GENERAL DIRECTORATE OF PATENTS AND TRADEMARKS (ALBANIA)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:
Office:  General Directorate of Patents and Trademarks (Albania)
APL:  Albanian Industrial Property Law
### Designated (or elected) Office

**GENERAL DIRECTORATE OF PATENTS AND TRADEMARKS (ALBANIA)**

#### Summary of requirements for entry into the national phase

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| **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:** | Albanian |
| **Required contents of the translation for entry into the national phase:** | 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:** | Currency: Albanian lek (ALL)  
Filing fee:  
For patent:  
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):** | 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  
If someone, other than the inventor, applies for a patent, the application shall contain a declaration indicating the applicant’s right to the invention  
Any document relating to any transfer or assignment of the right to the application |
| **Who can act as agent?** | Any patent agent registered to practice before the Office |
| **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 |

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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.
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).

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.

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

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.

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.

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.

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.

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.
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.

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.

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

(25 November 2010)
SHQIPERIA PER NJE KEKESE TE VETME PATENTE, DISENJO INDUSTRIALE MArKE TREGETARE

PROKURE

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

Do hereby appoint

__________________________

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

[insert patent title]

with applicant and user

____________________

with address

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.

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Signature and stamp............................

Date.............................................

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

(25 November 2010)