

SMEs lost in EU patent labyrinth

Intellectual property firm claims lack of unified system gives US and Asian companies the upper hand

Sam Trendall, [CRN](#) 13 Aug 2009

The complexities of the [European Union](#) (EU) patent system are stifling ambitious [SME](#) technologists, according to a top intellectual property firm.

[Mathys and Squire](#) claims the lack of a unified EU patent makes it considerably harder for UK firms to protect their intellectual property than it is for their US and Asian counterparts. In the EU, patents usually require validation, translation and annual renewal in all applicable countries, making it time-consuming and expensive when compared to other parts of the globe.

Ilya Kazi, partner at Mathys and Squire, claimed easier-to-navigate patent laws help US technology developers grow faster than those on this side of the Atlantic.

"Some commentators have recently suggested that instituting a single Community Patent is the solution," he said.

"It is true that the lack of a unified patent system is a factor in the reason why Europe's technology SMEs fail to grow as quickly as companies elsewhere in the world, particularly the US."

Mathys and Squire claims the current system deters people from investing in European companies. The firm added that technology is one of the economy's most important sectors and one which we can ill afford to stifle in the current climate.

Kazi advised SMEs to be smart and try to find a less-onerous way to navigate the current system. "SMEs should not wait on the arrival of the Community Patent; there are many issues to consider and who knows how long it will take to come to pass," he said.

"Patents are potentially of huge value commercially and should be an important part of a business' ongoing strategy. With the right advice and a little creativity, companies can obtain practical protection within the confines of the existing legal situation."

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