



**LICENSING EXECUTIVES SOCIETY**  
BRITAIN AND IRELAND  
*Honorary President: The Rt Hon Lord Justice Jacob*

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The Rt. Hon David Cameron, MP  
Prime Minister  
10, Downing Street  
London  
SW1A 2AA  
UK

18th November 2011

Dear Prime Minister,

### **Unified Patent Court Central Division.**

I write as President of Licensing Executives Society (Britain & Ireland) (LES) on behalf of the UK members of LES. LES is the local chapter of Licensing Executives Society International (LESI). LESI is the world's leading association of technology transfer and licensing professionals, with over 11,000 members worldwide. The membership is mixed, not only geographically, but also in terms of members' backgrounds, including business people, professionals (lawyers, accountants and patent agents) and academics, drawn from a broad range of industry sectors. LES, the local chapter here, is one of the largest with nearly 500 members and its members are engaged in all the fields of activity listed above.

LES has been following closely the discussions on the Unified Patent and the proposals for a Unified Patent Court. Two members of LES sit on the UK IPO's European Patent Reform Consultation Group and are members of the sub group which has been providing detailed comments on the proposals coming out of Europe.

LES understands that discussions on the location of the Central Court under the Unified Patent are now underway.

LES urges that all possible efforts are made to have the Central Court located in London.

LES has the following reasons for the proposal:

1. London is an internationally recognised centre for dispute resolution both in the Courts, and in arbitration and similar proceedings. English lawyers and the English Court, arbitration and mediation systems are respected internationally
2. In particular, London has a well established, well respected, specialised Patents Court which is housed in a brand new building. The Patents Court in London has been used by patent litigants from around the world for its quality, experience, skill and location. In addition to litigants from elsewhere in the EU these come notably from the US, Japan and Korea. These litigants are likely to be regular users of the Central Division of the Court in, for example, revocation actions, for which that Court has



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exclusive jurisdiction. Multinational companies also like London as a centre for patent dispute resolution generally, as in addition to the Courts there is access to excellent arbitration and mediation facilities.

3. English is the *lingua franca* of international business, and of the world of technology in particular. (Around 70% of the patent applications filed at the European Patent Office are filed in English.)
4. London has excellent international transport links making it convenient for parties, their advisors and witnesses as necessary. There are few if any cities elsewhere in Europe with such extensive international links.
5. Unlike Germany, the Netherlands, France and Belgium (and indeed Spain), the UK has not previously been awarded any European Intellectual Property institution. It would be proper for the UK to have such an institution, and the Central Court would be most appropriate.
6. The legal and patent attorney professions in London make a very substantial contribution to foreign income flowing into the UK. If the Central Court is located in London, that contribution is likely to increase. If the Central Court is located in another city in Europe, much if not all of the patent dispute work is likely to emigrate to that city, to the detriment of the UK's balance of payments and of patent professionals in UK.
7. London has well recognised and highly regarded legal and patent attorney professions, accustomed to dealing with the technical and commercial needs of resolving patent disputes. Practitioners come, not only from UK firms, but from international firms established in London, particularly from the USA.

All this makes the UK, and London in particular, an attractive forum for patent litigants.

For the above reasons we believe that London is an appropriate place for the seat of the new Central Court and we trust that every effort will be made to secure it for the UK.

In particular, while a previous Government sought, unsuccessfully, to get OHIM, the European Trade Mark Office and Design Office, which went to Spain and is now in Alicante, we trust the UK Government will do everything necessary to enable London to be chosen as the site of the Central Court.

Yours faithfully

Mark W. Wilson.

President.

LES (B&I).



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Cc: Rt. Hon. Vince Cable, Secretary of State for Business, Innovation and Skills  
The Baroness Wilcox, Parliamentary Minister for Business, Innovation and Skills  
The Rt. Hon. Kenneth Clarke, QC, MP, Lord Chancellor and Secretary of State for Justice  
Jonathan Djanogly Esq., MP, Parliamentary Under-Secretary of State for **Justice**  
The Rt Hon Danny Alexander Esq., MP, Chief Secretary to the Treasury  
John Alty Esq., Chief Executive and Comptroller General, UK Intellectual Property Office