Towards a Patent Reform in Europe

by

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Abstract

This article analyses the advantages and disadvantages of the different patent systems that coexist in Europe and examines the recently launched proposal for a European Council Regulation on the Community patent in light of the shortcoming of the existing systems. The European Commission has sought the coexistent of the Community, European and national patent systems. This option does not eliminate distortions in the European internal market but may have been the only feasible option under high uncertainty regarding the socially optimal rate of innovation and the responsiveness of socially useful innovation to changes in patent law provisions.

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