

# Translation Requirements for Validation of European Patents

A patent that has been granted by the European Patent Office may subsequently be made effective in any of the countries for which a designation, extension or validation fee has been paid. This process is commonly known as “validation” of the European patent.

For European patents with a grant date on or after 1 June 2023, it will in most cases<sup>1</sup> be possible to validate a European patent via one of two routes:

- Direct national validation in any of the countries of interest (i.e. up to 43 separate countries in total); or
- Validation as a “Unitary Patent” (a single patent right covering 17 of the 27 EU countries<sup>2</sup>), in addition to direct national validation in any of the remaining non-EU countries and non-participating EU countries of interest.

More information about the Unitary Patent system can be found in [the dedicated section](#) of our website.

## Direct national validation

For direct national validation of a European patent, some countries impose translation requirements as part of the validation procedure. In general, any required translations must be submitted within three months of the grant date of the patent. The translation requirements vary significantly between the different countries. The majority of European patents are in English, and for such patents, the following requirements apply:

1. Belgium, France, Germany, Ireland, Luxembourg, Malta, Monaco, Morocco, Switzerland, Tunisia and the United Kingdom have no post-grant translation requirements.
2. Albania, Bosnia & Herzegovina, Cambodia, Croatia, Denmark, Finland, Hungary, Iceland, Latvia, Lithuania, Montenegro, the Netherlands, North Macedonia, Norway, Sweden and Slovenia require a translation of the claims of the patent (but not the entire specification) in the appointed language to be filed.
3. Austria, Bulgaria, Cyprus, the Czech Republic, Estonia, Greece, Italy, Moldova, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Spain and Turkey require a translation of the entire specification in the appointed language to be filed. This includes a translation of the sequence listing, if one is present.

The attached annex sets out the requirements for each country, including the appointed language where relevant. As is evident from the annex, in some countries it is possible to re-use a translation prepared for another country with the same appointed language. For example, a Greek translation can be used in both Greece and Cyprus, an Italian translation can be used in both Italy

and San Marino, a Croatian translation can be used in both Croatia and Bosnia & Herzegovina, a Serbian translation can be used in Serbia, Montenegro and Bosnia & Herzegovina, and a Romanian translation can be used in both Romania and Moldova.

In some countries, the translation that is filed is regarded as the authentic text for determining infringement by a third party, in the event that the text of the translation of the patent that is filed is narrower in scope than the text of the patent in the language of proceedings before the EPO. It is therefore important to use high-quality translations when filing national validation requests.

## Unitary patent

One requirement of validation as a Unitary Patent is that a translation of the full text of the patent into one other language must be submitted within one month of the grant date. For the majority of European patents that are in English, the translation may be into any other official EU language. However, if the language of the European patent is French or German, the translation must be into English.

The requirement for the translation to be in “any” EU language, i.e. not necessarily the official language of an EU country that is actually *participating* in the Unitary Patent system, can be strategically useful to applicants. In particular, an applicant may use a single translation both for (a) validation as a Unitary Patent and (b) national validation in a country that is not participating in the Unitary Patent system but which requires translation of the full text of the patent into a language that is also an EU language. For example, an applicant may use a single Spanish translation of the patent both for validation as a Unitary Patent and for direct national validation in Spain, or a single Polish translation of the patent both for validation as a Unitary Patent and for direct national validation in Poland.

The translation filed to obtain a Unitary Patent will be for information purposes only (i.e. it will not have a legally binding effect), but should **not** be a machine translation.

## Cost-effective European patent validations

J A Kemp provides a top-quality translation service and integrates it seamlessly with the validation provision. We can provide a quote for completing the validation in each country which includes the cost of translation together with the cost of performing the validation acts and official fees, so there are no unknown disbursement charges for clients to pay. For more information about J A Kemp’s validation service, please see [this section](#) of our website, or contact your usual J A Kemp advisor.

Annex - translation requirements for direct national validation of European patents in English

Country code	Country	Translation requirement
AL	Albania	Claims only into Albanian
AT	Austria	Full text into German
BA	Bosnia & Herzegovina	Claims only into Bosnian, Croatian or Serbian
BE	Belgium	No translation needed
BG	Bulgaria	Full text into Bulgarian
CH/LI	Switzerland/Liechtenstein	No translation needed
CY	Cyprus	Full text into Greek
CZ	Czech Republic	Full text into Czech
DE	Germany	No translation needed
DK	Denmark	Claims only into Danish
EE	Estonia	Full text into Estonian
ES	Spain	Full text into Spanish
FI	Finland	Claims only into Finnish
FR	France	No translation needed
GB	United Kingdom	No translation needed
GR	Greece	Full text into Greek
HR	Croatia	Claims only into Croatian
HU	Hungary	Claims only into Hungarian

IE	Ireland	No translation needed
IS	Iceland	Claims only into Icelandic
IT	Italy	Full text into Italian
KH	Cambodia	Claims only into Khmer
LT	Lithuania	Claims only into Lithuanian
LU	Luxembourg	No translation needed
LV	Latvia	Claims only into Latvian
MA	Morocco	No translation needed <sup>3</sup>
MC	Monaco	No translation needed
MD	Moldova	Full text into Romanian
ME	Montenegro	Claims only into Montenegrin <sup>4</sup>
MK	North Macedonia	Claims only into Macedonian
MT	Malta	No translation needed
NL	Netherlands	Claims only into Dutch
NO	Norway	Claims only into Norwegian
PL	Poland	Full text into Polish
PT	Portugal	Full text into Portuguese
RO	Romania	Full text into Romanian
RS	Serbia	Full text into Serbian
SE	Sweden	Claims only into Swedish

SI	Slovenia	Claims only into Slovene
SK	Slovakia	Full text into Slovak
SM	San Marino	Full text into Italian
TN	Tunisia	No translation needed
TR	Turkey	Full text into Turkish

**Footnotes**

1. Certain restrictions apply to validation as a Unitary Patent. In particular, in order to be eligible for a Unitary Patent, the patent must have a filing date of 1 March 2007 or later (this being the date when the last participating country, Malta, joined the EPC), the patent must designate all of the countries

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which have indicated that they will take part in the Unitary Patent system, and the patent must have the same claims for all such countries.

2. The 17 countries that currently participate in the Unitary Patent system are: Austria, Belgium, Bulgaria, Denmark, Estonia, Finland, France, Germany, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Slovenia and Sweden.
3. For validation in Morocco, it is necessary to file a translation of the claims only into French or Arabic. However, a French translation of the claims will already have been prepared in order to file a response to the communication under Rule 71(3) EPC at the EPO. Thus, in practice, there are no further post-grant translation requirements in Morocco.
4. Although Montenegrin and Serbian are officially different languages, there has not yet been any significant divergence since Montenegro gained independence from Serbia. A Serbian translation of the claims can therefore be used in Montenegro (as well as in Serbia and Bosnia & Herzegovina).