

**Question for written answer E-014067/2013
to the Commission**

Rule 117

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Subject: Criteria for waiving EU exclusive competence

In its answer to Written Question E-011256/2013 the Commission seems to be implicitly saying that the Unified Patent Court (UPC) agreement affects common rules or alters their scope. Additionally, the Commission admits that the UPC agreement falls within the EU's exclusive competence but shifts the potential legal irregularity to the question of whether the Union has given its consent to have its exclusive competence waived.

Does the Commission consider that Parliament and the Council have fulfilled all the necessary formalities for the EU to waive its exclusive competence to conclude the UPC agreement? Can the Commission detail the required formalities and state which of these have been fulfilled?