

File European Patents Now to Beat April 1 Fee

by *Steven J. Henry*

The European Patent Office (EPO) is about to make obtaining foreign patent protection even more expensive. Anyone planning to file patents in Europe in the coming months should consider doing so before a substantial fee increase hits on April 1, 2008.

Missing that deadline by even one day could cost thousands of dollars or force an applicant to pare back the protection it truly deserves, to manage expenses. Each application may cost several thousand dollars more. For companies managing portfolios of multiple applications, the cost differences will mount up rapidly.

The EPO provides a uniform application procedure for individual inventors and companies seeking patent protection in up to 38 European countries. The fee hikes result

from changes in the rules of the European Patent Convention and EPO.

Clearly, the incentive to reduce the number of claims in an application is significant. The incentive is even greater for a company filing several EPO applications per year. However, reducing the number of claims raises the risk the invention will be inadequately protected.

What to do? For one, consult your patent attorney immediately. The next obvious step is to expedite the planned filings of European patent applications which normally would be filed over the next several months and get them on file before April 1. The savings will be considerable. Direct national filings might also be considered as an alternative.



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as the IP Transactions group. He has broad experience in all aspects of intellectual property, with special expertise in the protection of computer-related inventions (hardware and software) and electronic technology. His practice spans the entire range of prosecution, litigation, licensing and client counseling.

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