KOREAN INTELLECTUAL PROPERTY OFFICE

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Korean Intellectual Property Office
ER: Enforcement Regulations under the Patent Law of the Republic of Korea
UML: Utility Model Law of the Republic of Korea

(6 November 2014)
### Designated (or elected) Office

**KOREAN INTELLECTUAL PROPERTY OFFICE**

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

<table>
<thead>
<tr>
<th>Time limits applicable for entry into the national phase:</th>
<th>Under PCT Article 22(3): 31 months from the priority date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Under PCT Article 39(1)(b): 31 months from the priority date</td>
</tr>
<tr>
<td>Translation of international application required into:</td>
<td>Korean</td>
</tr>
<tr>
<td>Required contents of the translation for entry into the national phase:</td>
<td>Under PCT Article 22: Request,(^2) 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</td>
</tr>
<tr>
<td></td>
<td>Under PCT Article 39(1): Request,(^2) description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report)</td>
</tr>
<tr>
<td>Is a copy of the international application required?</td>
<td>No</td>
</tr>
<tr>
<td>National fee:(^1)</td>
<td>Currency: Korean won (KRW)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>For patent:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>International application:</td>
<td></td>
</tr>
<tr>
<td>filed before 1 March 2014</td>
<td>filed on or after 1 March 2014</td>
</tr>
<tr>
<td>Filing fee:</td>
<td></td>
</tr>
<tr>
<td>– when a translation of the application has been furnished in electronic form:</td>
<td>KRW 38,000 KRW 46,000</td>
</tr>
<tr>
<td>– when a translation of the application has been furnished on paper:</td>
<td>KRW 58,000 KRW 66,000</td>
</tr>
<tr>
<td>plus KRW 1,000 per sheet in excess of 20(^3)</td>
<td>plus KRW 1,000 per sheet in excess of 20(^3)</td>
</tr>
<tr>
<td>Fee for request for examination:</td>
<td>KRW130,000 KRW143,000</td>
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<tr>
<td>plus KRW 40,000 for each claim</td>
<td>plus KRW 44,000 for each claim</td>
</tr>
<tr>
<td>Annual fees from the first to the third year, per year:</td>
<td>KRW 15,000 KRW 15,000</td>
</tr>
<tr>
<td>plus KRW 13,000 for each claim</td>
<td>plus KRW 13,000 for each claim</td>
</tr>
</tbody>
</table>

\(^1\) Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).  
\(^2\) The request does not need to be translated when Form No. 57 is used for entering the national phase (see Annex KR.II).  
\(^3\) This fee applies to the total number of sheets of the description, drawings (if any) and abstract.

[Continued on next page]
### SUMMARY

**Designated (or elected) Office**

**KOREAN INTELLECTUAL PROPERTY OFFICE**

[Continued]

<table>
<thead>
<tr>
<th>National fee (cont’d):</th>
<th>For utility model:</th>
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<tr>
<td></td>
<td>International application:</td>
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<td></td>
<td>filed before 1 March 2014</td>
</tr>
<tr>
<td><strong>Filing fee:</strong></td>
<td></td>
</tr>
<tr>
<td>– when a translation of the application has been furnished in electronic form:</td>
<td>KRW 17,000</td>
</tr>
<tr>
<td>– when a translation of the application has been furnished on paper:</td>
<td>KRW 27,000</td>
</tr>
<tr>
<td>plus KRW 1,000 per sheet in excess of 20</td>
<td>KRW 1,000 per sheet in excess of 20</td>
</tr>
<tr>
<td>Fee for request for examination:</td>
<td>KRW 65,000</td>
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<tr>
<td>plus KRW 17,000 for each claim</td>
<td>KRW 19,000 for each claim</td>
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<td>plus KRW 4,000 for each claim</td>
<td>KRW 4,000 for each claim</td>
</tr>
</tbody>
</table>

**Exemptions, reductions or refunds of the national fee:**

Filing fee, fee for request for examination, annual fees from the first to the third year and fee for request for scope confirmation trial are reduced by 70% where the applicant is a natural person and is also the inventor.

The fee for request for examination is reduced by 10% where the international search report has been established by the European Patent Office, by 30% where the international search report or international preliminary examination report has been established by the Korean Intellectual Property Office or by 70% where the international search report and international preliminary examination report have been established by the Korean Intellectual Property Office.

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

Name and address of the inventor if they have not been furnished in the "Request" part of the international application.  
Appointment of an agent if the applicant is not resident in the Republic of Korea.  
Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form

[Continued on next page]

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4 See footnote 3.  
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 fixed in the invitation.  
6 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.  
7 Must be appointed within two months from the expiration of the time limit applicable under PCT Article 22 or 39(1).
THE PROCEDURE IN THE NATIONAL PHASE

PL Sec. 203

KR.01 FORMS FOR ENTERING THE NATIONAL PHASE. The Office has available a transmittal form for entering the national phase (Form No. 57, see Annex KR.II) and strongly recommends the use of this Form. When this Form is used, the Request does not need to be translated under PCT Rule 49.1(a)(i). If amendments have been made during the international phase under PCT Article 19, or during the international preliminary examination under PCT Article 34, Form No. 13 (see Annex KR.VI) should preferably be used for the furnishing of a translation of such amendments into Korean. Forms Nos. 57 and 13 are also available on KIPO’s web site at: www.kipo.go.kr.

PL Sec. 201(3) 201(4)

KR.02 TRANSLATION (CORRECTION). The translation into Korean of the international application cannot be corrected after the expiration of the time limit applicable under PCT Article 22 or 39(1). Before that time, however, a revised translation of the international application can be furnished unless a request for examination (see paragraph KR.06) has already been filed. It is important to note that matters disclosed in the international application but not contained in the translation will be considered nonexistent by the Office.

PL Sec. 79(1) 82(1)

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

PL Sec. 5(1)

KR.04 POWER OF ATTORNEY. An agent must be appointed by filing a power of attorney. Where the power of attorney is in a language other than Korean, a Korean translation is required. A model is given in Annex KR.IV (English translation).

ER Sec. 113

KR.05 PRIORITY DOCUMENT. The Commissioner of the Korean Intellectual Property Office or the President of the Intellectual Property Tribunal may, if necessary for the examination or trial, invite the applicant to submit the Korean translation of the priority document within a designated period. In case of identity between the text of the priority document and the international application, a statement to that effect may be furnished instead of a translation.

PL Sec. 60 210

KR.06 REQUEST FOR EXAMINATION. A patent will be granted only after examination as to patentability which may be requested by the applicant or by a third party. The request for examination must be made in writing and in Korean, on Form No. 22 which is given in Annex KR.III.

PL Sec. 59(2)

KR.07 TIME LIMIT FOR REQUESTING EXAMINATION. Examination must be requested within five years from the international filing date (see, however, for utility models, paragraph KR.13). Such request can only be made once all requirements for entry into the national phase (see the Summary) have been complied with. The request for examination is considered by the Office as a request for early start of the national phase if it is made before the expiration of the time limit applicable under PCT Article 22 or 39(1) (see paragraph 3.004 of the National Phase).

PL Sec. 82

KR.08 FEE FOR REQUESTING EXAMINATION. The request for examination is only effective if the fee for requesting examination has been paid. The amount of the fee is indicated in Annex KR.I.

PL Sec. 79(1)

KR.09 ANNUAL FEES. After examination, prior to the grant of a patent, annual fees must be paid for the first to the third year. These fees must be paid all at one and the same time within three months after receipt of the decision to grant a patent. The annual fees for the fourth and subsequent years must be paid before the anniversary of the date of the first payment. Payment can still be made, together with a 100% surcharge for late payment, before the expiration of six months from the anniversary of the date of the first payment. The amounts of the annual fees are indicated in Annex KR.I. Payment must be effected by filing Form No. 25. This form may be obtained from the Office.

(10 April 2014)
PCT Art. 28
41
PL Sec. 47(1) 208

KR.10 AMENDMENT OF THE APPLICATION; TIME LIMITS. The applicant may amend the specification or drawings attached to the application before the examiner issues a certified copy of a decision to grant a patent. However, in cases that fall under any of the following subparagraphs, the applicant may amend the application within the time limit indicated:

(i) where the applicant receives a notice of the grounds for rejection for the first time or receives a notice of the grounds for rejection that does not apply under paragraph (ii), the time limit designated for submission of arguments against a notice of the grounds for rejection thereof;

(ii) where the applicant receives a notice of the grounds for rejection which has arisen as a result of an amendment following a notice of the grounds for rejection, the period for presentation of a written opinion following the relevant notice of the grounds for rejection; or

(iii) At the time when the applicant requests a reexamination in accordance with Article 67bis against a decision of rejection of a patent, the time limit shall be 30 days from the filing date of the request.

Notwithstanding the first paragraph, no amendment to an international patent application (except an amendment under PCT Articles 19(1) and 34(2)(b)) may be made until the fees have been paid, a translation of the application (except in the case of an international patent application made in the Korean language) has been submitted, and the relevant date (either 31 months from the priority date or after the filing date of a request for examination, whichever is earlier), has passed.

PCT Art. 25
PCT Rule 51
PL Sec. 214
UML Sec. 40

KR.11 REVIEW UNDER ARTICLE 25 OF THE PCT. The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. The request for review to the Office should be filed with Form No. 58, which is given in Annex KR.V. 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 administrative appeal against this denial may be lodged within 60 days from the receipt of the denial with the Office.

PCT Art. 24(2)
48(2)

KR.12 EXCUSE OF DELAYS IN MEETING TIME LIMITS. The Office does not excuse the failure to comply with any time limits during the national phase.

PCT Art. 7(2)(ii)
UML Sec. 36

KR.13 UTILITY MODEL. The requirements for the national phase are basically the same as for patents, except that the fees for utility models must be paid (see Annex KR.I, page 2). Examination must be requested within three years from the international filing date.

PCT Art. 7(2)(ii)
UML Sec. 36

KR.14 Where, in the case referred to in paragraph KR.13, the international application does not contain drawings, the applicant must furnish the drawing(s) within the time limit applicable under PCT Article 22 or 39(1). Where the applicant does not furnish the drawing(s) within that time limit, the Office will invite him to furnish the drawing(s) within a time limit fixed in the invitation.

UML Sec. 10
37

KR.15 CONVERSION APPLICATION. An international application for a patent may be converted into an application for a utility model after the applicant has complied with the requirements for entry into the national phase for a patent application as indicated in the Summary. The conversion is subject to the payment of a fee for conversion indicated in Annex KR.I and may be requested at any time within 30 days from the date of (first) receipt of a certified copy of the decision of refusal.

PL Sec. 53
209

KR.16 An international application for a utility model may be converted into an application for a patent after the applicant has complied with the requirements for entry into the national phase for a utility model application as indicated in the Summary. The conversion is subject to the payment of a fee for conversion indicated in Annex KR.I and may be requested at any time within 30 days from the date of receipt of a certified copy of the decision of refusal.
## FEES

(Currency: Korean won)

### Patents

<table>
<thead>
<tr>
<th>Fee Type</th>
<th>Description</th>
<th>Fee 1</th>
<th>Fee 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>National fee:</td>
<td>when a translation of the application has been furnished in electronic form</td>
<td>38,000&lt;sup&gt;1&lt;/sup&gt;</td>
<td>46,000&lt;sup&gt;2&lt;/sup&gt;</td>
</tr>
<tr>
<td></td>
<td>when a translation of the application has been furnished on paper</td>
<td>58,000&lt;sup&gt;1&lt;/sup&gt;</td>
<td>66,000&lt;sup&gt;2&lt;/sup&gt;</td>
</tr>
<tr>
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<td>in excess of one, when a translation of the application has been furnished in electronic form</td>
<td>None</td>
<td></td>
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<tr>
<td></td>
<td>in excess of 20, when a translation of the application has been furnished on paper&lt;sup&gt;3&lt;/sup&gt;</td>
<td>1,000</td>
<td></td>
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<td>Fee for claiming priority:</td>
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<td>18,000 for each claim</td>
<td></td>
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<tr>
<td></td>
<td>when a request for claiming priority is made on paper</td>
<td>20,000 for each claim</td>
<td></td>
</tr>
<tr>
<td>Fee for request for examination</td>
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<td>130,000&lt;sup&gt;1&lt;/sup&gt;</td>
<td>143,000&lt;sup&gt;2&lt;/sup&gt;</td>
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<tr>
<td></td>
<td>plus 40,000&lt;sup&gt;1&lt;/sup&gt;</td>
<td>plus 44,000&lt;sup&gt;2&lt;/sup&gt;</td>
<td>for each claim</td>
</tr>
<tr>
<td>Fee for conversion</td>
<td></td>
<td>Same as national fee for utility models</td>
<td></td>
</tr>
<tr>
<td>Annual fees:</td>
<td>for the 1&lt;sup&gt;st&lt;/sup&gt; to the 3&lt;sup&gt;rd&lt;/sup&gt; year (must all be paid at one and the same time), per year</td>
<td>15,000 plus</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>13,000 for each claim</td>
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<tr>
<td></td>
<td>for the 4&lt;sup&gt;th&lt;/sup&gt; to the 6&lt;sup&gt;th&lt;/sup&gt; year,&lt;sup&gt;4&lt;/sup&gt; per year</td>
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<td>22,000 for each claim</td>
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<tr>
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<td></td>
<td></td>
<td>55,000 for each claim</td>
<td></td>
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</tbody>
</table>

<sup>1</sup> For international application filed before 1 March 2014.
<sup>2</sup> For international application filed on or after 1 March 2014.
<sup>3</sup> This fee applies to the total number of sheets of the description, drawings (if any) and abstract.
<sup>4</sup> These fees may all be paid at the same time or in installments.

(6 November 2014)
Utility Models

National fee:

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<thead>
<tr>
<th>Description</th>
<th>Fee</th>
<th>Fee for each claim</th>
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<td>30,000</td>
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Additional fee for each sheet:

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<th>Fee</th>
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<td>in excess of 20, when a translation of the application has been furnished on paper</td>
<td>1,000</td>
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Fee for claiming priority:

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<tr>
<th>Description</th>
<th>Fee for each claim</th>
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<tbody>
<tr>
<td>when a request for claiming priority is made in electronic form</td>
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<tr>
<td>when a request for claiming priority is made on paper</td>
<td>20,000</td>
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Fee for request for examination

<table>
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<tr>
<td></td>
<td>71,000</td>
</tr>
<tr>
<td>plus</td>
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</tr>
<tr>
<td>for each claim</td>
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</table>

Fee for conversion

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<th>Description</th>
<th>Fee for patents</th>
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<tbody>
<tr>
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Annual fees:

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<th>Fee for each claim</th>
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<td>12,000 plus 4,000</td>
</tr>
<tr>
<td>for the 4th to the 6th year</td>
<td>25,000 plus 9,000</td>
</tr>
<tr>
<td>for the 7th to the 9th year</td>
<td>60,000 plus 14,000</td>
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<td>for the 10th to the 12th year</td>
<td>160,000 plus 20,000</td>
</tr>
<tr>
<td>for the 13th to the 15th year</td>
<td>240,000 plus 20,000</td>
</tr>
</tbody>
</table>

How can payment of fees be effected?

All payments must be made via the Office’s payment system and must indicate the receipt number issued by the Office to the applicant.

For further details, see www.kipo.go.kr/kpo/user.tdf?a=user.english.html.HtmlApp&c=20306#1.

Payments must be effected in Korean won at the following bank:

SWIFT code: NACFKRSE
Name of bank: National Agricultural Cooperative Federation, Government Complex Daejeon Branch
Account number: 676-01-011484
Name of beneficiary: KIPO

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5 See footnote 1.
6 See footnote 2.
7 See footnote 3.
8 These fees must all be paid at the same time.
9 See footnote 4.

(6 November 2014)
특허법 제203조에 따른 서면

(앞쪽)

【출원구분】 □ 특허출원 □ 실용신안등록출원
【출원인】
【성명(명칭)】
【출원인코드】
【대리인】
【성명(명칭)】
【대리인코드】
【포괄위임등록번호】
【국제출원번호】
【국제출원일자】
【국제특허출원언어】
【발명(고안)의 국문명칭】
【발명(고안)의 영문명칭】
【발명(고안)자】
【성 명】
【출원인코드】
【보정등지서의 발송번호】
【우선권주장】
【출원국명】
【출원번호】
【출원일자】
【증명서류】
【기타사항】 □ 심사청구 □ 조기공개신청 □ 공지예외적용 □ 미생물기탁 □ 서열목록 □ 기술이전허가 □ 국가연구개발사업)

위와 같이 특허청장에게 제출합니다.

출원인(대리인) (서명 또는 인)

【수수료】(기재요령 제11호 참조)
【수수료 자동납부번호】
【출원료】 면 원

【첨부서류】 법령에서 정한 서류 각 1통(기재요령 제12호 참조)

210㎜×297㎜[백상지 80g/㎡]

(6 November 2014)
<table>
<thead>
<tr>
<th>[구분]</th>
<th>심사청구</th>
<th>우선심사신청</th>
</tr>
</thead>
</table>

【제출인】

【성명(명칭)】
【출원인코드】
【사건과의 관계】 □ 출원인 □ 국제출원인 □ 제3자
【대리인】
【성명(명칭)】
【대리인코드】
【포괄위임등록번호】
【사건의 표시】
【출원번호(국제등록번호)】
【디지털의 일련번호】
【발명(고안)의 명칭[디자인의 대상이 되는 물품, 상품(서비스업)류]】
【기타사항】 □ 심사유예신청 □ 선행기술(디자인)조사의뢰된 출원
□ 녹색기술과 직접 관련된 특허출원으로서 선행기술조사의뢰된 특허출원
【유예희망시점】 심사청구일 후 24개월이 지난 때부터 ( )개월
【심사청구료 납부유예】 □필요 □불필요
【선행기술조사의뢰정보】
【의뢰기관】
【의뢰일자】
【국제특허분류】

위와 같이 특허청장에게 제출합니다.

제출인(대리인) (서명 또는 인)

【수수료】 (기재요령 제6호 참조)
【수수료】 (기재요령 제7호 참조)
【심사청구료】 항 원
【우선심사신청료】 원
【첨부서류】 법령에서 정한 서류 각 1통 (기재요령 제8호 참조)
위임장

【수임자】
【성명(명칭)】
【대리인코드】
【사건의 표시】
【출원번호[특허(등록)번호, 기술평가청구번호*, 국제등록번호*, 특허청참조번호*, 이의신청번호*, 상품분류전환등록신청번호, 심판번호]】
【위임자】
【성명(명칭)】
【출원인코드】
【사건과의 관계】
【위임사항】

위와 같이 특허청장(특허심판원장, 심판장)에게 제출합니다.

위임자
서명 또는 날인

* 기제요령 제6호의 작성 시 유의사항을 참조합니다.

(6 November 2014)
특허법 제214조제1항에 따른 결정신청서

(앞쪽)

【출원구분】 □ 특허출원 □ 실용신안등록출원
【출원인】
【성명(명칭)】
【출원인코드】
【대리인】
【성명(명칭)】
【대리인코드】
【필괄위임등록번호】
【국제출원번호】
【발명자(고안자)】
【성 명】
【출원인코드】
【거부(선언, 인정)의 통지 수령일자】
【국제사무국에 국제출원 사본의 송부청구일자】
【신청취지】
【신청이유】
위와 같이 특허청장에게 제출합니다.

출원인(대리인) (서명 또는 인)

【첨부서류】법령에서 정한 서류 각 2통 (기재요령 제9호 참조)

210㎜×297㎜[백상지 80g/㎡]

(6 November 2014)
서류제출서

【제출구분】  □ 우선권증명서류       □ 우선권증명서류 번역문
□ 공지예외적용대상(신규성, 출원 시의 특례)증명서류
■ 국제단계보정서 번역문       □ 국제단계보정서 사본
□ 국제단계설명서 번역문       □ 국제단계설명서 사본
□ 국제특허출원에 관한 서류의 사본
□ 「특허법」 제201조 또는 「실용신안법」 제35조에 따른 새로운 번역문

【출원인】
  【성명(명칭)】
  【출원인코드】
【대리인】
  【성명(명칭)】
  【대리인코드】
  (【포괄위임등록번호】)
【출원번호(국제출원번호, 국제등록번호, 이의신청번호, 심판번호)】
  (【디자인의 일련번호】)
(【제출인이 된 서류의 발송번호】)
【제출하는 서류의 내용】
위와 같이 특허청장(특허심판원장)에게 제출합니다.

출원인(대리인)       (서명 또는 인)

【첨부서류】 법령에서 정한 서류 각 1통(기재요령 제7호 참조)

(6 November 2014)
서류제출서

【제출구분】 □ 우선권증명서류 □ 우선권증명서류 번역문
□ 공지에의적용대상(신규성, 출원 시의 특례)증명서류
□ 국제단계보정서 번역문 □ 국제단계보정서 사본
■ 국제단계설명서 번역문 □ 국제단계설명서 사본
□ 국제특허출원에 관한 서류의 사본
□ 「특허법」 제201조 또는 「실용신안법」 제35조에 따른 새로운 번역문

【출원인】
【성명(명칭)】
【출원인코드】
【대리인】
【성명(명칭)】
【대리인코드】
(【포괄위임등록번호】)
【출원번호(국제출원번호, 국제등록번호, 이의신청번호, 심판번호)】
(【디자인의 일련번호】)
(【제출원인이 된 서류의 발송번호】)
【제출하는 서류의 내용】
위와 같이 특허청장(특허심판원장)에게 제출합니다.
출원인(대리인) (서명 또는 인)

【첨부서류】 법령에서 정한 서류 각 1통(기재요령 제7호 참조)