

Commission Regulation (EC) No 70/2001 of 12 January
2001 on the application of Articles 87 and 88 of the EC
Treaty to State aid to small and medium-sized enterprises

[^{F1}Article 5c

Aid for patenting costs

- 1 Aid for the costs associated with obtaining and validating patents and other industrial property rights shall be compatible with the common market within the meaning of Article 87(3) (c) of the Treaty and shall be exempt from the notification requirement of Article 88(3) of the Treaty up to the same level of aid as would have qualified as R&D aid in respect of the research activities which first led to the industrial property rights concerned.
- 2 Eligible costs for the purposes of paragraph 1 shall be the following:
- a all costs preceding the grant of the right in the first legal jurisdiction, including costs relating to the preparation, filing and prosecution of the application as well as costs incurred in renewing the application before the right has been granted;
 - b translation and other costs incurred in order to obtain the granting or validation of the right in other legal jurisdictions;
 - c costs incurred in defending the validity of the right during the official prosecution of the application and possible opposition proceedings, even if such costs occur after the right is granted.]

Textual Amendments

- F1** Inserted by [Commission Regulation \(EC\) No 364/2004 of 25 February 2004 amending Regulation \(EC\) No 70/2001 as regards the extension of its scope to include aid for research and development.](#)

Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EC) No 70/2001, Article 5c.