

ICELANDIC PATENT OFFICE

(*EINKALEYFASTOFAN*)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Icelandic Patent Office

IPL: Patents Act (Iceland)¹

IPR: Regulation Concerning Patent Applications, etc¹

IAI: Advertisement of Instructions Concerning Patent Applications (Iceland)¹

¹ The text may be obtained on the Internet at www.patent.is.

SUMMARY**Designated
(or elected) Office****SUMMARY****IS****ICELANDIC PATENT OFFICE****IS****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	Icelandic, Danish, English, Norwegian or Swedish
Required contents of the translation for entry into the national phase: ¹	Under PCT Article 22: Description, claims (if amended, as originally filed or as amended together with any statement under PCT Article 19, at applicant's option), 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, at applicant's option)
Is a copy of the international application required?	No
National fee:	Currency: Icelandic krona (ISK) Basic fee: ² ISK 47,000 Claim fee for each claim in excess of 10: ³ ISK 3,000 Additional fee for late furnishing of translation: ⁴ ISK 12,500 Annual fees for the first three years: ⁵ ISK 24,000
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51bis): ⁶	Name and address of the inventor if they have not been furnished in the "Request" part of the international application ⁷ If the applicant is someone other than the inventor, the application must state how the applicant acquired title to the invention. ⁷ Appointment of an agent if applicant is not resident in Iceland

[Continued on next page]

¹ Must be furnished within the time limit applicable under PCT Article 22 or 39(1). However, where a language other than Icelandic was used the Office will, before the application is made available to the public, invite the applicant to furnish a translation into Icelandic of the abstract, claims and text matter of the drawing which will appear with the abstract.

² Must be paid within the time limit applicable under PCT Article 22 or 39(1).

³ 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 fixed in the invitation.

⁴ Where the basic national fee has been paid within the applicable time limit under PCT Article 22 or 39(1), the prescribed translation may be filed within a further period of two months, provided that it is accompanied by the additional fee.

⁵ These fees are payable within two months after performing the acts for entering the national phase.

⁶ 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 fixed in the invitation.

⁷ 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****IS****ICELANDIC PATENT OFFICE****IS***[Continued]*

Who can act as agent?

Any natural or legal person resident in the European Economic Area

Does the Office accept requests for
restoration of the right of priority
(PCT Rule 49*ter*.2)?Yes, the Office applies the “due care” criterion to such requests

THE PROCEDURE IN THE NATIONAL PHASE

- IS.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase (see Annex IS.II). This form should preferably (but need not) be used.
- IS.02 **LANGUAGE OF PROCEEDINGS.** The language of correspondence may be Danish, English, Icelandic, Norwegian or Swedish although the Office may require a translation into Icelandic where needed.
- IPL Sec. 31(3) IS.03 **TRANSLATION (LATE FURNISHING OF).** If the translation of the international application has not been furnished by the applicant within the time limit applicable under PCT Article 22 or 39(1) but the national fee indicated in the Summary has been paid within that time limit, the translation can still be furnished within a further period of two months, provided that the additional fee for late furnishing of the translation, indicated in the Summary, has been paid within those two months.
- IS.04 **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).
- IS.05 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex IS.I.
- IPL Sec. 8(4)
IPR Art. 2 IS.06 **TITLE TO THE INVENTION.** If the applicant is someone other than the inventor, the application must state how the applicant acquired title to the invention. See paragraph 8 of the special form for entering the national phase (Annex IS.II). This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17. The Office can demand documentation proving the right of the applicant to the invention.
- IPL Sec. 12
33(2) IS.07 **POWER OF ATTORNEY.** An agent may be appointed either by filing a separate power of attorney or in a special form referred to in paragraph IS.01. A model of a separate power of attorney is given in Annex IS.III.
- IPR Art. 26-27
IAI Sec. 71-75
IAI Appendix I IS.08 **SEARCH AND EXAMINATION.** In accordance with a special agreement, the Danish Patent and Trademark Office carries out search and examination on Icelandic patent applications. No special request is necessary. The Icelandic Patent Office may also take into consideration searches and examinations carried out by other searching and examining authorities.
- PCT Art. 28
41 IS.09 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make the following modifications before the Office, provided that the scope of the subject matter of the application is not broadened thereby:
- IPL Sec. 34
IPR Art. 73 (i) within 31 months from the priority date: corrections of defects and voluntary amendments;
- IPL Sec. 19-21
IPR Art. 19-24
IAI Sec. 51-55 (ii) up to the notification that a patent can be granted: amendments or additions to the description and drawing(s) if they are necessary to comply with general requirements under PCT Articles 5 and 7; amendments or additions to the claims, which, unless the Office allows otherwise, must be made by filing a new document comprising all of the claims in sequence; where additions are made to the claims, the applicant must at the same time file a statement indicating the reference basis for these additions.
- IPL Sec. 19 IS.10 **GRANT FEE.** A grant fee must be paid within two months after the date of the notification that a patent can be granted. The amount of the fee is indicated in Annex IS.I.

- IPL Sec. 31(3)
19
IPR Art. 3
- IS.11 TRANSLATION FOR GRANT PURPOSE.** Together with the notification that a patent can be granted upon payment of the grant fee (see paragraph IS.10), the applicant is invited to furnish, within four months after the date of that notification, a translation of the final version of the patent claims, abstract and text of drawings into Icelandic and a translation of the final version of the description into Icelandic or English, if it is not already available.
- IPL Sec. 8(5)
40-41
- IS.12 RENEWAL FEES.** Renewal fees must be paid for each year following the international filing date. For the due date of renewal fees for the first three years, see the Summary. Payment of the subsequent renewal fees must be made before the expiration of the month containing the anniversary of the international filing date. Payment can still be made, together with a 20% surcharge for late payment, before the expiration of the sixth month after the month containing the anniversary of the international filing date. The amounts of the renewal fees are indicated in Annex IS.I. Renewal fees may not be paid earlier than three months before the due date.
- IPL Sec. 42
- IS.13** If the applicant or the patent owner is the inventor, and if the payment of the renewal fees is deemed to involve great difficulties for him, the Office may grant him a temporary exemption from the payment thereof of up to three years, provided that a request to that effect is submitted not later than the date on which the renewal fees fall due the first time.
- PCT Art. 25
PCT Rule 51
IPL Sec. 24(1)
25(1)
- IS.14 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 with the Board of Appeals within two months from the date of the decision. Within the same two-month time limit, a fee for appeal must be paid (for the amount, see Annex IS.I).
- PCT Art. 24(2)
48(2)
PCT Rule 82*bis*
IPL Sec. 72
73
- IS.15 EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Reestablishment of rights may be requested where the applicant, in spite of all due care reasonably required, was unable to observe a time limit during the international phase or before the Office, default of which is prejudicial to his rights. A request for reestablishment must be presented in writing within two months after the removal of the cause of the failure to perform the action but not later than one year from the expiration of the time limit which has not been observed. Within the said two months, the fee for reestablishment of rights must be paid and the request must state the grounds on which it is based and set out the facts on which it relies. The amount of the fee for reestablishment of rights is indicated in Annex IS.I.
- IPL Sec. 15
- IS.16** Resumption of proceedings concerning the application may be requested from the Office where the applicant missed a time limit which has been fixed for a certain action by the Office. Resumption of proceedings may not be requested where the missed time limit is fixed in the PCT, the PCT Regulations, the Icelandic Patent Act or the Icelandic Patents Decree. A request for resumption of proceedings has the effect that the proceedings for grant will be resumed, provided that, within four months from the expiration of the missed time limit, the said request is presented in writing, the resumption fee is paid and the omitted act has been completed. The amount of the fee for resumption of proceedings is indicated in Annex IS.I.

FEES**(Currency: Icelandic krona)**

National fee	47,000
Claim fee for each claim in excess of 10	3,000
Additional fee for late furnishing of translation	12,500
Grant fee:	
— basic fee (for printing the first 40 sheets of the description, patent claims, abstract and drawings)	20,000
— additional fee for each subsequent sheet in excess of 40	1,000
— additional fee for each claim which has been submitted in addition to those paid for on filing the application	2,000
Fee for reestablishment of rights	24,000
Fee for restoration of priority.	24,000
Appeal fee	80,000
Resumption fee	8,000
— if the application has been previously resumed	15,000
Annual fees:	
— for the 1 st to the 3 rd year, per year	8,000
— for the 4 th year	9,000
— for the 5 th year	10,000
— for the 6 th year	11,000
— for the 7 th year	12,000
— for the 8 th year	13,500
— for the 9 th year	15,000
— for the 10 th year	16,500
— for the 11 th year	18,000
— for the 12 th year	20,000
— for the 13 th year	22,000
— for the 14 th year	25,000
— for the 15 th year	28,000
— for the 16 th year	31,000
— for the 17 th year	34,500
— for the 18 th year	38,000
— for the 19 th year	42,000
— for the 20 th year	46,000
Supplement for late payment of annual fees	20%
	of the applicable annual fee

How can payment of fees be effected?

Fees can be paid in cash or check to the Office, or to the Office's bank account.

Beneficiary's name: Einkaleyfastofan

Bank name: NBI HF

Bank account No.: 650191-2189

IBAN No.: IS93 0111 3871 2189 6501 9121 89

SWIFT code: NBIIISRE

All payments must indicate the application number (national, if already known; international, if the national number is not yet known).

Umsókn um einkaleyfi (framhald)

Ef ekki er rúm á forsiðu fyrir viðeigandi upplýsingar má skrá viðbætur hér fyrir neðan eftir því sem við á.

2. Umsækjandi

4. Uppfinningamaður

5. Forgangsréttur

Dags.

Land:

Nr.

Frekari gögn á fylgiblaði

Athugasemdir

Fylgigögn

- Ágrip á íslensku
 Lýsing á íslensku
 Einkaleyfiskröfur á íslensku _____ einkaleyfiskröfur umfram 10
 Teikningar, á íslensku _____ fjöldi bls.
 Forgangsréttarskjöl Listi yfir aminósýru- eða kirnirsaðir

Útfyllist af Einkaleyfastofunni

- Grunnjald kr. _____
 Viðbótargjald
 v/krafna umfram 10 kr. _____
 Samtals kr. _____

Staður og dagsetning

Greitt:

Undirskrift umsækjanda eða umboðsmanns

Iceland Power of Attorney

Ísland Umboð

The undersigned (*name and address*):

who applies for patent in Iceland based upon international patent application (*title and No. of application*):

does hereby authorize (*name and address*):

to act on my behalf in all matters concerning the application as well as the patent, including withdrawal of the application.

The power of attorney is valid until it is replaced by another power of attorney or is revoked in writing to the Icelandic Patent Office.

Place and date of signing:

Signature of the applicant:

Signature of the agent:

Accept this power of attorney (*agent's signature*)

Undirritaður (*nafn og heimilisfang*):

sem á grundvelli alþjóðlegrar umsóknar, sækir um einkaleyfi á Íslandi fyrir (*heiti og númer umsóknar*):

veitir hér með (*nafn og heimili*):

umboð til að koma fram fyrir mína hönd í öllum málum er kunna að snerta umsóknina og einkaleyfið, þar með talið að draga umsóknina til baka.

Umboðið er í gildi þar til annað kemur í staðinn eða það er afturkallað með bréfi til Einkaleyfastofunnar.

Staður og dags.:

Undirskrift umsækjanda:

Undirskrift umboðsmanns:

Tek að mér umboð þetta (*undirritun umboðsmanns*)