

APPENDIX 3

**FORMS**

**UNDER THE BUDAPEST TREATY AND REGULATIONS**

1. This Appendix contains 14 forms, numbered BP/1 to BP/14. They have been drawn up by the International Bureau of WIPO on the basis of the discussions held by the Interim Advisory Committee for the preparation of the entry into force of the Budapest Treaty at its second session (April 30 to May 3, 1979) and on the basis of the discussions held by the Assembly of the Budapest Union at its second session (January 12 to 20, 1981) and at its eighth session (September 24 to October 2, 1990).
2. The forms which appear in this Appendix are not all provided for in the Regulations under the Budapest Treaty. The Regulations in fact provide only for the forms for the receipt in the case of an original deposit (BP/4), for the receipt in the case of a new deposit (BP/5) and for the receipt in the case of a transfer (BP/6) (see rule 7.2(a) of the Regulations), the form for the viability statement (BP/9) (see Rule 10.2(d)) and the form relating to the furnishing of samples to parties legally entitled (BP/12) (see Rule 11.3)).
3. As for the other forms, which in this Appendix bear the numbers BP/1, 2, 3, 7, 8, 10, 11, 13 and 14, the Assembly considered it useful to have these drawn up as models. It should be noted that, in the situations to which they relate, the use of forms will not be mandatory, and still less the use of the models that appear in this document.
4. Forms BP/4, 5, 6, and 9, called “international forms,” relate to the receipt and the viability statement. In each of the situations to which they relate, the use of an “international form” is mandatory. Each “international form” is issued by the competent international depositary authority on the basis of a model established by the Director General of WIPO in the languages designated by the Assembly. With regard to the language question, the Assembly decided that the model “international forms” should be established in English, French, Russian and Spanish, and it was understood that an international depositary authority whose official language or one of whose official languages, as indicated under Rule 3.1(b)(v), was a language other than any of the four languages mentioned could draw up the “international forms” in that language (see paragraph 38 of document BP/A/II/11).
5. Finally, Form BP/12, which relates to the furnishing of samples to parties legally entitled, is a form whose contents were fixed by the Assembly of the Budapest Union. In the situation to which it relates, the use of a form is mandatory. Each industrial property office may either use Form BP/12 as it appears in this Appendix (in other words, with the same layout) or draw up its own form (in other words, with a different layout, but with contents corresponding to the contents fixed by the Assembly). In the latter case, the industrial property office is responsible for the conformity of the contents of its form with the contents of Form BP/12, on the understanding that no international depositary authority is required to verify such conformity.

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BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

STATEMENT IN THE CASE OF AN ORIGINAL DEPOSIT  
pursuant to Rule 6.1

TO

NAME AND ADDRESS OF  
INTERNATIONAL DEPOSITARY AUTHORITY

THE UNDERSIGNED HEREBY DEPOSITS UNDER THE BUDAPEST TREATY THE MICROORGANISM IDENTIFIED HEREUNDER AND UNDERTAKES NOT TO WITHDRAW THE DEPOSIT FOR THE PERIOD SPECIFIED IN RULE 9.1<sup>1</sup>

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference <sup>2</sup> :	<input type="checkbox"/> Mixture of microorganisms (Mark with a cross where applicable)
II. CONDITIONS FOR CULTIVATION <input type="checkbox"/> <sup>3</sup>	

<sup>1</sup> This form may also be used if the undersigned converts into a deposit under the Budapest Treaty the deposit of a microorganism that he or his predecessor in title has already deposited outside the Budapest Treaty, with the same depositary institution either before (Rule 6.4(d)) or after the acquisition by that institution of the status of international depositary authority.

<sup>2</sup> Number, symbols, etc., given to the microorganism by the depositor.

<sup>3</sup> Mark with a cross if additional information is given on an attached sheet.

III. CONDITIONS FOR STORAGE	<input type="checkbox"/> <sup>3</sup>
IV. CONDITIONS FOR TESTING VIABILITY	<input type="checkbox"/> <sup>3</sup>
V. COMPONENTS OF MIXTURE (where applicable)	<input type="checkbox"/> <sup>3</sup>
<p>Description of components:</p>          <p>Method(s) for checking presence of components:</p>	

<sup>3</sup> Mark with a cross if additional information is given on an attached sheet.

VI. PROPERTIES DANGEROUS TO HEALTH OR ENVIRONMENT	
<input type="checkbox"/> <sup>4</sup> The microorganism identified under I above has the following properties which are or may be dangerous to health or the environment:	<input type="checkbox"/> <sup>3</sup>
<input type="checkbox"/> <sup>4</sup> The undersigned is not aware of such properties.	
VII. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION <sup>5</sup>	
Scientific description:	
Proposed taxonomic designation:	
VIII. ADDITIONAL DATA	
<input type="checkbox"/> <sup>6</sup>	
IX. DEPOSITOR	
Name:	Signature <sup>7</sup> :
Address:	Date:

<sup>3</sup> Mark with a cross if additional information is given on an attached sheet.

<sup>4</sup> Mark with a cross the applicable box.

<sup>5</sup> It is strongly recommended that the scientific description and/or proposed taxonomic designation of the microorganism be indicated.

<sup>6</sup> Mark with a cross if additional information (other than the information referred to in footnote <sup>3</sup>) is given on an attached sheet, such as the source of the microorganism, the name(s) and address(es) of any other depository institution(s) with which the microorganism has been deposited, or the criterion used when drafting the proposed taxonomic designation. (The supplying of such information is optional.)

<sup>7</sup> Where the signature is required on behalf of a legal entity, the typewritten name(s) of the natural person(s) signing on behalf of the legal entity should accompany the signature(s).

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

STATEMENT IN THE CASE OF A NEW DEPOSIT  
WITH THE SAME INTERNATIONAL DEPOSITARY AUTHORITY  
pursuant to Rule 6.2

TO

NAME AND ADDRESS OF  
INTERNATIONAL DEPOSITARY AUTHORITY

THE UNDERSIGNED HEREBY MAKES A NEW DEPOSIT UNDER ARTICLE 4 OF THE BUDAPEST TREATY AND  
CONFIRMS HIS UNDERTAKING NOT TO WITHDRAW THE DEPOSIT FOR THE PERIOD SPECIFIED IN RULE 9.1

I. REASON FOR MAKING THE NEW DEPOSIT

- <sup>1</sup> The microorganism which was the subject of the previous deposit is no longer viable.
- <sup>1</sup> The sending or receipt of samples of the microorganism which was the subject of the previous deposit is prevented:
- <sup>1</sup> by export restrictions, or
- <sup>1</sup> by import restrictions.
- <sup>1</sup> other reason <sup>2</sup>:

Date of receipt of the notification referred to in Article 4(1)(a):

II. STATEMENT UNDER ARTICLE 4(1)(c)

The undersigned hereby alleges that the newly deposited microorganism is the same as that  
which was the subject of the previous deposit.

<sup>1</sup> Mark with a cross the applicable box.

<sup>2</sup> Indicate the relevant reason.

III. <sup>3</sup> MOST RECENT SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION INDICATED IN CONNECTION WITH THE PREVIOUS DEPOSIT <sup>5</sup> <input type="checkbox"/> <sup>4</sup>	
Scientific description:	
Proposed taxonomic designation:	
IV. DEPOSITOR	
Name:	Signature <sup>6</sup> :
Address:	Date:

<sup>3</sup> Not to be filled in if neither a scientific description nor a proposed taxonomic designation has been indicated in connection with the previous deposit.

<sup>4</sup> Mark with a cross if additional information is given on an attached sheet.

<sup>5</sup> Use form BP/7 if, when making the new deposit, it is desired to furnish for the first time or amend a scientific description or a taxonomic designation.

<sup>6</sup> Where the signature is required on behalf of a legal entity, the typewritten name(s) of the natural person(s) signing on behalf of the legal entity should accompany the signature(s).

Enclosures: Copy of the receipt of the previous deposit.

Copy of the most recent statement concerning the viability of the microorganism which was the subject of the previous deposit indicating that the microorganism is viable.

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

STATEMENT IN THE CASE OF A NEW DEPOSIT  
WITH ANOTHER INTERNATIONAL DEPOSITARY AUTHORITY  
pursuant to Rule 6.2

TO

NAME AND ADDRESS OF  
INTERNATIONAL DEPOSITARY AUTHORITY

THE UNDERSIGNED HEREBY MAKES A NEW DEPOSIT UNDER ARTICLE 4 OF THE BUDAPEST TREATY OF THE MICROORGANISM IDENTIFIED HEREUNDER AND CONFIRMS HIS UNDERTAKING NOT TO WITHDRAW THE DEPOSIT FOR THE PERIOD SPECIFIED IN RULE 9.1

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference <sup>1</sup> :	<input type="checkbox"/> Mixture of microorganisms (Mark with a cross where applicable)
II. CONDITIONS FOR CULTIVATION <input type="checkbox"/> <sup>2</sup>	

<sup>1</sup> Number, symbols, etc., given to the microorganism by the depositor.

<sup>2</sup> Mark with a cross if additional information is given on an attached sheet.

III. CONDITIONS FOR STORAGE	<input type="checkbox"/> <sup>2</sup>
IV. CONDITIONS FOR TESTING VIABILITY	<input type="checkbox"/> <sup>2</sup>
V. COMPONENTS OF MIXTURE (where applicable)	<input type="checkbox"/> <sup>2</sup>
Description of components:	
Method(s) for checking presence of components:	
VI. PROPERTIES DANGEROUS TO HEALTH OR ENVIRONMENT	
<input type="checkbox"/> <sup>3</sup> The microorganism identified under I above has the following properties which are or may be dangerous to health or the environment:	<input type="checkbox"/> <sup>2</sup>
<input type="checkbox"/> <sup>3</sup> The undersigned is not aware of such properties.	

<sup>2</sup> Mark with a cross if additional information is given on an attached sheet.

<sup>3</sup> Mark with a cross the applicable box.

VII. INTERNATIONAL DEPOSITARY AUTHORITY WITH WHICH THE PREVIOUS DEPOSIT WAS MADE
Name:  Address:
VIII. ACCESSION NUMBER GIVEN TO THE PREVIOUS DEPOSIT
IX. REASON FOR MAKING NEW DEPOSIT
<input type="checkbox"/> <sup>3</sup> The International Depositary Authority with which the previous deposit was made has ceased to have the status of International Depositary Authority or has discontinued the performance of its functions, and the microorganism has not been transferred to another International Depositary Authority which is in a position to furnish samples thereof.  <input type="checkbox"/> <sup>3</sup> Date of receipt of the notification referred to in Article 4(1)(a): <input type="checkbox"/> <sup>3</sup> Date of the publication referred to in Article 4(1)(e):  <input type="checkbox"/> <sup>3</sup> The sending or receipt of samples of the microorganism which was the subject of the previous deposit is prevented: <input type="checkbox"/> <sup>3</sup> by export restrictions, or <input type="checkbox"/> <sup>3</sup> by import restrictions.  Date of receipt of the notification referred to in Article 4(1)(a):

<sup>3</sup> Mark with a cross the applicable box.

X. STATEMENT UNDER ARTICLE 4(1)(c)	
The undersigned hereby alleges that the microorganism identified under I above is the same as that which was the subject of the previous deposit.	
XI. <sup>4</sup> MOST RECENT SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION INDICATED IN CONNECTION WITH THE PREVIOUS DEPOSIT <sup>5</sup> <input type="checkbox"/> <sup>2</sup>	
Scientific description:	
Proposed taxonomic designation:	
XII. DEPOSITOR	
Name:	Signature <sup>6</sup> :
Address:	Date:

<sup>2</sup> Mark with a cross if additional information is given on an attached sheet.

<sup>4</sup> Not to be filled in if neither a scientific description nor a proposed taxonomic designation has been indicated in connection with the previous deposit.

<sup>5</sup> Use form BP/7 if, when making the new deposit, it is desired to furnish for the first time or amend a scientific description or a taxonomic designation.

<sup>6</sup> Where the signature is required on behalf of a legal entity, the typewritten name(s) of the natural person(s) signing on behalf of the legal entity should accompany the signature(s).

Enclosures: Copy of the receipt of the previous deposit.

Copy of the most recent statement concerning the viability of the microorganism which was the subject of the previous deposit indicating that the microorganism is viable.

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

TO

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT  
issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page

NAME AND ADDRESS  
OF DEPOSITOR

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR:	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I above was accompanied by: <input type="checkbox"/> a scientific description <input type="checkbox"/> a proposed taxonomic designation (Mark with a cross where applicable)	
III. RECEIPT AND ACCEPTANCE	
This International Depositary Authority accepts the microorganism identified under I above, which was received by it on _____ (date of the original deposit). <sup>1</sup>	
IV. RECEIPT OF REQUEST FOR CONVERSION	
The microorganism identified under I above was received by this International Depositary Authority on _____ (date of the original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on _____ (date of receipt of request for conversion).	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name:  Address:	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  Date:

<sup>1</sup> Where Rule 6.4(d) applies, such date is the date on which the status of international depositary authority was acquired.

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

TO

RECEIPT IN THE CASE OF A NEW DEPOSIT  
issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified on the following page

NAME AND ADDRESS  
OF DEPOSITOR

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR:	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:
II. REASON FOR MAKING THE NEW DEPOSIT AS STATED BY THE DEPOSITOR	
<input type="checkbox"/> <sup>1</sup> The microorganism which was the subject of the previous deposit is no longer viable.	
<input type="checkbox"/> <sup>1</sup> The sending or receipt of samples of the microorganism which was the subject of the previous deposit was prevented:	
<input type="checkbox"/> <sup>1</sup> by export restrictions, or	
<input type="checkbox"/> <sup>1</sup> by import restrictions.	
<input type="checkbox"/> <sup>1</sup> The International Depositary Authority with which the previous deposit had been made has ceased to have the status of International Depositary Authority or has discontinued the performance of its functions, and the microorganism has not been transferred to another International Depositary Authority which is in a position to furnish samples thereof.	
<input type="checkbox"/> <sup>1</sup> Other reason <sup>2</sup> :	
<input type="checkbox"/> <sup>1</sup> Date of receipt of the notification referred to in Article 4(1)(a):	
<input type="checkbox"/> <sup>1</sup> Date of the publication referred to in Article 4(1)(e):	

<sup>1</sup> Mark with a cross the applicable box.

<sup>2</sup> Indicate the relevant reason.

III. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
In connection with the previous deposit, the depositor has indicated: <input type="checkbox"/> a scientific description <input type="checkbox"/> a proposed taxonomic designation (Mark with a cross where applicable)	
IV. INTERNATIONAL DEPOSITARY AUTHORITY WITH WHICH THE PREVIOUS DEPOSIT WAS MADE	
Name:  Address:	
V. ACCESSION NUMBER GIVEN TO THE PREVIOUS DEPOSIT	
VI. RECEIPT AND ACCEPTANCE	
This International Depositary Authority accepts the microorganism identified under I above, which was received by it on _____ (date of the original deposit).	
VII. INTERNATIONAL DEPOSITARY AUTHORITY	
Name:  Address:	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  Date:

Enclosures: Copy of the receipt of the previous deposit.

Copy of the most recent statement concerning the viability of the microorganism which was the subject of the previous deposit indicating that the microorganism is viable.

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

TO

RECEIPT IN THE CASE OF A TRANSFER  
issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified on the following page

NAME AND ADDRESS  
OF DEPOSITOR

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR:	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:
II. INTERNATIONAL DEPOSITARY AUTHORITY FROM WHICH THE TRANSFER WAS EFFECTED	
Name:	
Address:	
III. ACCESSION NUMBER GIVEN BY THE INTERNATIONAL DEPOSITARY AUTHORITY SPECIFIED UNDER II ABOVE	
IV. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The depositor has indicated to the International Depositary Authority specified under II above	
<input type="checkbox"/> a scientific description	
<input type="checkbox"/> a proposed taxonomic designation	
(Mark with a cross where applicable)	

V. RECEIPT AND ACCEPTANCE	
A sample of the microorganism identified under I above has been transferred by the International Depositary Authority specified under II above and is accepted by this International Depositary Authority, which received it on _____ (date of the transfer).	
VI. INTERNATIONAL DEPOSITARY AUTHORITY	
Name:  Address:	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  Date:

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

To be completed  
in duplicate

COMMUNICATION OF THE LATER INDICATION OR AN  
AMENDMENT OF THE SCIENTIFIC DESCRIPTION  
AND/OR PROPOSED TAXONOMIC DESIGNATION  
pursuant to Rule 8.1

TO

NAME AND ADDRESS OF  
INTERNATIONAL DEPOSITARY AUTHORITY

I. IDENTIFICATION OF THE MICROORGANISM

Accession number given by the  
INTERNATIONAL DEPOSITARY AUTHORITY:

II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION

<sup>1</sup>

- <sup>2</sup> Scientific description:
- <sup>2</sup> Last preceding scientific description (if any):
- <sup>2</sup> Proposed taxonomic designation:
- <sup>2</sup> Last preceding proposed taxonomic designation (if any):

<sup>1</sup> Mark with a cross if additional information is given on an attached sheet.

<sup>2</sup> Mark with a cross the applicable box or boxes.

III. REQUEST FOR ATTESTATION	
The undersigned <input type="checkbox"/> <sup>3</sup> requests <input type="checkbox"/> <sup>3</sup> does not request the attestation referred to in Rule 8.2.	
IV. DEPOSITOR	
Name:  Address:	Signature <sup>4</sup> :  Date:

<sup>3</sup> Mark with a cross the applicable box.

<sup>4</sup> Where the signature is required on behalf of a legal entity, the typewritten name(s) of the natural person(s) signing on behalf of the legal entity should accompany the signature(s).

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

ATTESTATION CONCERNING THE LATER INDICATION OR  
AN AMENDMENT OF THE SCIENTIFIC DESCRIPTION AND/OR  
PROPOSED TAXONOMIC DESIGNATION  
pursuant to Rule 8.2

TO

NAME AND ADDRESS  
OF DEPOSITOR

The enclosed communication has been received by this International Depositary Authority on	
INTERNATIONAL DEPOSITARY AUTHORITY	
Name:  Address:	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  Date:

Enclosure: Communication of the later indication or an amendment of the scientific description and proposed taxonomic designation pursuant to Rule 8.1.

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

TO

VIABILITY STATEMENT  
issued pursuant to Rule 10.2 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified on the following page

NAME AND ADDRESS OF THE PARTY TO  
WHOM THE VIABILITY STATEMENT IS MADE

I. DEPOSITOR	II. IDENTIFICATION OF THE MICROORGANISM
Name:  Address:	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:  Date of the deposit or of the transfer <sup>1</sup> :
III. VIABILITY STATEMENT	
The viability of the microorganism identified under II above was tested on <sup>2</sup> . On that date, the said microorganism was <input type="checkbox"/> <sup>3</sup> viable <input type="checkbox"/> <sup>3</sup> no longer viable	

<sup>1</sup> Indicate the date of the original deposit or, where a new deposit or a transfer has been made, the most recent relevant date (date of the new deposit or date of the transfer).

<sup>2</sup> In the cases referred to in Rule 10.2(a)(ii) and (iii), refer to the most recent viability test.

<sup>3</sup> Mark with a cross the applicable box.

IV. CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERFORMED <sup>4</sup>	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name:  Address:	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  Date:

<sup>4</sup> Fill in if the information has been requested and if the results of the test were negative.

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

To be completed  
in duplicate

REQUEST  
FOR THE FURNISHING OF SAMPLES  
OF DEPOSITED MICROORGANISMS  
pursuant to Rule 11.1

TO

NAME AND ADDRESS OF  
INTERNATIONAL DEPOSITARY AUTHORITY

THE UNDERSIGNED OFFICE HEREBY REQUESTS THE FURNISHING OF A SAMPLE OF THE MICROORGANISM IDENTIFIED HEREUNDER, IN ACCORDANCE WITH RULE 11.1 OF THE REGULATIONS UNDER THE BUDAPEST TREATY

I. IDENTIFICATION OF THE MICROORGANISM

Accession number of the deposit:

II. DECLARATION

It is hereby declared that:

- (1)  <sup>1</sup> patent application No. \_\_\_\_\_, filed on \_\_\_\_\_, referring to the deposit of the microorganism identified under I above has been filed with this Office for the grant of a patent <sup>2</sup> and that the subject matter of that application involves the said microorganism or the use thereof.
- <sup>1</sup> international application (PCT) No. \_\_\_\_\_, filed on \_\_\_\_\_, referring to the deposit of the microorganism identified under I above, designates for the grant of a patent <sup>2</sup> the State party to the Patent Cooperation Treaty (PCT) for which this Office is the “designated Office” for the purposes of the said Treaty, and that the subject matter of the international application involves the said microorganism or the use thereof.
- (2) such application
- <sup>1</sup> is pending before this Office
- <sup>1</sup> has led to the grant of patent <sup>2</sup> No. \_\_\_\_\_, granted on \_\_\_\_\_
- (3) the sample of the said microorganism is needed for the purposes of a patent procedure, in accordance with Rule 11.1(iii).
- (4) the said sample and any information accompanying or resulting from it will be used only for the purposes of the said patent procedure.

III. REQUEST FOR INFORMATION

The undersigned Office

- <sup>1</sup> requests
- <sup>1</sup> does not request

an indication of the conditions which the International Depository Authority employs for the cultivation and storage of the microorganism.

IV. INDUSTRIAL PROPERTY OFFICE

Industrial Property Office  
Street  
City  
(Country)

Signature:

Date:

<sup>1</sup> Mark with a cross the applicable box.

<sup>2</sup> References to a “patent” shall be construed as references to patents for inventions, inventors’ certificates, utility certificates, utility models, patents or certificates of addition, inventors’ certificates of addition, and utility certificates of addition.

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

To be completed  
in duplicate

REQUEST  
FOR THE FURNISHING OF SAMPLES  
OF DEPOSITED MICROORGANISMS  
pursuant to Rule 11.2(ii)

TO

NAME AND ADDRESS OF  
INTERNATIONAL DEPOSITARY AUTHORITY

THE UNDERSIGNED AUTHORIZED PARTY HEREBY REQUESTS THE FURNISHING OF A SAMPLE OF THE MICROORGANISM IDENTIFIED HEREUNDER, IN ACCORDANCE WITH RULE 11.2(ii) OF THE REGULATIONS UNDER THE BUDAPEST TREATY

I. IDENTIFICATION OF THE MICROORGANISM

Accession number of the deposit:

II. DECLARATION OF THE DEPOSITOR

The undersigned depositor of the microorganism identified under I above hereby authorizes the furnishing of a sample of the said microorganism to the party specified under IV below.

Name of the depositor:

Signature of the depositor<sup>1</sup>:

Address of the depositor:

Date:

III. REQUEST FOR INFORMATION

The undersigned authorized party

<sup>2</sup> requests

<sup>2</sup> does not request

an indication of the conditions which the International Depository Authority employs for the cultivation and storage of the microorganism.

IV. AUTHORIZED PARTY

Name of the authorized party:

Signature of the authorized party<sup>1</sup>:

Address of the authorized party:

Date:

<sup>1</sup> Where the signature is required on behalf of a legal entity, the typewritten name(s) of the natural person(s) signing on behalf of the legal entity should accompany the signature(s).

<sup>2</sup> Mark with a cross the applicable box.

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

To be completed  
in duplicate

REQUEST <sup>1</sup>  
FOR THE FURNISHING OF SAMPLES  
OF DEPOSITED MICROORGANISMS  
pursuant to Rule 11.3(a)

TO

NAME AND ADDRESS OF  
INTERNATIONAL DEPOSITARY AUTHORITY

THE UNDERSIGNED HEREBY REQUESTS THE FURNISHING OF A SAMPLE OF THE MICROORGANISM IDENTIFIED HEREUNDER, IN ACCORDANCE WITH RULE 11.3(a) OF THE REGULATIONS UNDER THE BUDAPEST TREATY

I. IDENTIFICATION OF THE MICROORGANISM

Accession number of the deposit:

II. PATENT APPLICATION OR PATENT REFERRING TO THE MICROORGANISM

<sup>2</sup> Patent application No. filed on

Filed by (name, address):

<sup>2</sup> International Application (PCT) No. filed on

Filed by (name, address):

<sup>2</sup> Patent <sup>3</sup> No. granted on

Granted to (name, address):

<sup>1</sup> The request must be sent to the competent industrial property office which, in conformity with its own applicable procedure, will either transmit it directly to the international depositary authority or send it back to the certified party for transmission to the international depositary authority.

<sup>2</sup> Mark with a cross the applicable box.

<sup>3</sup> References to a "patent" shall be construed as references to patents for inventions, inventors' certificates, utility certificates, utility models, patents or certificates of addition, inventions' certificates of addition and utility certificates of addition.

III. REQUEST FOR INFORMATION	
The undersigned	
<input type="checkbox"/> <sup>2</sup> requests	
<input type="checkbox"/> <sup>2</sup> does not request	
an indication of the conditions which the International Depository Authority employs for the cultivation and storage of the microorganism.	
IV. CERTIFIED PARTY	
Name:  Address:	Signature <sup>4</sup> :  Date:

<sup>2</sup> Mark with a cross the applicable box.

<sup>4</sup> Where the signature is required on behalf of a legal entity, the typewritten name(s) of the natural person(s) signing on behalf of the legal entity should accompany the signature(s).

CERTIFICATION	
<p>It is hereby certified that:</p> <p>(1) <input type="checkbox"/><sup>2</sup> the patent application specified under II above, referring to the deposit of the microorganism identified under I above, has been filed with this Office for the grant of a patent and its subject matter involves the said microorganism or the use thereof.</p> <p><input type="checkbox"/><sup>2</sup> the international application specified under II above, referring to the deposit of the microorganism identified under I above, designates for the grant of a patent the State party to the Patent Cooperation Treaty (PCT) for which this Office is the “designated Office” within the meaning of the said Treaty, and the subject of that international application involves the said microorganism or the use thereof.</p> <p><input type="checkbox"/><sup>2</sup> the patent specified under II above, referring to the deposit of the microorganism identified under I above, has been granted by this Office and its subject matter involves the said microorganism or its use thereof .</p> <p>(2) <input type="checkbox"/><sup>2</sup> publication for the purposes of patent procedure has been effected:</p> <p style="padding-left: 40px;"><input type="checkbox"/><sup>5</sup> by this Office.</p> <p style="padding-left: 40px;"><input type="checkbox"/><sup>5</sup> by the International Bureau of the World Intellectual Property Organization as an international publication under the Patent Cooperation Treaty (PCT).</p> <p>or</p> <p><input type="checkbox"/><sup>2</sup> the certified party has a right to a sample before publication in accordance with <sup>6</sup>:</p> <p>(3) <input type="checkbox"/><sup>2</sup> the certified party has a right to a sample of the microorganism identified under I above under the law governing patent procedure before this Office and this Office is satisfied that the conditions, if any, prescribed by the said law have actually been fulfilled.</p> <p>or</p> <p><input type="checkbox"/><sup>2</sup> the certified party has affixed his signature on a form before this Office and, as a consequence of the signature of the said form, the conditions for furnishing a sample of the microorganism identified under I above to the certified party are deemed to be fulfilled in accordance with the law governing patent procedure before this Office.</p>	
Industrial Property Office Street City (Country)	Signature:  Date:

<sup>2</sup> Mark with a cross the applicable box.

<sup>5</sup> If only one box applies, mark with a cross that box; if both boxes apply, mark with a cross one of the two boxes (choose one).

<sup>6</sup> Cite the applicable provision of the law, including any court decision.

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

To be completed  
in duplicate

REQUEST  
FOR THE FURNISHING OF SAMPLES  
OF DEPOSITED MICROORGANISMS  
pursuant to Rule 11.3(b)

TO

NAME AND ADDRESS OF  
INTERNATIONAL DEPOSITARY AUTHORITY

THE UNDERSIGNED HEREBY REQUESTS THE FURNISHING OF A SAMPLE OF THE MICROORGANISM IDENTIFIED HEREUNDER, IN ACCORDANCE WITH RULE 11.3(b) OF THE REGULATIONS UNDER THE BUDAPEST TREATY

I. IDENTIFICATION OF THE MICROORGANISM

Accession number of the deposit:

Name of the depositor <sup>1</sup>:

Identification reference given by the depositor <sup>1</sup>:

Taxonomic designation, if any, proposed by the depositor <sup>1</sup>:

II. REQUEST FOR INFORMATION

The undersigned

<sup>2</sup> requests

<sup>2</sup> does not request

an indication of the conditions which the International Depositary Authority employs for the cultivation and storage of the microorganism.

III. REQUESTING PARTY

Name:

Address:

Signature <sup>3</sup>:

Date:

<sup>1</sup> To be indicated if known by the requesting party.

<sup>2</sup> Mark with a cross the applicable box.

<sup>3</sup> Where the signature is required on behalf of a legal entity, the typewritten name(s) of the natural person(s) signing on behalf of the legal entity should accompany the signature(s).

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

TO	NOTIFICATION OF THE FURNISHING OF SAMPLES OF DEPOSITED MICROORGANISMS issued pursuant to Rule 11.4(g) by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page
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NAME AND ADDRESS OF DEPOSITOR	
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<b>I. IDENTIFICATION OF THE MICROORGANISM</b>	
Accession number of the deposit:	
<b>II. NOTIFICATION</b>	
The depositor is hereby notified that a sample of the microorganism identified under I above was furnished on _____ to:	
Name <sup>1</sup> :	
Address <sup>1</sup> :	
This notification is accompanied by a copy of:	
<input type="checkbox"/> <sup>2</sup>	the request and the declaration under Rule 11.1
<input type="checkbox"/> <sup>2</sup>	the request and the declaration under Rule 11.2(ii)
<input type="checkbox"/> <sup>2</sup>	the form containing the request and the certification under the Rule 11.3(a)
<input type="checkbox"/> <sup>2</sup>	the request under Rule 11.3(b)
<b>III. INTERNATIONAL DEPOSITARY AUTHORITY</b>	
Name:	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):
Address:	Date:

<sup>1</sup> Write the name and address of the industrial property office, the authorized party, the certified party or the requesting party, as the case may be, to whom the sample was furnished.

<sup>2</sup> Mark with a cross the applicable box.