

B1**Information on Contracting States****B1****AL****ALBANIA****AL****General information**

Name of Office:	Drejtoria e Përgjithshme e Patentave dhe Markave Albanian Patents and Trademarks Office
Location and mailing address:	Bulevardi Zhan D'Ark 2, Tirana, Albania
Telephone:	(355-42) 234 412
Facsimile machine:	(355-42) 234 412
E-mail:	mailinf@alpto.gov.al
Internet:	www.alpto.gov.al
Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	Yes, by facsimile machine
Which kinds of documents may be so transmitted?	All kinds of documents
Must the original of the document be furnished in all cases?	Yes, within 14 days from the date of the transmission
Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)?	Yes, provided that the delivery service is DHL or TNT
Competent receiving Office for nationals and residents of Albania:	Albanian Patents and Trademarks Office, European Patent Office (EPO) or International Bureau of WIPO, at the choice of the applicant (see Annex C)
Competent designated (or elected) Office if Albania is designated (or elected):	National protection: Albanian Patents and Trademarks Office (see National Phase) Extension of European patent: ¹ European Patent Office (EPO) (see National Phase) European patent: ² European Patent Office (EPO) (see National Phase)
May Albania be elected?	Yes (bound by Chapter II of the PCT)
Types of protection available via the PCT:	National: Patents, utility models European: Extended European patents ¹ , patents ²
Provisions of the law of Albania concerning international-type search:	None

*[Continued on next page]*¹ For international applications filed before 1 May 2010.² For international applications filed on or after 1 May 2010.

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Provisional protection after international publication:

Where the designation is made for the purposes of a national patent:
Any international application designating Albania which has been published under PCT Article 21 shall give rise to the same rights as those which the Albanian law provides for the compulsory national publication of unexamined national applications as such. Provisional protection shall be effective as from the date on which an Albanian translation of the claims of the international application is published by the Office. This translation shall be published within three months from the date of its submission to the Office. (Art. 27, Albanian Industrial Property Law).

Where the designation is made for the purposes of a European patent³ and

(1) the international application is published in one of the EPO official languages: the applicant has the right to seek compensation reasonable in the circumstances for any infringement, on condition that any national requirements relating to the translation of the claims in the application have been met (see Articles 67 and 153(4) EPC);⁴ or

(2) the international application is published in a language which is not an EPO official language: the protection referred to in (1) does not become effective until the EPO publishes the international application supplied to it in one of its official languages (see Article 153(4) EPC and Article 82(1), Albanian Industrial Property Law).

Information of interest if Albania is designated (or elected)

For national protection

Time when the name and address of the inventor must be given if Albania is designated (or elected):

Must be in the request. If the data concerning the inventor are missing at the expiration of the time limit under PCT Article 22 or 39(1)(a), the Office will invite the applicant to comply with the requirement within a time limit of three months from the date of the invitation.

Are there special provisions concerning the deposit of microorganisms and other biological material?

Yes (see Annex L)

For extension of a European patent⁵ — See European Patent Organisation (EP) in Annex B, Summary (EP) and National Chapters EP and AL in National Phase

For a European patent³ – See European Patent Organisation (EP) in Annex B

³ See footnote 2.

⁴ For further details on the national law relating to the EPC see www.epo.org/patents/law/legal-texts/national-law-epc.html in particular, “Rights conferred by a European patent application after publication pursuant to Article 93 EPC (Article 67 EPC)” and “Translations for obtaining provisional protection”.

⁵ See footnote 1.