

SWEDEN

Status as of May 2005

FEATURES	STATUS	CHANGES IN LAWS SINCE 1990
Types of protection for inventions	<ul style="list-style-type: none">• Patents• Supplementary protection certificates for certain inventions	N.A
Term of protection	<ul style="list-style-type: none">• Patents: 20 years from filing date • Extension of patent term is possible on the following grounds:<ul style="list-style-type: none">- Supplementary protection certificates for pharmaceuticals and plant protection products.	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- Plant and animal varieties- Diagnostic, therapeutic and surgical methods for the treatment of humans and animals- 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	May 1, 2004 – The law has been updated and cleared regarding biotechnological inventions.

Filing language	<ul style="list-style-type: none"> Filing an application in languages other than official languages is possible. The time limit to provide translation into an official language is between 1 to 16 months depending on the other deficiencies of the application. 	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. 	
Link between different inventions in the same application	<ul style="list-style-type: none"> The applicable law requires that the claims in a patent application relate to a single invention only. 	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. 	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. The applicant is required to request search and examination through a combined request. 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	<ul style="list-style-type: none"> 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 - Research and/or experimental exception - Preparation of medicines in accordance with medical prescriptions by physicians - Prior user's right - Private use which is not professional - Governmental's use only in danger of war 	No
Options to challenge a patent	<ul style="list-style-type: none"> • There are the following options to challenge a patent: <ul style="list-style-type: none"> - Post-grant administrative procedure (opposition) within 9 months after the grant of the patent - Court procedure 	January 1, 1994 – Before that date, the opposition procedure was before the grant of the patent.