

Third party observations

Eurasian Patent Office

Rule 44(5) of the Patent Regulations under Eurasian Patent Convention (EAPC) provides that any person may present observations concerning the patentability of the claimed invention after publishing the Eurasian patent application. That person will not become a party to the proceedings before the EAPO. No fee is required for the submission of observations.

The observations may be submitted at any stage during pending proceedings until the decision closing the examination procedure is taken by the EAPO. If such observations are filed, the EAPO shall take them into consideration during substantive examination procedure.

The submitted observations will be communicated to the applicant, who has the right to comment on them. The third party is not notified of the decisions in the procedure, as he is not a party. The information can be obtained from file inspection.