



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 11 January 2013  
(OR. en)**

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**PI 148  
COUR 77**

**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

**Subject: Agreement on a Unified Patent Court**

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AGREEMENT  
ON A UNIFIED PATENT COURT

(7) Any natural or legal person, or any body entitled to bring actions in accordance with its national law and who is affected by a decision of the European Patent Office in carrying out the tasks referred to in Article 9 of Regulation (EU) No 1257/2012 is entitled to bring actions under Article 32(1)(i).

## ARTICLE 48

### Representation

- (1) Parties shall be represented by lawyers authorised to practise before a court of a Contracting Member State.
- (2) Parties may alternatively be represented by European Patent Attorneys who are entitled to act as professional representatives before the European Patent Office pursuant to Article 134 of the EPC and who have appropriate qualifications such as a European Patent Litigation Certificate.
- (3) The requirements for qualifications pursuant to paragraph 2 shall be established by the Administrative Committee. A list of European Patent Attorneys entitled to represent parties before the Court shall be kept by the Registrar.
- (4) Representatives of the parties may be assisted by patent attorneys, who shall be allowed to speak at hearings of the Court in accordance with the Rules of Procedure.

(5) Representatives of the parties shall enjoy the rights and immunities necessary for the independent exercise of their duties, including the privilege from disclosure in proceedings before the Court in respect of communications between a representative and the party or any other person, under the conditions laid down in the Rules of Procedure, unless such privilege is expressly waived by the party concerned.

(6) Representatives of the parties shall be obliged not to misrepresent cases or facts before the Court either knowingly or with good reasons to know.

(7) Representation in accordance with paragraphs 1 and 2 of this Article shall not be required in proceedings under Article 32(1)(i).

## CHAPTER II – LANGUAGE OF PROCEEDINGS

### ARTICLE 49

#### Language of proceedings at the Court of First Instance

(1) The language of proceedings before any local or regional division shall be an official European Union language which is the official language or one of the official languages of the Contracting Member State hosting the relevant division, or the official language(s) designated by Contracting Member States sharing a regional division.