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Our ref:

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Dear Lord Morris,

Unified Patent Court

Thank you for your letter following the House of Lords EU Justice Sub-Committee's evidence session concerning the Unified Patent Court held on 10th March.

As you will be aware the Government published our approach to negotiations with the EU on 27th February. This set out our vision for future cooperation between legally autonomous sovereign equals. It ruled out any obligation for our laws to be aligned with the EU's, or for the EU's institutions to have any jurisdiction in the UK. That explicitly included the Court of Justice of the EU.

Continued participation in the Unified Patent Court would mean ceding jurisdiction over key patent disputes in the UK to a court that is bound to apply and respect the supremacy of EU law, including judgments of the CJEU. Participating in such a system would be incompatible with our overall approach to future relations with the EU that I have set out above. Consequently, the Government will not be seeking the UK's continued participation in the Unitary Patent and Unified Patent Court.

I hope my explanation has been helpful to you and Committee members.

Yours sincerely

AMANDA SOLLOWAY MP
Minister for Science, Research and Innovation