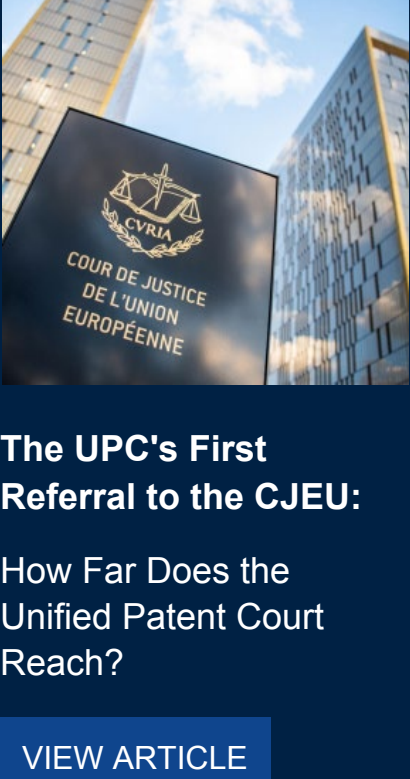


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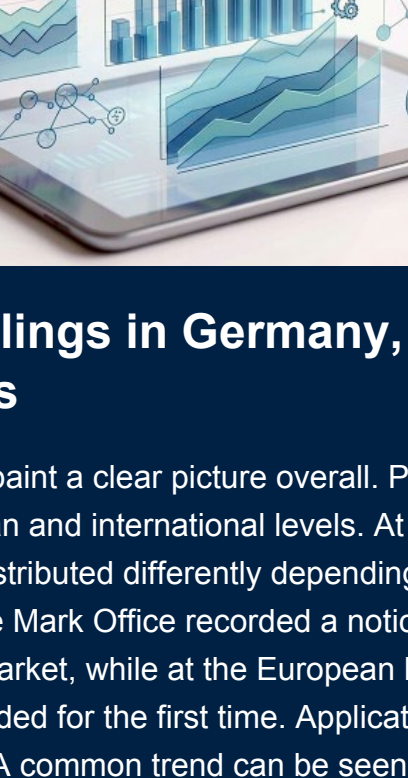
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Increase in EPO fees in 2026

EPO announces an increase in official fees by approximately 5%.

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Reform of European design law completed

We previously reported on the reform of European design law in our [Newsletter III/2024](#). The new regulations were introduced in stages. With effect from 1 July 2026, the second and final phase of implementation of the reformed EU Design Regulation has now come into force. The latest changes primarily concern the practical handling of design applications at the EUIPO and provide greater clarity regarding the presentation and administration of designs. This means that the reform of European design law at EU level is now largely complete.

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Trends in Patent Filings in Germany, Europe and the PCT Member States

The patent statistics for 2025 paint a clear picture overall. Patent filing activity has increased at national, European and international levels. At the same time, the figures show that the dynamics are distributed differently depending on the level of observation. The German Patent and Trade Mark Office recorded a noticeable increase in patent applications for the German market, while at the European level the mark of 200,000 patent applications was exceeded for the first time. Applications in the international PCT system also increased again. A common trend can be seen across all three levels. Growth is increasingly driven by **digital technologies, communication technology, battery and energy technologies, and AI-related developments**.

Germany: More patent applications and significant impetus from digital technology and electromobility

According to the DPMA's annual statistics, the number of patent applications rose by 4.7% to 62,050 in 2025, with the **increase being driven by domestic applicants to an above-average extent**. 42,349 applications came from Germany, which corresponds to an increase of 5.6%. In contrast, applications from abroad rose by 2.8% to 19,701.

This suggests that protecting technical innovations continues to be a strategic priority for German companies despite an economically challenging environment. In the sectoral analysis, **mechanical engineering remained the technical field with the highest number of patent filings**.

However, electrical engineering developed particularly dynamically **with an increase of 9.1%**. The main drivers of this development were digital technologies and battery technology. In the technology field of **computer technology**, registrations increased by **10.9%**. Digital communication technology grew even more strongly, **with growth of 19.2%**. There was enormous growth in the technology field **"Data processing methods for business purposes"** with an **increase of 59.7%**. This illustrates that patent activity is increasingly emerging where classic industrial value creation is converging with software, data processing and AI-based applications.

In addition, the automotive industry remained the sector with the highest number of applications at the DPMA. According to the published figures, the ten companies with the highest number of registrations all came from the automotive industry or the circle of suppliers. Together, they accounted for around 30% of all patent applications. Robert Bosch was in 1st place, followed by Mercedes-Benz and BMW. The industrial transformation in the mobility sector thus continues to be a key driver of innovation in Germany. At the same time, the focus is shifting more and more towards electric drives, batteries, connected vehicles, infotainment and digital control systems.

Europe: EPO record and mounting pressure from Asia

The strong filing momentum continued at the European level. A total of 201,974 patent applications were filed with the European Patent Office in 2025. This corresponds to an increase of 1.4% compared to the previous year.

From a technological point of view, the development is particularly revealing. **Computer technology recorded an increase of 6.1%** and thus remained the leading technology field at the EPO. Within this field, AI-related registrations, for example on neural networks and image recognition, increased. Quantum technology developed even more dynamically, **with growth of 37.9%**. Digital communication was in second place, driven in particular by 6G-related developments. Registrations also increased in the area of electrical machines, appliances and energy, with battery technology being the main driver.

The country-specific development is also striking. Patent applications from China and Korea rose by almost 10%. China thus pushed Japan into third place among the regions of origin at the EPO for the first time. While the U.S. remained one of the most important regions of origin, it recorded a decline.

Another structural point is the **growing use of the Unitary Patent**. Unitary protection was applied for 28.7% of European patents granted in 2025, and the utilisation rate for European applicants was as high as 40%. In the third year of its existence, the Unitary Patent is thus increasingly perceived as a viable instrument for broader territorial patent protection.

International: The PCT system continues to grow, albeit at a more moderate pace Internationally applications under the Patent Cooperation Treaty (PCT) also developed positively in 2025. With an increase of 0.7% to 275,900 applications, they recorded growth for the second year in a row. Although this was more moderate than at the national or European level, it confirms that international IP strategies continue to gain in importance.

Conclusion

From the applicant's point of view, the figures for 2025 can be summarised in three overarching developments. First, **patent activity remains high and growing at all levels, albeit at varying intensity**. Second, **the focus of innovation activity is increasingly shifting towards digital, data-driven and energy-related technologies**. Thirdly, IP competition is becoming more international. In particular, **the growth of the EPO from China and Korea** as well as the continued strong use of the PCT system make it clear that European and German companies must increasingly align their patent strategy in an international context.

This means that patents should no longer be seen only as a hedging instrument for individual inventions. Rather, they are becoming increasingly important as a **strategic instrument for securing technological positions**, supporting market entries and strengthening the negotiating position vis-à-vis competitors, cooperation partners and investors. Especially in areas such as AI, communication technology, battery technology and software-supported industrial applications, this trend is likely to intensify further in the coming years.

Further information can be found at:

[DPMA PRESS RELEASE](#)

[EPO ARTICLE](#)

[EPO NEWSLETTER](#)

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EU-Mercosur Agreement – Opportunities for Companies and Important Patent Law Decisions

With the **Mercosur Agreement**, a trade framework has been created between the European Union and four South American countries – **Brazil, Argentina, Uruguay and Paraguay** – which, if provisionally applied from 1 May 2026, is likely to be one of the world's largest free trade areas. In total, the economic area comprises **over 700 million people on two continents**.

In economic terms, the agreement is associated with considerable expectations: it is intended to help reduce trade barriers, facilitate market access and open up new prospects for European companies. At the same time, the development comes at a time when the EU is increasingly working to diversify trade relations and provide additional growth impetus for the European economy.

Growth potential: Focus on Brazil and Argentina

A look at the Mercosur countries shows that they can be markets with considerable potential:

- **With around 213 million inhabitants, Brazil** is not only the most populous country in South America, but also a central market for industry, infrastructure and technology.
- **Argentina** is in a phase of economic realignment – partly due to the reform policy initiated by President Milei – and is likely to become more attractive for investment in the medium term.

This could open up new opportunities for European companies. This is especially true for companies that are considering investment or expansion, expanding their sales network or expanding existing business models in the direction of South America. However, the development of new markets should always be associated with legal protection of technological innovations and competitive advantages.

Thinking strategically about patent protection at an early stage

Especially in growth regions, it is crucial that market entry and IP strategy are planned in a coordinated manner. Experience has shown that with increasing economic activity, the importance of a viable patent portfolio also increases, be it with regard to exclusive rights, licensing or protection against imitation.

Particular attention should be paid to a special feature of patent law in the Mercosur region. **Argentina and Paraguay are not yet contracting states to the Patent Cooperation Treaty (PCT)**. This means that protection via an international patent application under the PCT cannot cover these countries. Anyone preparing an application via the PCT route must therefore **plan for additional national steps at an early stage**. In these cases, it is essential to set the course for the desired protection **before the expiry of the priority period** and to prepare national subsequent applications. Otherwise, there is a risk that intellectual property rights in individual countries can no longer be secured or cannot be secured in time.

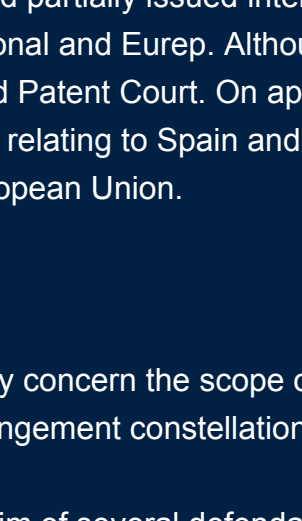
Perspective: Keep an eye on Bolivia as well

Bolivia has now joined Mercosur and should therefore be taken into account in the strategic consideration of the South American market. From a patent law point of view, the same applies as for other countries without PCT coverage. Bolivia is not a contracting state to the Patent Cooperation Treaty (PCT), so protection via an international patent application under the PCT cannot be achieved there. Anyone who wants to include the Bolivian market in their IP strategy should therefore prepare the necessary national steps at an early stage.

Conclusion

The Mercosur agreement can be an important gateway—both for trade and distribution and for medium- and long-term investments. At the same time, anyone who opens up markets should secure intellectual property rights as early as possible before imitation or competitive pressure arises. Especially in countries without PCT coverage, forward-looking planning is crucial.

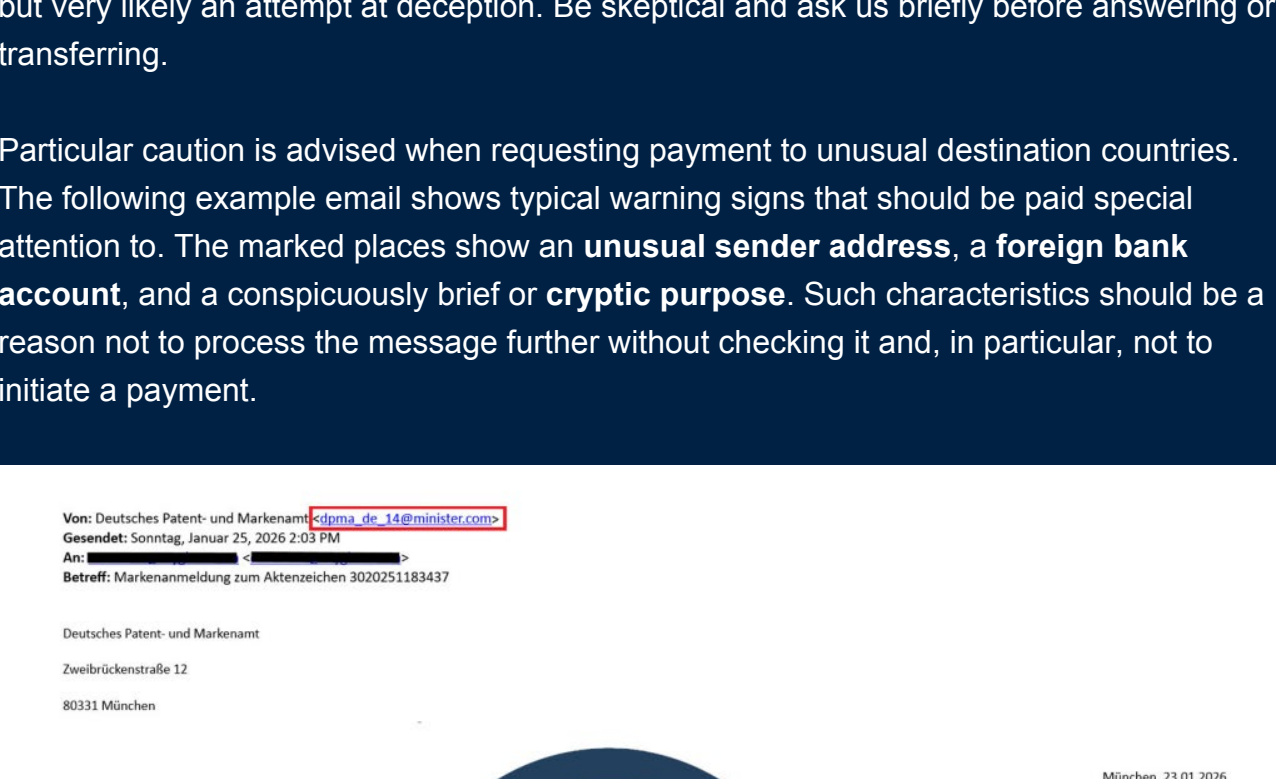
If you have any **questions about patent protection** in South America in general and in Mercosur countries in particular, please do not hesitate to contact us. **WITTE WELLER & PARTNER** has many years of experience in the strategic protection and enforcement of industrial property rights, including in South America. In doing so, we draw on an excellently established international network of selected partner law firms to efficiently support our clients in national applications as well as in the development and implementation of internationally oriented patent portfolios.



Markus Hössle, Partner

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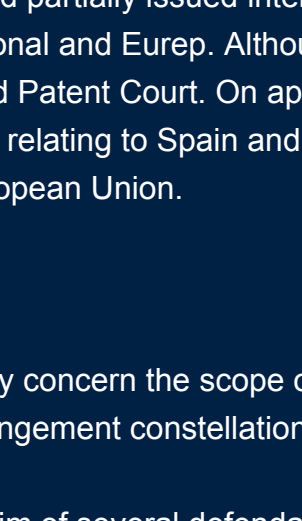
Beware of Official-Looking Payment Requests

Basic rule number one: **Mail from the patent or trademark office comes to us – not to you**. If an office does contact you directly, this is most likely not a rare exceptional case, but very likely an attempt at deception. Be skeptical and ask us briefly before answering or transferring.

Particular caution is advised when requesting payment to unusual destination countries. The following example email shows typical warning signs that should, **a foreign bank account**, and a conspicuously brief or **cryptic purpose**. Such characteristics should be a reason not to process the message further without checking it and, in particular, not to initiate a payment.



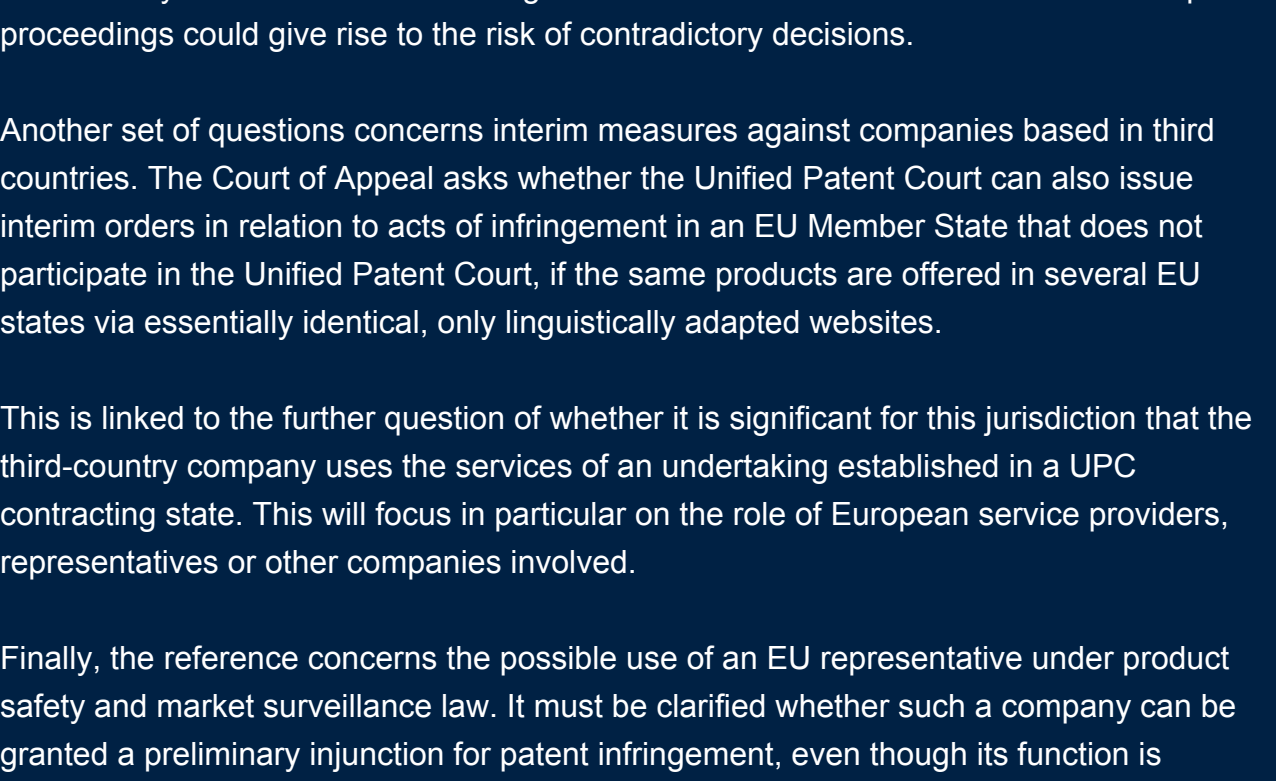
If you are not absolutely sure, the money transferred is almost always useless and irretrievably lost. If in doubt, it is always better **to ask once more than to transfer once too much**. We are always at your disposal.



Dieter Späth, Partner

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The UPC's First Referral to the CJEU: How Far Does the Unified Patent Court Reach?

The Court of Appeal of the Unified Patent Court (UPC) has for the first time referred questions to the Court of Justice of the European Union (CJEU) for a preliminary ruling in the case of *Dyson v. Dreame*. The reference concerns key issues of cross-border patent enforcement. The key issue is the extent of the UPC's international jurisdiction in the case of interim measures, in particular vis-à-vis companies based outside the European Union and in relation to EU member states that do not participate in the Unified Patent Court.

Background to the *Dyson vs. Dreame* case

Dyson is the holder of a European patent relating to a handheld hair care device and has applied for interim measures against several companies in the Dreame Group. Particularly relevant were Dreame International, based in Hong Kong, which offered the accused products via country-specific websites for Germany and Spain, among others, and Eurep GmbH, based in Germany, which was named as an EU representative.

The Hamburg Local Chamber had partially issued interim measures and extended them to Spain vis-à-vis Dreame International and Eurep. Although Spain is an EU member state, it does not participate in the Unified Patent Court. On appeal, the Court of Appeal stayed only the parts of the proceedings relating to Spain and Eurep and referred four questions to the Court of Justice of the European Union.

Core legal issues

The questions referred essentially concern the scope of the jurisdiction of the Unified Patent Court in cross-border infringement constellations.

First of all, it is about the joint claim of several defendants. The Court of Appeal would like to clarify whether the Unified Patent Court can also have jurisdiction if a company based outside the European Union is accused of infringing a national part of a European patent in an EU member state that does not participate in the Unified Patent Court, and at the same time another company based in an UPC contracting state is claimed as an intermediary or facilitator of this infringement. The decisive factor here is whether separate proceedings could give rise to the risk of contradictory decisions.

Another set of questions concerns interim measures against companies based in third countries. The Court of Appeal asks whether the Unified Patent Court can also issue interim orders in relation to acts of infringement in an EU Member State that does not participate in the Unified Patent Court, if the same products are offered in several EU states via essentially identical, only linguistically adapted websites.

This is linked to the further question of whether it is significant for this jurisdiction that the third-country company uses the services of an undertaking established in a UPC contracting state. This will focus in particular on the role of European service providers, representatives or other companies involved.

Finally, the reference concerns the possible use of an EU representative under product safety and market surveillance law. It must be clarified whether such a company can be granted a preliminary injunction for patent infringement, even though its function is primarily of a regulatory nature and it is not itself the manufacturer or seller of the challenged products.

Conclusion

The submission shows that the scope of the Unified Patent Court in cross-border constellations has not yet been conclusively clarified. A broad interpretation by the Court of Justice of the European Union could further strengthen the Unified Patent Court for patent proprietors, especially in the case of Europe-wide uniform online offerings and internationally organized distribution structures.

For companies based outside the European Union, the decision can have considerable practical significance. European agents, sales companies and other service providers could not only be relevant from a regulatory or sales point of view, but also play a role in jurisdiction and injunctive relief.

Until the decision of the Court of Justice of the European Union, the legal situation remains open. However, the submission makes it clear that the Unified Patent Court is prepared to actively explore the limits of its jurisdiction. Further developments are therefore just as relevant for the enforcement of patents as they are for the design of European distribution.

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Increase in EPO fees in 2026

The European Patent Office (EPO) has announced an increase in official fees as of April 1, 2026. Most fees increase by approximately 5%. This is the first fee increase since 2024.

We have summarised the changes to the main fees in the European patent grant procedure in the tables below. Changes are highlighted in orange.

Fee	Fee before April 1, 2026	New fee from April 1, 2026
Registration fee (for online filing)	135 EUR	135 EUR
Additional fee for the 36th and each additional page	17 EUR	17 EUR
Search fee for a European search for applications filed on or after 1 July 2005	1,520 EUR	1,595 EUR
Designation fee	685 EUR	720 EUR
Examination fee for applications filed on or after 1 July 2005	1,915 EUR	2,010 EUR
Grant fee including publication fee	1,080 EUR	1,135 EUR

The changes to the renewal fees are set out below.

Fee	Fee before April 1, 2026	New fee from April 1, 2026
Annual fee (3rd year)	690 EUR	725 EUR
Annual fee (4th year)	845 EUR	885 EUR
Annual fee (5th year)	1,000 EUR	1,050 EUR
Annual fee (6th year)	1,155 EUR	1,215 EUR
Annual fee (7th year)	1,310 EUR	1,375 EUR
Annual fee (8th year)	1,465 EUR	1,540 EUR
Annual fee (9th year)	1,620 EUR	1,700 EUR
Annual fee (10th and each subsequent year)	1,775 EUR	1,865 EUR

Further information on the fees payable for European patent applications can be found on the EPO's website at <https://www.epo.org/de/applying/fees/fees>. If you have any questions, please do not hesitate to contact us.

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