

**NATIONAL INTELLECTUAL PROPERTY
CENTER OF GEORGIA (SAKPATENTI)**
(SAKARTVELOS INTELEKTUALURI SAKUTREBIS EROVNULI TSENTRI)
AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: National Intellectual Property Center of Georgia (SAKPATENTI)

PL: Georgian Patent Law¹

¹ The text may be obtained on the Internet at www.sakpatenti.org.ge

SUMMARY**Designated
(or elected) Office****SUMMARY****GE****NATIONAL INTELLECTUAL PROPERTY
CENTER OF GEORGIA (SAKPATENTI)****GE****Summary of requirements for entry into the national phase**

Time limits applicable for entry into the national phase:	Under PCT Article 22(3): 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	Georgian
Required contents of the translation for entry into the national phase: ²	Under PCT Article 22: Description, claims (if amended, as originally filed or as amended, if the applicant wishes the amendments to form the basis for the proceedings, together with any statement under PCT Article 19 ³), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, as originally filed or as amended by the annexes to the international preliminary examination report, if the applicant wishes the amendments to form the basis for proceedings) ³
Is a copy of the international application required?	No
National fee: ⁴	Currency: US dollar (USD) For patent: Filing fee: ¹ USD 90 Fee for claiming priority: USD 120 Examination fee for one independent claim: USD 270 Additional fee for each independent claim in excess of one: USD 120 For utility model: Filing fee: ¹ USD 90 Fee for claiming priority: USD 120

*[Continued on next page]*¹ Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).² Must be furnished within two months from the expiration of the time limit applicable under PCT Article 22 or 39(1).³ In certain circumstances, the Office is entitled to require both the translation of the international application as originally filed and as amended; in such a case, the Office will invite the applicant to supply the missing translation.⁴ Fees are reduced by 70% where the applicant is the inventor, a higher educational institution or an independent scientific research unit and by 90% where the applicant is a student, pupil or retiree.

SUMMARY**Designated
(or elected) Office****SUMMARY****GE****NATIONAL INTELLECTUAL PROPERTY
CENTER OF GEORGIA (SAKPATENTI)****GE***[Continued]*

Exemptions, reductions or refunds of the national fee:

The examination and claim fees for a patent are reduced by 50% where an international search report or an international preliminary examination report has been established.

Special requirements of the Office (PCT Rule 51*bis*):⁵

Name and address of the inventor if they have not been furnished in the "Request" part of the international application⁶
 Deed of transfer where the applicant is not the inventor⁶
 Appointment of an agent if the applicant is not resident in Georgia
 Power of attorney if an agent or representative is appointed
 Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form

Who can act as agent?

Any person who is a resident of Georgia or registered to practice before the Office as patent attorney.

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

Yes, the Office applies both the "due care" and the "unintentional" criteria to such requests

⁵ 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 receipt of the invitation.

⁶ 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

GE.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).

PL Art. 25.1
47 **GE.02 FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex GE.I. The filing fee may also be paid within one month from the date of entry into the national phase. The examination fee must be paid within three months from the date of receipt of the invitation.

PL Art. 25.3 **GE.03 DEED OF TRANSFER.** When the applicant is not the inventor, a deed of transfer must be furnished. There is no special form for this statement. Legalization is not required. For time limits, see the Summary.

PL Art. 25.2 **GE.04 POWER OF ATTORNEY.** An agent or representative must be appointed by filing a power of attorney. A patent attorney registered to act before the Office may act as agent or representative.

GE.05 MENTION OF INVENTOR. If the inventor prefers to remain anonymous, a special request must be made to the Office during the national phase.

PCT Rule 51bis.1(e) **GE.06 PRIORITY DOCUMENT (TRANSLATION).** The Office may require the applicant to furnish a translation of the priority document into Georgian only in certain cases, and upon special invitation.

PL Art. 47 **GE.07 FEE FOR GRANT.** A fee for grant (for issuing and maintaining a patent for the first two years) is required for the registration of a patent and publication of data concerning the grant of the patent and its maintenance in force during the first and second years. The fee for grant must be paid within three months from the date of the decision to grant the patent. If the fee is not paid within the said time limit, the granting and publication of the Georgian patents will not take place and proceedings with regard to the Georgian application shall be terminated.

GE.08 MAINTENANCE FEE. A maintenance fee is due as from the third year after the international filing date. If the decision to grant the patent is taken after the expiration of two years from the international filing date, the fee for granting the patent is payable together with a maintenance fee for the current year of grant of the patent and for any preceding years between the second year and the year of grant. All subsequent maintenance fees may be paid prior to the due date but at the latest before the expiration of six months from the due date. The amounts of the maintenance fees are indicated in Annex GE.I.

PCT Art. 25
PCT Rule 51 **GE.09 REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 24(2)
48(2)
PCT Rule 82bis **GE.10 EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

GE.11 Reinstatement may be requested where the applicant has failed to comply with a time limit during the international phase or before the Office. The request for reinstatement must be presented in writing within two months after removal of the cause of non-compliance with the time limit but not later than one year from the expiration of the time limit which has not been observed. The applicant must complete the omitted act and pay the reinstatement fee (indicated in Annex GE.I).

- PL Art. 13
PCT Rule 49b/s.1
(a), (b)
76.5
- GE.12 **UTILITY MODEL.** If the applicant wishes his application to be treated as an application for the grant of a utility model, when performing the acts referred to in Article 22 or 39, he shall so indicate to the Office.
- PL Art. 17(d)
26.5
- GE.13 If the international application is for a utility model, the applicant must note the following requirements, which differ somewhat from those for patents:
- (a) The application may not be in respect of more than one invention. Utility model protection does not cover the strains of micro-organisms, plant and animal tissue cultures, substances obtained by chemical methods, biotechnological and genetic engineering objects, use for a new purpose.
 - (b) The application must contain only one claim.
- PL Art. 38
- GE.14 The utility model is subject to examination as to novelty by considering the registered application and patents granted by the Office.
- GE.15 A publication and grant fee (for publication of the utility model specification and for issuing and maintaining the utility model for the first two years) must be paid within three months after the decision by the Office to grant the utility model.
- PL Art. 29(1.c)
- GE.16 **CONVERSION.** An international application for a patent may be converted into a utility model application after the applicant has complied with the requirements for entry into the national phase for a patent application, as indicated in the Summary. Conversion can be requested during the examination procedure.
- GE.17 An international application for a utility model may be converted into a patent application after the applicant has complied with the requirements for entry into the national phase for a utility model, as indicated in the Summary. Conversion can be requested during the examination procedure.
- PL Art. 35.3
- GE.18 An international application for a patent for which the examination fee has not been paid will be converted into an application for a utility model, if the applicant pays the examination fee for utility model not later than six months after the date on which the decision not to grant the patent has been taken.

FEES¹
(Currency: US dollar)

Filing fee for patent or utility model	90
— Filing fee where priority is claimed	120
Examination fee for patent including fee for one independent claim	270
— additional fee for each independent claim in excess of one	120
(reduced by 50% where an international search report or an international preliminary examination report has been established)	
Examination fee for utility model	90
Fee for extension of term to reply to official actions	30
Fee for voluntary amendments during processing	40
Fee for voluntary amendments after grant	60
Fee for reinstatement of rights of the applicant with respect to an international application where the applicant failed to comply with the requirement of Article 22 or 39(1)	100
Fee for restoration of the right of priority	60
Publication fee for patent specification up to 30 pages	60
— for each additional page in excess of 30	2
Grant fee for patent	200
Fee for conversion of patent application into utility model application	50
Fee for conversion of utility model application into patent application.	70
Publication and grant fee for utility model	170
Maintenance fees:	
for patent:	
— for the 3 rd to the 5 th year, per year	50
— for the 6 th to the 8 th year, per year	70
— for the 9 th to the 11 th year, per year	170
— for the 12 th to the 14 th year, per year	250
— for the 15 th to the 17 th year, per year	300
— for the 18 th to the 20 th year, per year	500
for utility model:	
— for the 3 rd and 4 th years, per year	50
— for the 5 th and 6 th years, per year	70
— for the 7 th and 8 th years, per year	170
— for the 9 th and 10 th years, per year	300
Fee for reinstatement of patent or utility model	100

¹ Fees are reduced by 70% where the applicant is the inventor, a higher educational institution or an independent scientific research unit and by 90% where the applicant is a student, pupil or retiree.

How can payment of fees be effected?

The payment of fees must be effected in US dollars. If the applicant is not resident in Georgia, the payment must be effected by a representative. 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.

The payment of all fees is due to the National Intellectual Property Center of Georgia (SAKPATENTI) and should be effected by bank transfer at the following banks:

Intermediary:**FEDERAL RESERVE BANK OF NEW YORK, USA****SWIFT CODE: FRNYUS33****ACC: 021087992 GEORG****Beneficiary's bank:****NATIONAL BANK OF GEORGIA, TBILISI****SWIFT CODE: BNLNGE22****Beneficiary: National Intellectual Property Center of Georgia (SAKPATENTI)****IBAN: GE65NB0331100001150207**