



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 14 December 2012
(OR. fr)**

**17503/12
ADD 1 REV 1**

**Interinstitutional File:
2011/0093 (COD)**

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PI 171
OC 733**

ADDENDUM TO "I/A" ITEM NOTE

from: General Secretariat of the Council

to: COREPER/COUNCIL

No. Cion prop.: 9224/11 PI 31 CODEC 671

Subject: Proposal for a Regulation of the Council and the European Parliament implementing enhanced cooperation in the area of the creation of unitary patent protection
(first reading)

- Adoption of the legislative act (LA + S)
= Statement

COMMON GUIDELINES

Consultation deadline: 14.12.2012

**STATEMENT BY THE PARTICIPATING MEMBER STATES
CONCERNING THE SHARE OF DISTRIBUTION OF RENEWAL FEES
FOR EUROPEAN PATENTS WITH UNITARY EFFECT**

The participating Member States look forward with confidence to the decisions by the Select Committee, to be set up within the Administrative Council of the European Patent Office, concerning the level of the renewal fees for European patents with unitary effect and the share of distribution of such fees among the participating Member States.

When deciding on the share of distribution of the renewal fees, the representatives of the participating Member States will be guided by the criteria listed in Article 13(2) of the Regulation implementing enhanced cooperation in the area of the creation of unitary patent protection, with the aim of allowing all participating Member States to keep their current renewal fee income while at the same time ensuring that those Member States which currently have a low renewal fee income will significantly increase this income.
