translated into the national language of each of the signatory states when validating the granted European Patent. In signatory states having an official language in common with one of the EPO's three official languages (German, French, English), the specification will no longer need to be translated.

Signatory states having no official language in common with the EPO's official languages can prescribe for the specification in one of the three official languages of the EPO, so that only the claims need to be translated into the respective national language.

However, when enforcing such a patent before the national courts, the national law may still require that the defendant and the court are provided with a full translation of the patent into the national language.

For all member states having not yet signed the London Agreement, the present situation will not change, i.e. full text translations will still be necessary for validating the European patent. It remains to be seen which other member states will sign the London Agreement to further reduce the translation costs for applicants.

In view of the potential cost savings under the London Agreement, we generally recommend that applicants consider delaying prosecution of pending European Patent Applications to profit from the future facilitation of translation requirements.

Please ask us for detailed advice on a tailored strategy for your pending applications.