

(English version)

**Question for written answer E-001002/26
to the Commission
Tsvetelina Penkova (S&D)
(11 March 2026)**

Subject: State of play of the unitary patent system, ratification of the Unified Patent Court Agreement and deadlock over the unitary supplementary protection certificate

1. What concrete measures has the Commission undertaken, or intends to undertake, to encourage the remaining participating Member States to ratify the Unified Patent Court Agreement, thus ensuring the full effectiveness and geographical coverage of the unitary patent system?
2. What is the current state of play of negotiations in the Council on the proposed supplementary protection certificate with unitary effect, and what steps does the Commission intend to take to overcome the current deadlock and ensure that European industry can benefit from a coherent and cost-effective unitary protection framework?

Submitted: 11.3.2026

**Answer given by Executive Vice-President Séjourné on behalf of the European Commission
(13 May 2026)**

1. The Commission has taken and continues to take every opportunity to stress the importance for the remaining nine Member States ⁽¹⁾ to join the unitary patent system as soon as possible, which has also been highlighted in the Draghi report. The Commission has underlined this objective in several of its recent Communications (for instance COM(2025)270 ⁽²⁾ and COM(2025)500 ⁽³⁾). Moreover, the Commission is actively communicating the advantages of the unitary patent system for users, and its successful operation since the launch in 2023, including in terms of high uptake by EU businesses. In 2026, the Commission intends to deliver a report on the functioning of the unitary patent system, which should provide a solid basis for Member States' reflections on joining it.
2. The Commission is actively supporting the Council in the ongoing negotiations on the reform of supplementary protection certificates (SPCs). The European Parliament has adopted its position on the reform back in February 2024. Discussions in the Council are still ongoing. The Commission remains committed to deliver on an SPC system that is effective, legally sound and ensures accountability to EU institutions.

⁽¹⁾ ES, HR, PL, GR, IE, CZ, CY, HU, SK.

⁽²⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52025DC0270>.

⁽³⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52025DC0500>.