

ISRAEL

Status as of May 2005

FEATURES	STATUS	CHANGES IN LAWS SINCE 1990
Types of protection for inventions	<ul style="list-style-type: none"> • Patents 	N.A
Term of protection	<ul style="list-style-type: none"> • 20 years • The extension of the patent term of protection is possible on the following grounds: <ul style="list-style-type: none"> - Regulatory approval for pharmaceuticals 	No
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"> - Isolated parts of human beings - Animals - Plants - Diagnostic, therapeutic and surgical methods for the treatment of humans and animals • 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 - Business methods - Traditional knowledge 	No
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 3 months. 	No
Certain requirements relating to filing	<ul style="list-style-type: none"> • The inventor very often 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 by 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 claims in a patent application relate to a group of inventions. 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 when the patent is granted. 	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 separated. The filing of an application automatically implies a search and an examination. During the examination procedure, the following criteria are examined: <ul style="list-style-type: none"> - Novelty - Inventive step/non obviousness - Industrial applicability/utility 	N.A
Specific legal provision regarding ownership of patents derived from public (government) research funding	No	No
Exceptions to exclusive rights conferred by a patent	<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"> - Compulsory licenses - Governmental use - Clinical trials for the purpose of obtaining a generic drug's regulatory approval (Bolar provision) - Prior user's right 	1998 – Introduction of the Bolar provision
Options to challenge a patent	<ul style="list-style-type: none"> There are different options to challenge patents and short term patents: <ul style="list-style-type: none"> - Pre-grant administrative procedure (opposition) within 3 months from the publication of acceptance - Court procedure 	