

WRITTEN QUESTION P-1141/04
by Göran Färm (PSE)
to the Commission

Subject: European patent rights in the USA

Some years ago I drew the Commission's attention to the systematic protectionism practised in the American legal system, which unfortunately still persists. Several cases brought by European researchers and inventors before US courts in defence of their patent rights have been obstructed, more or less openly, by those courts. This may be a breach of the TRIPS agreement, to which the USA is a signatory and which guarantees foreign patent holders the right to bring proceedings before the signatories' courts. The case which the Swedish inventor, Dr Håkan Lans, is still forced to pursue in the US courts after several years is a clear example of the US protectionism referred to above. Is the Commission prepared to take up Dr Lan's case with the US Administration as a warning and a clear indication that the EU will not tolerate such discrimination?