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# Entry into force of the London Agreement

## Reduction of translation costs for European patents in the Scandinavian countries

**The London Agreement was concluded in London on 17 October 2000 with the aim of significantly reducing translation costs for European patents. The Agreement will enter into force on 1 May 2008.**

EPC Contracting States party to the Agreement have waived, entirely or largely, the requirement for translations of European patents to be filed in their national language. For you or your clients this means that the description of granted European patents will no longer have to be translated for the patent to be valid in an EPC Contracting State party to the London Agreement, if the state has one of the three EPO languages as an official language. For Contracting States party to the London Agreement that do not have one of the three EPO languages as an official language, you will be required to submit a full translation of the specification in the national language only if the patent is not available in the EPO language designated by the country concerned. In case of a patent dispute at the national level in a state party to the Agreement, a full translation of the European patent into an official language of that state may still become necessary.

Further information about the London agreement including a list of states party to the Agreement can be found on the EPO website: [www.epo.org](http://www.epo.org)  
Based on the currently available information, we briefly summarize the translation requirements for Denmark, Norway and Sweden after entry into force of the London Agreement as well as other formal requirements:

### Denmark

#### 1. Translation requirements:

Denmark has ratified the London Agreement and European patents may be filed

- translated into Danish, or
- in English - or translated into English - along with a translation of the claims into Danish.

Hence, for European Patents granted in English only the claims need to be translated into Danish.

Note that, even though only the claims are to be translated, the full foreign-language text is to be filed with the DKPTO

#### 2. Power of attorney:

To act as attorney, one has to be domiciled within the EEC and it is highly recommended that local attorneys are used who have in-depth knowledge of formalities and post-grant prosecution. A power of attorney is generally not required when the translation is to be filed.

#### 3. Transitional provisions

The new rules apply to all European patents where the mention of the publication of grant by the EPO occurs on 01 May 2008 or after that date. European patents granted by the EPO after 01 February 2008 but before 01 May 2008 and which can thereby be duly validated on 01 May or later are to be validated in accordance with the rules that have applied so far.

## Norway

Norway has become a Contracting State to the EPC as of 1 January 2008. However, Norway has not yet become a party to the London agreement. We believe that Norway will join the London Agreement but until they do European patents granted for Norway have to be filed translated into Norwegian.

## Sweden

Sweden has signed the London Agreement and the Swedish Parliament has approved said agreement. The Swedish Patents Act has also been amended accordingly in view of said agreement. What still remains is the deposition of the instrument of ratification. Latest news is that Sweden is preparing for the agreement to enter into force on May 1, 2008.

### 1. Translation requirements:

For a European patent to be valid in Sweden, one of the two following steps needs to be taken:

- a) the European patent is translated into Swedish, or
- b) the description of the European patent is in English or is translated into English and filed together with a translation of the claims in Swedish.

Hence, for a European patent granted in English only the claims need to be translated into Swedish.

### 2. Transitional provisions

This will take effect for European patents where the mention of grant is on or after May 1, 2008, on condition that the deposition of the instrument of ratification is performed before May 1, 2008.

### Litigation

In case of a litigation in Sweden the description of the European patent will have to be translated into Swedish.

### Denmark

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