

**PROTOCOL
ON JURISDICTION AND THE
RECOGNITION OF DECISIONS IN RESPECT
OF THE RIGHT TO THE GRANT OF A
EUROPEAN PATENT
(PROTOCOL ON RECOGNITION)**

SECTION I

Jurisdiction

Article 1

(1) The courts of the Contracting States shall, in accordance with Articles 2 to 6, have jurisdiction to decide claims against the applicant, to the right to the grant of a European patent in respect of one or more of the Contracting States designated in the European patent application.

(2) For the purposes of this Protocol, the term "courts" shall include authorities which, under the national law of a Contracting State, have jurisdiction to decide the claims referred to in paragraph 1. Any Contracting State shall notify the European Patent Office of the identity of any authority on which such a jurisdiction is conferred, and the European Patent Office shall inform the other Contracting States accordingly.

(3) For the purposes of this Protocol, the term "Contracting State" refers to a Contracting State which has not excluded application of this Protocol pursuant to Article 167 of the Convention.

Article 2

Subject to Articles 4 and 5, if an applicant for a European patent has his residence or principal place of business within one of the Contracting States, proceedings shall be brought against him in the courts of that Contracting State.

**PROTOKOL
OM RETTERNES KOMPETENCE OG
ANERKENDELSEN AF AFGØRELSER OM
RETTE TIL AT FÅ MEDDELT ET
EUROPÆISK PATENT
(ANERKENDELSESPROTOKOL)**

AFSNIT I

Kompetence

Artikel 1

1) I sager, der er anlagt mod ansøgeren, med krav om tilkendelse af retten til at få meddelt et europæisk patent for en eller flere af de i den europæiske patentansøgning designerede kontraherende stater er retterne i de kontraherende stater kompetente i overensstemmelse med bestemmelserne i artiklerne 2-6.

2) Med retter sidestilles i henseende til denne protokol de myndigheder, som i henhold til en kontraherende stats nationale lovgivning er kompetente til at træffe afgørelse i de i stk. 1 nævnte sager. De kontraherende stater giver Den europæiske Patentmyndighed meddelelse om, hvilke myndigheder, der har fået tillagt en sådan kompetence, og Den europæiske Patentmyndighed underretter de øvrige kontraherende stater herom.

3) I denne protokol forstås ved kontraherende stater kun de kontraherende stater, der ikke i henhold til konventionens artikel 167 har udelukket anvendelsen af denne protokol.

Artikel 2

Hvis ansøgeren har bopæl eller sæde i en af de kontraherende stater, indbringes søgsmål mod ham med forbehold af artiklerne 4 og 5 for retterne i den pågældende kontraherende stat.