

FINLAND

Status as of May 2005

FEATURES	STATUS	CHANGES IN LAWS SINCE 1990
Types of protection for inventions	<ul style="list-style-type: none"> • Patents • Utility models 	N.A
Term of protection	<ul style="list-style-type: none"> • Patents: 20 years from the filing date • Utility models: 10 years from the filing date • Extension of patent term is possible on the following grounds: <ul style="list-style-type: none"> - Regulatory approval for pharmaceuticals - Regulatory approval for agricultural chemicals 	January 1, 1996 – Extension of the term of protection for utility models from 8 years to 10 years.
Subject matters excluded from patentability or not considered to be inventions	<ul style="list-style-type: none"> • The following subject matters are excluded from patentability: <ul style="list-style-type: none"> - Plant and animals varieties - Inventions contrary to morality/public order • The following subject matters are not considered to be inventions: <ul style="list-style-type: none"> - Discoveries - Scientific theories/mathematical methods - Aesthetic creations - Mental acts - Presentation of information - Computer programs - Business methods - Diagnostic, therapeutic and surgical methods for the treatment of humans and animals 	January 1, 1995 – It became possible to obtain a patent for pharmaceuticals and food related products.
Filing language	<ul style="list-style-type: none"> • Filing an application in languages other than an official language is possible. The time limit to provide translation into an official language is up to the Office and varies from 2 to 3 months from the filing date. 	No

Certain requirements relating to filing	<ul style="list-style-type: none"> • The inventor never waives his right to be mentioned in the patent. 	No
	<ul style="list-style-type: none"> • It is not possible to file provisional applications. 	
	<ul style="list-style-type: none"> • The most frequent route used for foreign applicants to file patent applications is the PCT procedure (Patent Cooperation Treaty). 	
Link between different inventions in the same application	<ul style="list-style-type: none"> • The applicable law allows that the claims in a patent application relate to a group of inventions so linked as to form a single general inventive concept. The applicable standard is the unity of invention. 	No
Publication	<ul style="list-style-type: none"> • The information related to the application is published or open for public access 18 months from the date of filing or from the priority date and when the patent is granted. The applicant may ask for an earlier publication. 	No
Classification system	<ul style="list-style-type: none"> • The patent classification system used is the International Patent Classification (IPC) system 	N.A
Search and examination	<ul style="list-style-type: none"> • The applicable law establishes a substantive search and examination system. • Search and examination are combined. For patents, the filing of an application automatically implies a search and examination. For utility models, the applicant is required to request the search and examination. There is no time limit to request the search nor the examination. • During the examination procedure, the following criteria are examined for both patents and utility models: <ul style="list-style-type: none"> - Novelty - Inventive step/non obviousness - Industrial applicability/utility 	N.A

<p>Specific legal provision regarding ownership of patents derived from public (government) research funding</p>	<ul style="list-style-type: none"> • No 	<p>No</p>
<p>Exceptions to exclusive rights conferred by a patent</p>	<ul style="list-style-type: none"> • There are exceptions to the exclusive rights conferred by a patent as follows: <ul style="list-style-type: none"> - Private use - Compulsory licenses - Research and/or experimental exception - Preparation of medicines in accordance with medical prescriptions by physicians - Prior user's right - Exceptions of Article 5ter of the Paris Convention 	<p>No</p>
<p>Options to challenge a patent</p>	<ul style="list-style-type: none"> • There are the following options to challenge <ul style="list-style-type: none"> A patent: <ul style="list-style-type: none"> - Post-grant administrative/quasi judicial procedure (opposition): within 9 months from the grant - Court procedure A utility model <ul style="list-style-type: none"> - Post-grant administrative/quasi judicial procedure within no time limit 	<p>April 1, 1997 – Introduction of a post-grant opposition procedure to replace the pre-grant opposition procedure.</p>