

ALBANIAN PATENTS AND TRADEMARKS OFFICE

AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Albanian Patents and Trademarks Office

APL: Albanian Industrial Property Law

SUMMARY**Designated
(or elected) Office****SUMMARY****AL****ALBANIAN PATENTS AND
TRADEMARKS OFFICE****AL****Summary of requirements for entry into the national phase****If grant of a national patent by the Albanian Patents and Trademarks Office is desired:**

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 31 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into: ¹	Albanian
Required contents of the translation for entry into the national phase: ¹	Under PCT Article 22: Claims (if amended, as amended only) Under PCT Article 39(1): Claims (if amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee: ¹	Currency: Albanian lek (ALL) For patent: Filing fee: ALL 7,000 For utility model: Filing fee: ALL 6,000
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51bis): ²	Appointment of an agent if the applicant does not reside in Albania or is not a legal entity established under Albanian law Name of the inventor if this has not been indicated in the "Request" part of the international application ³ If someone, other than the inventor, applies for a patent, the application shall contain a declaration indicating the applicant's right to the invention ³ Any document relating to any transfer or assignment of the right to the application ³
Who can act as agent?	Any patent agent registered to practice before the Office

*[Continued on next page]*¹ Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).² If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of two months from the date of the invitation.³ This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

SUMMARY**Designated
(or elected) Office****SUMMARY****AL****ALBANIAN PATENTS AND
TRADEMARKS OFFICE****AL**

[Continued]

Does the Office accept requests for
restoration of the right of priority
(PCT Rule 49ter.2)?

Yes, please refer to the Office for the applicable criteria and/or any
fee payable for such requests

If extension of a European patent is desired: See European Patent Organisation (EP) in Annex B2, Summary (EP) and national chapters EP and AL in National Phase

THE PROCEDURE IN THE NATIONAL PHASE

AL.01 TRANSLATION (CORRECTION). Errors in the translation of the international application can be corrected with reference to the text of the international application as filed (see National Phase, paragraphs 6.002 and 6.003).

APL Art. 18(2)
PCT Rule 51*bis*1(e)

AL.02 TRANSLATION OF PRIORITY DOCUMENT. The Office will invite the applicant to furnish a translation into Albanian of the priority document but only if there is any doubt concerning the validity of the priority claim and that document is in a language other than Albanian, English, French, German, Italian, Russian or Spanish.

AL.03 FEES (MANNER OF PAYMENT). The manner of payment of the fees indicated in the Summary and in this chapter is outlined in Annex AL.I.

APL Art. 195

AL.04 POWER OF ATTORNEY. An agent must be appointed by filing a power of attorney. A model is given in Annex AL.II.

APL Art. 28

AL.05 EXAMINATION. The Office does not examine national patent applications as to substance. In order for the granted patent to have legal effect, the applicant must, within ten years of the date of entry into the national phase, file an examination report prepared by an authorized examining authority.

PCT Art. 28
41

AL.06 AMENDMENT AND CORRECTION OF THE APPLICATION; TIME LIMITS. Until grant the applicant has the right, on his own initiative, to make amendments and/or corrections to the application provided that the scope of the application as filed is not broadened thereby.

APL Art. 41

AL.07 ANNUAL FEES. The maintenance of the application is subject to the payment of annual fees which are due each year on the anniversary of the international filing date, beginning with the first year except where the time limit under PCT Article 22 or 39(1) expires later, in which case the latter time limit applies. Annual fees not paid within the applicable time limit may still be paid within six months from the expiration of that time limit against payment of an additional fee. (See Annex AL.I).

AL.08 EXTENSION OF A EUROPEAN PATENT. As a result of an agreement between the European Patent Office and the Albanian Patents and Trademarks Office, European patents may be extended to Albania. International applications filed on or after 1 February 1996 and before 1 May 2010 have been deemed to contain a request for extension if Albania has been designated in the international application and where the European Patent Office acts as designated or elected Office. If the applicant still wishes to request an extension of the European patent, a fee for extension must be paid to the European Patent Office within 21 or 31 months from the priority date. The amount of the fee is published in the Summary (EP) and in the EP national chapter (Annex EP.I). A European patent which has been extended to Albania has the same effect as a national Albanian patent.

APL Art. 91

AL.09 CONVERSION OF PATENT APPLICATION INTO UTILITY MODEL APPLICATION. Upon written request by the applicant, a patent application can be converted into an application for utility model at any time up to the grant of the patent.

PCT Art. 25
PCT Rule 51
APL Art. 28(3)
193

AL.10 REVIEW UNDER ARTICLE 25 OF THE PCT. The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. If, upon review under PCT Article 25, the Office denies an error or omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged within three months from the date of the decision with the Board of Appeals upon payment of a fee. A decision of the Board of Appeals may be appealed within 30 days to the Albanian courts.

- APL Art. 34 AL.11 Continued processing may be requested where the applicant has failed to observe a time limit fixed by the Office and that failure results in a loss of rights conferred by a patent application or a patent. The Office shall authorize continued processing if the applicant files a request and performs all the omitted acts within the prescribed time limit. Continued processing may not be requested for the reinstatement of the right of priority.
- APL Art. 35 AL.12 Reinstatement of rights may be requested where the applicant, in spite of all due care required by the circumstances, failed to observe a time limit set by the Office, which results in a loss of rights. If the request is granted, the legal consequences of the failure to observe the time limit shall be deemed not to have ensued.
- PCT Art. 24(2)
48(2)
PCT Rule 82*bis* AL.13 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where during the international phase or before the Office the applicant has missed a time limit for performing any act in relation to the international application, such time limit may be extended by the Office upon request by the applicant and where justified.

FEES

(Currency: Albanian lek)

Patents

Filing fee	8,000
Fee for grant	6,000
Annual fees:	
— for the 1 st year	5,000
— for the 2 nd year	6,000
— for the 3 rd year	8,000
— for the 4 th year	9,000
— for the 5 th year	10,000
— for the 6 th year	12,000
— for the 7 th year	14,000
— for the 8 th year	17,000
— for the 9 th year	20,000
— for the 10 th year	25,000
— for the 11 th year	30,000
— for the 12 th year	30,000
— for the 13 th year	30,000
— for the 14 th year	30,000
— for the 15 th year	30,000
— for the 16 th year	30,000
— for the 17 th year	30,000
— for the 18 th year	30,000
— for the 19 th year	30,000
— for the 20 th year	30,000

Utility models:

Filing fee	6,000
Fee for grant	4,000
Fee for late payment	2,000
Fee for reinstatement of rights	7,000

How can payment of fees be effected? All fees must be paid in Albanian leks, in cash, by money order or check. All payments must indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and the category of fee being paid. Any payment by money order or check must be made to the account of the Office at the Raiffeisen Bank SHA.

Beneficiary's name: Drejtoria e Pergjithshme e Patentave dhe Markave
 Bank name: Raiffeisen Bank SHA
 Bank Account No.: 0104030780
 Bank Address: Rruga e Kavajes, Tirana, Albania
 BIC/SWIFT code: SGSBALTX

**SHQIPERIA PER NJE KEKESE TE VETME
PATENTE, DISENJO INDUSTRIALE MARKE
TREGETARE**

**ALBANIA FOR A SINGLE PATENT,
INDUSTRIAL DESIGN, TRADEMARK
APPLICATION**

PROKURE

POWER OF ATTORNEY

Une i nenshkruari Z. _____, [insert
title of representation]

I, the undersigned Mr. _____, [insert
title of representation]

Caktoj si me poshte

Do hereby appoint

Per te vepruar si perfaqesuesi im/yne, me firme
te lire, e te ndare dhe me fuqi per t'u
zevendesuar duke e autorizuar ate te depozitove
ne Shqiperi;

To act as my/our representatives with free and
separate signature, and with power of
substitution, authorizing him/her to file in
Albania;

[cakto titullin e patentës]

[insert patent title]

me kerkes dhe perdorues

with applicant and user

[përcakto emrin e pronarit/përdoruesit]

[insert name of owner/user]

me adrese

with address

Dhe te bejne cfaredo tjeter qe te jete e
nevojshme per pranimin dhe per njohjen e te
drejtave dhe interesave qe rrjedhin nga kjo, ne
lidhje me Drejtorinë e Patentave dhe Markave
të Shqipërisë si dhe zyra te tjera kompetente te
tilla si dhe te percaktojne shpikesit, te
depozitove dokumentat, te vertetojne
perkthimin e paraqitur si te njejte me tekstin
origjinal, te paguaje taksat, ti pergjigjen
veprimeve zyrtare te kerkojne certifikata ose
kopje te vertetuara te kerkoje rimbursime dhe
te mbledhe tarifa te rimbursueshme, te
modifikoje ose terheqe kerkesa dhe dokumenta,
te marre njoftime, patenta dhe certifikata te te
leshuara dhe dokumenta qe lidhen me to, te
apeloje ne Bordin e Apelimit duke paraqitur dhe
dokumentat qe e mbeshtesin ate.

And to do whatever else is necessary for its
acceptance and for the recognition of the rights
and interests deriving there from with respect to
the Albanian Directorate General Patent and
Trademark and to other competent offices, such
as to designate the inventor/s, to file documents
to certify the translation field as conforming with
the original texts, to reply to official actions, to
apply for certificates and certified copies, to
apply for refunds and the collect refundable fees,
to amend or withdraw applications and
documents, to receive notifications, patents or
certificates issued, to appeal to the Board of
Appeals presenting the related documents in
support thereof.

Per kete qellim, une/ne te neshkruarit, zgjedhim
të njejtën rezidencë me perfaqesuesin e
lartepemundur tek e cila une/ne, kerkojme qe
Drejtoria e Patentave dhe Markave të
Shqipërisë dhe zyra te tjera kompetente te
adresojne direkt te gjitha komunikimet si dhe te
gjitha kerkesat, e dergesat e dokumentave qe
mund te jene te nevojshme

To this propose, I/We the undersigned, elect
domicile with the aforesaid representative, to
whom I/We request that the Albanian Patent and
Trademark Directorate and other competent
Offices directly address all communications as
well as all requests and deliveries of documents
which may be necessary

Nenshkrimi

Signature and stamp.....

Data.....

Date.....

Vula ose vertetimi nga noteri

Seal of the company or legalization of the
signature by a notary required