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Member of the German Parliament

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**PRESS RELEASE**

*Declaration by the members of parliament Grietje Bettin, Dirk Manzewski, Jerzy Montag, Ulrich Kelber, Uwe Küster and Jörg Tauss on the occasion of an agreement on an all-party motion with respect to the patentability of computer-implemented inventions:*

**Software Patents: Clear Signal to Brussels from the German Parliament**

With today's agreement of all four parliamentary groups on a joint motion concerning the patentability of computer-implemented inventions, the German Parliament has sent a clear signal to the Council of the European Union and the European Parliament. In principle, the initiative for a directive in order to harmonize legal practice is welcome. The common position of the Council on the draft directive does not sufficiently meet unambiguity requirements.

However, legal certainty is of fundamental importance to small and medium-sized enterprises, and to new development approaches such as open source. That said, the all-party motion is centered around demands for an unambiguous and clear-cut term of technicality, an exclusion of trivial patents and so-called program claims, as well as the guarantee of interoperability between different computer systems. In principle, computer programs shall continue to be protected by copyright law primarily.

Across all parliamentary groups, the German Parliament calls upon the German federal government and the European Parliament to take these open questions into account in the forthcoming consultations over the draft directive.

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