

**STATE AGENCY ON INTELLECTUAL  
PROPERTY (REPUBLIC OF MOLDOVA)**  
*(AGENTIA DE STAT PENTRU PROPRIETATEA INTELECTUALA)*  
**AS**  
**DESIGNATED (OR ELECTED) OFFICE**

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**List of abbreviations:**

Office: State Agency on Intellectual Property (Republic of Moldova)

MPL: Moldovan Law on the Protection of Inventions

**SUMMARY****Designated  
(or elected) Office****SUMMARY****MD****STATE AGENCY ON INTELLECTUAL  
PROPERTY (REPUBLIC OF MOLDOVA)****MD****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: <sup>1</sup>	Moldovan
Required contents of the translation for entry into the national phase: <sup>1</sup>	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19), 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, both as originally filed and as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	The applicant should only send a copy of the application if he has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee:	Currency: Euro (EUR) For patent: Filing fee: <sup>2</sup> EUR 100 Fee for claiming priority: EUR 100 Examination fee, including search: EUR 400 Annual fee for the 1 <sup>st</sup> to the 5 <sup>th</sup> year, per year: EUR 100 For short-term patent: Filing fee: <sup>2</sup> EUR 100 Examination fee: EUR 200
Exemptions, reductions or refunds of the national fee:	See <a href="http://agepi.gov.md/en/inventions/fees">http://agepi.gov.md/en/inventions/fees</a>

*[Continued on next page]*<sup>1</sup> Must be furnished within three months from the expiration of the time limit applicable under PCT Article 22 or 39(1).<sup>2</sup> Must be paid within the time limit applicable under PCT Article 22 or 39(1).

**SUMMARY****Designated  
(or elected) Office****SUMMARY****MD****STATE AGENCY ON INTELLECTUAL  
PROPERTY (REPUBLIC OF MOLDOVA)****MD***[Continued]*Special requirements of the Office  
(PCT Rule 51*bis*):<sup>3</sup>Name and address of the inventor if they have not been furnished in  
the “Request” part of the international application<sup>4</sup>Instrument of assignment of the priority right where the applicants  
are not identical<sup>4</sup>Appointment of an agent if the applicant is not resident in the  
Republic of MoldovaAny document relating to any transfer of rights<sup>4</sup>

Who can act as agent?

Any person registered to practice before the Office as patent  
attorneyDoes the Office accept requests for  
restoration of the right of priority  
(PCT Rule 49*ter.2*)?Yes, the Office applies both the “unintentional” and the “due care”  
criteria to such requests<sup>3</sup> 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.<sup>4</sup> 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

**MD.01 FORMS FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase (see Annex MD.II). This form should be used.

**MD.02 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).

MPL Art. 86 **MD.03 REPRESENTATION.** Natural or legal persons having their residence or principal place of business outside the territory of the Republic of Moldova shall be represented by a patent agent registered to practice with the Office, except for the filing of a patent application, the payment of fees or the filing of an earlier application. A list of registered patent agents is available on the website of the Office.

MPL Art. 61 **MD.04 FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex MD.I.

MPL Art. 51 **MD.05 EXAMINATION.** A patent will only be granted after substantive examination by the Office. A request for examination should be filed prior to the expiry of 30 months from entry into the national phase. The request shall only be deemed to be filed upon payment of the examination fee and may not be withdrawn. There is a special form for the request (see Annex MD.III). The amount of the said fee is indicated in Annex MD.I.

**MD.06 FEE FOR GRANT.** A fee for grant must be paid within six months from the date of publication of the decision to grant the patent.

MPL Art. 61  
93 **MD.07 ANNUAL FEES.** After a patent has been granted, annual fees must be paid for maintaining the patent in force for each year counted from the first year of the international filing date. The first annual fee is to be paid simultaneously with payment of the fee for grant. If the decision to grant the patent was taken within one year or more from the international filing date of the application, the fee should be paid for each complete year starting with the filing date. All subsequent fees are to be paid before the beginning of the year for which the fee is due but not earlier than three months from the date of the following year of validity. Payment can still be made, upon application for extension of time together with the payment of a corresponding fee, within six months from the final date. The amounts of the annual fees and of the surcharge for late payment are indicated in Annex MD.I.

PCT Art. 4(3)  
43  
PCT Rule 49bis.1(a),  
(b)  
76.5 **MD.08 SHORT-TERM PATENT.** If the applicant wishes to obtain a short-term patent in the Republic of Moldova on the basis of an international application instead of a patent, such an indication should be made to the Office on entry into the national phase.

MPL Art. 18  
61  
93 **MD.09 TERM OF A SHORT-TERM PATENT.** The term of a short-term patent shall be six years from the date of filing of the short-term patent application. The patent owner may request the Office to extend this by granting a supplementary protection certificate for a period not exceeding four years, provided that the patent owner requests the Office to carry out a search relating to the invention which forms the subject-matter of the short-term patent and drafting of the search report with the written opinion on patentability. Such a supplementary protection certificate also requires payment of the prescribed fee (see Annex MD.I) and may be requested not earlier than one year and not later than six months prior to the expiration of the term of the short-term patent. Fees for maintenance of a short-term patent and a supplementary protection certificate shall be due on the anniversary of the date of filing of the application and for each year of effectiveness of the certificate.

- MPL Art. 54      **MD.10 CONVERSION.** A patent application may be converted, at the request of the applicant, into an application for a short-term patent prior to the date on which the decision to grant a patent is published or, at the latest, within two months following the date on which a decision to refuse the patent application has been sent. An application for a short-term patent may be converted, at the request of the applicant, into a patent application at any time before the decision to grant a short-term patent has been taken.
- PCT Art. 25  
PCT Rule 51      **MD.11 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 Office.
- PCT Art. 24(2)  
48(2)  
PCT Rule 82*bis*      **MD.12 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 or the patent, such time limit may be extended and restored by the Office upon request by the applicant and where justified.

## FEES

(Currency: Euro)

### Patents

Filing fee . . . . .	100
Fee for claiming priority . . . . .	100
Examination fee	
— for substantive examination:	
— for one invention . . . . .	400
— for each invention in excess of one . . . . .	100
— fee per sheet in excess of 15 . . . . .	10
Fee for grant . . . . .	100
—	
Annual fees:	
— for the 1 <sup>st</sup> to the 5 <sup>th</sup> year, per year . . . . .	100
— for the 6 <sup>th</sup> to the 10 <sup>th</sup> year, per year . . . . .	300
— for the 11 <sup>th</sup> to the 15 <sup>th</sup> year, per year . . . . .	500
— for the 16 <sup>th</sup> to the 20 <sup>th</sup> year, per year . . . . .	700
Surcharge for late payment of the annual fee	
— for each month (but not more than six months) . . . . .	50
Fee for restoration of rights . . . . .	100
<b>Short-term patents</b>	
Filing fee (including examination fee). . . . .	200
Fee for claiming priority . . . . .	100
Fee for grant . . . . .	100
Annual fees:	
— for the 1 <sup>st</sup> year . . . . .	50
— for the 2 <sup>nd</sup> year . . . . .	50
— for the 3 <sup>rd</sup> year . . . . .	75
— for the 4 <sup>th</sup> year . . . . .	75
— for the 5 <sup>th</sup> year . . . . .	75
— for the 6 <sup>th</sup> year . . . . .	100
Supplementary Protection Certificate:	
— for the 7 <sup>th</sup> to the 10 <sup>th</sup> year, per year . . . . .	100

### How can payment of fees be effected?

The payment of fees must be effected in euro. 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. All fees must be paid to the State Agency on Intellectual Property (Republic of Moldova) by transfer to BC “Mobiasbanca – Groupe Société Générale” S.A., (BIC) MOBBMD22, account EUR 2224710SV92592107100, IBAN MD48MO2224ASV92592107100.



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<b>VI. (62) CEREREA</b> de brevet este <b>DIVIZIONARĂ</b> din cererea de brevet nr. _____ data _____					
<b>VII. (72) Declar(ăm)</b> că inventator(ii) este (sunt) (nume, prenume, cod țară conform normei ST. 3 OMPI)					
<input type="checkbox"/> același (aceiași) cu <b>SOLICITANTUL(ȚII)</b>					
<input type="checkbox"/> persoana(ele) menționată(e) mai jos					
<b>VIII. DOCUMENTE DEPUSE LA AGEPI:</b>					
Documente	nr. file	nr. ex.	Documente	nr. file	nr. ex.
<input type="checkbox"/> - copia cererii internaționale <input type="checkbox"/> - traducerea cererii internaționale, inclusiv: <input type="checkbox"/> - descriere <input type="checkbox"/> - revendicări inițiale <input type="checkbox"/> - revendicări modificate conform art.19 PCT <input type="checkbox"/> - desene <input type="checkbox"/> - rezumat <input type="checkbox"/> - lista secvențelor de nucleotide și/sau aminoacizi, parte a descrierii: <input type="checkbox"/> - prezentată pe suport hârtie <input type="checkbox"/> - prezentată pe suport electronic			<input type="checkbox"/> - dovada de plată a taxelor <input type="checkbox"/> - act de prioritate <input type="checkbox"/> - act referitor la depozitul microorganismului/materialului biologic <input type="checkbox"/> - procură <input type="checkbox"/> - alte documente .....		
<b>IX. Semnătura</b> solicitantului(lor)/reprezentantului (numele în clar):        Data:			<b>X. a) Persoana</b> care a prezentat cererea, alta decât solicitantul/reprezentantul (nume complet, act de identitate):     b) Semnătura persoanei care a recepționat cererea la AGEPI (numele în clar):     <b>XI. Registratura AGEPI ieșire:</b> Nr. Data:		



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<b>I. ALȚI SOLICITANȚI</b>	
<i>Dacă nu se completează nici o rubrică menționată mai jos, această pagină nu se anexează la cerere</i>	
(71) SOLICITANT (nume, prenume sau denumire completă, adresă, telefon și fax cu prefixul zonei)	Numărul de identificare de stat unic (IDNO/IDNP)  Cod țară conform normei ST. 3 OMPI
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<b>IX<sup>1</sup>. Semnătura</b> solicitantului(ilor)/reprezentantului (numele în clar):	

