

## Ireland & The London Agreement

Ireland has not yet ratified The London Agreement, despite having been aware of the proposed Agreement for several years.

There are plans before the Irish Intellectual Property Unit in the Department of Enterprise & Employment for Ireland to ratify the London Agreement. However, we understand that some constitutional issues have been raised in relation to ratifying the London Agreement and, as a result, it is likely that the Agreement will not be ratified by Ireland until the middle of 2009 at the earliest.

It appears that The Irish Patents Act 1992 must be amended to conform with the requirements of the Agreement, if the London Agreement is to be ratified. In particular s119 of the Irish Patents Act 1992 needs to be amended to remove the requirements for providing a full translation of the specification in English to the Patent Controller. There are no legislative amendments approved to date to conform The Irish Patents Act 1992 with The London Agreement.

This has the consequence that it is still necessary, for European Patents granted in German or French, to provide a verified/certified English translation of the specification at the Irish Patents Office. In Ireland the deadline for providing a full verified/certified translation is **6 months** from the date of Grant for the European patent. An address for service must still be provided, and an executed Authorisation of Agent where necessary.

If the European Patent is granted in English, and designates Ireland, the patent is automatically validated in Ireland. However the address for service and Authorisation of Agent requirements must still be met.

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