



PATENT - THE LONDON AGREEMENT: WHAT ABOUT BELGIUM ?

## **1. BACKGROUND**

### **LONDON AGREEMENT**

The London Agreement came into force on May 1st, 2008, aiming at reducing the costs related to translations for European patents. The states<sup>1</sup> which ratified the London Agreement waived partly<sup>2</sup> or completely<sup>3</sup> the requirements for translations in one of their national languages to validate a granted European patent.

### **BELGIUM LANGUAGES REGIME**

Belgium has not ratified the London Agreement yet, and it is not clear at this stage whether it will. As in the past, European patents may be validated in Belgium only upon filing of a translation in one of its "national languages": French, Dutch, or German.

It is known that patent protection in Europe is more expensive than in comparable markets like the US, Japan, or China, due to its national legislative partition in terms of patents. Observing that all direct neighbours of Belgium have simplified their validation requirements by ratifying the London Protocol, whilst Belgium still requires translations, a patentee may be tempted to skip Belgium altogether when deciding where to validate its European patent in order to save the cost of the translation in French, Dutch, or German.

## **2. KIRKPATRICK's INITIATIVE**

### **KIRKPATRICK REDUCES ITS FEES FOR VALIDATIONS IN BELGIUM**

As a professional of intellectual property, KIRKPATRICK is of the opinion that innovation in Europe cannot be fostered if there are gaps in the protection of technologies at the very heart of Europe, particularly in Belgium which, with its geographical position, its important harbours and the seats of numerous major companies headquarters is of strategic importance in Europe for both goods transport and distribution, and business. To prevent this phenomenon from occurring, KIRKPATRICK has decided to help patentees to not miss the opportunity of protecting their inventions in Belgium and to partly compensate for the extra translation costs still required in Belgium by substantially reducing its administrative fees, in particular those related to validations. With this operation, KIRKPATRICK hopes to contribute to stimulate innovation in Belgium.

#### **Contact:**

Marco T. CONNOR, PhD, Head of patent practices

[m.connor@kirkpatrick.eu](mailto:m.connor@kirkpatrick.eu)

<sup>1</sup> CH, DE, DK, FR, GB, HR, IS, LI, LU, LV, MC, NL, SE, SI.

<sup>2</sup> DK, HR, IS, LV, NL, SE, SI will require a translation of the claims in one of their national languages, and but for SI, the description must be either in

English or in one of their national languages.

<sup>3</sup> CH, DE, FR, GB, LI, LU, MC will dispense with translations requirements entirely.

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Kirkpatrick SA/NV Intellectual Property - 32, avenue Wolfers BE-1310 La Hulpe (Brussels)  
Tel: +32 2 652 16 00 - Fax: +32 2 652 19 00 - [www.kirkpatrick.eu](http://www.kirkpatrick.eu)  
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