

## UPC – The present Road Map (September 2014) in a Nutshell

Date	Subject	What is up?
<b>February to September 2014</b>	Study by team 1 of the draft Rules of Procedure and draft amendments	
<b>Under way</b>	Legal Framework	<p>Rules of the Committees:</p> <ul style="list-style-type: none"> <li>• Consultation of the Human Resource Group and the Advisory Panel concerning the Rules for the Advisory Committee of the UPC</li> </ul>
<b>Second quarter of 2014</b>	Human resources and training	<p>List of arbitrators and mediators and list of court experts:</p> <ul style="list-style-type: none"> <li>• Preparation of the lists of arbitrators and mediators</li> <li>• Preparation of a list of court experts</li> <li>• Possibly there will be additional training for mediators and arbitrators</li> </ul>
<b>Autumn of 2014</b>	IT	<p>Discovery and Procurement process:</p> <ul style="list-style-type: none"> <li>• Start work on the tender documentation, commissioning a prototype system to test decisions about system type in the preparation phase</li> <li>• Internal and external patent court users will test the prototype and provide feedback virtually and at user workshops</li> <li>• It is assumed that the cost of the IT-system will exceed EU procurement thresholds and the relevant approach to adopt under EU rules is the restricted procedure</li> </ul>

Date	Subject	What is up?
<b>October 2014</b>	Financial aspects	<p>Financial regulations:</p> <ul style="list-style-type: none"> <li>• Final agreement on the rules about financial regulations</li> <li>• They shall include provisions regarding the establishment, structure and implementation of the budget, internal control and audit procedures</li> </ul>
<b>November 2014</b>	<p>Legal Framework training</p> <ul style="list-style-type: none"> <li>– second report on Mediation and Arbitration</li> </ul>	<p>Mediation and Arbitration:</p> <ul style="list-style-type: none"> <li>• Deciding principle questions so that the drafting of rules can be tackled</li> <li>• Analysis and comparison with existing systems in order to ensure that the system brings added value to the users</li> </ul>
<b>End of November 2014</b>	Hearing of user organisations	
<b>December till February 2014</b>	Further review of the draft on rules of procedure by team 1	
<b>Before the end of December 2014</b>	<p>Human resources and training</p> <ul style="list-style-type: none"> <li>– Start of the first training programs</li> </ul>	<p>Training:</p> <ul style="list-style-type: none"> <li>• Preparation of a permanent training framework</li> <li>• Provisional intensive training framework for candidate judges for the preparatory phase and the first year of operation of the UPC</li> <li>• Training for legally qualified judges: advanced courses in patent law and patent litigation, possibly combined with mock-trials and internships at patent courts in countries with highly specialized and highly experienced patent courts and courses on the UPC Agreement and the Rules of Procedure</li> <li>• Training for technically qualified judges: basic concepts of patent law relating in particular to the validity and basic concepts of civil procedure and training on the UPC Agreement and the Rules of Procedure</li> <li>• Language training for both legally and technically qualified judges</li> </ul>

Date	Subject	What is up?
<b>Before the end of 2014</b>	Financial aspects <ul style="list-style-type: none"> <li>– Discussion on court fees</li> </ul>	Budgets and sustainability: <ul style="list-style-type: none"> <li>• Determining the amount for different fees of the court</li> <li>• Evaluation of the operational costs that can be foreseen for the first 7 years</li> <li>• Development of the budget for the first year</li> </ul>
<b>Early 2015</b>	Legal Framework	Rules on the litigation certificate for patent attorneys: <ul style="list-style-type: none"> <li>• Revised draft about the rules on the litigation certificate for patent attorneys</li> </ul>
<b>Beginning of 2015</b>	Legal Framework <ul style="list-style-type: none"> <li>– Discussion on a second draft on Court Fees and recoverable costs</li> </ul>	Court Fees and recoverable costs: <ul style="list-style-type: none"> <li>• Preparation of a schedule for the Court Fees, containing a fixed fee as well as a value based fee above the defined ceiling of the fixed fee</li> <li>• Developing a method for the calculation of the value of the case</li> <li>• Assuming the responsibility for the establishment of a schedule of the different fees</li> <li>• Adopting scale of recoverable costs, which shall set ceilings for such costs by reference to the value of the dispute</li> </ul>
<b>First quarter of 2015</b>	Legal Framework	Rules governing the Registry and the Registrars' service, Rules on the Advisory, Budget and Administrative Committees: <ul style="list-style-type: none"> <li>• Drafts on Rules governing the Registry and the Registrars' service, Rules on the Advisory, Budget and Administrative Committees</li> </ul>
<b>January 2015</b>	Legal Framework <ul style="list-style-type: none"> <li>– Final voting concerning the draft Rules on legal aid</li> </ul>	Rules on legal aid: <ul style="list-style-type: none"> <li>• They shall include the circumstances under which a person is deemed to be wholly or partially unable to meet the costs of proceedings, the level of legal aid and the bearing of costs</li> </ul>
<b>Spring 2015</b>	Financial aspects	Budgets and sustainability: <ul style="list-style-type: none"> <li>• Begin of the consultation on fees</li> </ul>

Date	Subject	What is up?
March 2015	Financial aspects <ul style="list-style-type: none"> <li>– Draft on pension, social security and salary schemes</li> </ul>	Pension, social security and salary schemes: <ul style="list-style-type: none"> <li>• Exploring the possibility to outsource social security activities</li> <li>• Exploring if there is also a possibility to outsource salary schemes</li> </ul>
March 2015	Financial aspects	Member States' proportional contributions to a Member State which has paid damages: <ul style="list-style-type: none"> <li>• Preparation of a schedule about Member State's proportional contribution to a Member State which has paid damages to a party in case of violation of Union law by the UPC</li> </ul>
March 2015	Facilities	Local staff: <ul style="list-style-type: none"> <li>• Finalizing work on number and qualifications of local staff</li> </ul>
May 2015	Agreement on Rules Procedure in the Preparatory Committee	
Last quarter of 2015	IT <ul style="list-style-type: none"> <li>– Finalizing System development and testing</li> </ul>	System development and testing: <ul style="list-style-type: none"> <li>• The System should serve the Court effectively for its first two years of operation. Its further use should be reviewed towards the end of that period.</li> </ul>