STATE OFFICE FOR INVENTIONS AND TRADEMARKS (ROMANIA)
(OFICIUL DE STAT PENTRU INVENTII SI MARCI)
AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:
Office: State Office for Inventions and Trademarks (Romania)
OF: Ordinance No. 41/1998 on Fees in the Field of Industrial Property and Regulations Governing Their Use, republished within the meaning of Article IV of the Law No. 381/2005 for amending and completing Ordinance No. 41/1998 on Fees in the Field of Industrial Property and Regulations Governing Their Use, published in the Official Gazette of Romania, Part I, No. 6 of 6 January 2006

CCP: Romanian Code of Civil Procedure


## Summary of requirements for entry into the national phase

If grant of a national patent by the State Office for Inventions and Trademarks (Romania) is desired:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Time limits applicable for entry into the national phase:</strong></td>
<td>Under PCT Article 22(1): 30 months from the priority date</td>
</tr>
<tr>
<td></td>
<td>Under PCT Article 39(1)(a): 30 months from the priority date</td>
</tr>
<tr>
<td><strong>Translation of international application required into:</strong></td>
<td>Romanian</td>
</tr>
<tr>
<td><strong>Required contents of the translation for entry into the national phase:</strong></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>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)</td>
</tr>
<tr>
<td><strong>Is a copy of the international application required?</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>National fee:</strong></td>
<td>Currency: Euro (EUR)</td>
</tr>
<tr>
<td></td>
<td>Filing fee: EUR 30</td>
</tr>
<tr>
<td></td>
<td>Fee for priority claims, per priority: EUR 50</td>
</tr>
<tr>
<td></td>
<td>Examination fee: EUR 500</td>
</tr>
<tr>
<td></td>
<td>Annual fee for the first three years: EUR 150</td>
</tr>
<tr>
<td><strong>Exemptions, reductions or refunds of the national fee:</strong></td>
<td>For international applications entering the national phase the search fee is reduced by 50%</td>
</tr>
<tr>
<td><strong>Special requirements of the Office (PCT Rule 51bis):</strong></td>
<td>Name and address of the inventor if they have not been furnished in the “Request” part of the international application⁴⁴⁴</td>
</tr>
<tr>
<td></td>
<td>Statement justifying the applicant’s right to the patent if he is not the inventor⁴⁴⁴</td>
</tr>
<tr>
<td></td>
<td>Appointment of an agent if the applicant is not resident in Romania</td>
</tr>
</tbody>
</table>

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¹ Must be furnished within the time limit applicable under PCT Article 22 or 39(1).
² For further details on the fee structure and applicable time limits, see Annex RO.I of the National Chapter RO.
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 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.
<table>
<thead>
<tr>
<th>RO STATE OFFICE FOR INVENTIONS AND TRADEMARKS (ROMANIA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Continued]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Who can act as agent?</th>
<th>Any industrial property agent resident in Romania whose name appears on the register kept in the Office</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?</th>
<th>Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests</th>
</tr>
</thead>
</table>

**If a European patent is desired:** See European Patent Organisation (EP) in Annex B2, Summary (EP) and national chapters EP and RO in the National Phase

(2 September 2011)
THE PROCEDURE IN THE NATIONAL PHASE

RO.01 FORM FOR ENTERING THE NATIONAL PHASE. The Office has available a form for entering the national phase (see Annex RO.II). This form should preferably (but need not) be used.

RO.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).

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

RO.04 ASSIGNMENT OF PRIORITY RIGHTS. Where the priority of an earlier application is claimed and the applicant(s) in that application is (are) not identical with the applicant(s) of the international application, an assignment of the priority rights must be furnished.

RO.05 POWER OF ATTORNEY. Any national or legal person resident in Romania whose name appears on the register kept in the Office may be appointed by filing a power of attorney.

RO.06 FEE FOR GRANT AND PUBLICATION. This fee (see Annex RO.I) must be paid to the Office within 12 months from the date of publication of the decision to grant the patent.

RO.07 ANNUAL FEES. The fees for maintaining the patent in force for each year up to grant under Law No. 64/1991 republished, including the year of grant, shall be paid in one installment together with the fee for grant, within 12 months from the date of publication of the decision to grant. Payment for subsequent years must be made in advance before each succeeding anniversary of the international filing date. Payment can still be made, together with a 50% surcharge for late payment, within six months after the expiration of that 12-month period. For the amounts of the annual fees, see Annex RO.I.

RO.08 AMENDMENT OF THE APPLICATION; TIME LIMITS. The applicant may make before the Office amendments to the description, claims and drawing(s) of his own volition or when specifically required by the Office, provided that the subject matter of the application is not broadened thereby. Such amendments can be made up to the time of the receipt of the notification of the decision to grant a patent.

RO.09 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 an 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 notification of the decision. A fee for appeal must be paid at the same time. The Reexamination Commission of the Office will then decide on the appeal.

RO.10 EXCUSE OF DELAYS IN MEETING TIME LIMITS. Reference is made to paragraphs 6.022 to 6.027 of the National Phase.
FEES

(Currency: Euro)

Filing fee ................................................................. 30

Fee for claiming priority .......................................................... 50

Publication fee:
— paid within six months of entry into the national phase .............................. 50
— paid on entry into the national phase .............................................. 80

Search fee ........................................................................ 50

Examination fee:
— paid within three months from the date of entering the national phase ......................... 500
— plus, for each page in excess of 20 .................................................................. 10
— plus, for each claim in excess of 5 ................................................................ 15
— paid after three months from the date of entering the national phase .......................... 300
— plus, for each page in excess of 20 .................................................................. 5
— plus, for each claim in excess of 5 ................................................................ 10

Printing and granting fee (payable within 12 months from the date of publication of the decision): ...... 100
— plus, for each page in excess of 20 ................................................................ 5

Annual fee for maintaining the patent in force for each year of protection from the filing date
of the international application:
— for the 1st year ........................................................................... —
— for the 2nd year .......................................................................... —
— for the 3rd year ............................................................................ 150
— for the 4th year ........................................................................... 160
— for the 5th year ........................................................................... 180
— for the 6th year ............................................................................ 200
— for the 7th year ........................................................................... 220
— for the 8th year ............................................................................ 240
— for the 9th year ............................................................................ 260
— for the 10th year ......................................................................... 280
— for the 11th year ......................................................................... 300
— for the 12th year ......................................................................... 320
— for the 13th year ......................................................................... 340
— for the 14th year ......................................................................... 370
— for the 15th year ......................................................................... 400
— for the 16th year ......................................................................... 500
— for the 17th year ......................................................................... 500
— for the 18th year ......................................................................... 500
— for the 19th year ......................................................................... 500
— for the 20th year ......................................................................... 500

(21 June 2012)
How can payment of fees be effected?

The national law provides for the periodical indexation of the amounts in Romanian lei, the amounts in euros remaining unchanged, because of the daily fluctuation, due to inflation, of the exchange rate of the Romanian leu against the euro. Consequently, foreign applicants residing abroad must pay the fees in euros.

Payments may be made directly to the Office account No. 2511.1–774.2 at the Banca Comercială Română Sala Palatului, strada Ion Campineanu No. 33, sector 1, București, account details: IBAN: RO38RNCB0080005630320005, BIC (SWIFT CODE) RNCBROBU.

All payments made to this account are considered to have been made to the Office on the date of credit to this account. Payments must indicate the international application number or, if already known, the national application number and indicate the category of the fee being paid.
FORMULAR DE SOLICITARE A DESCHIDERII FAZEI NAŢIONALE CONFORM ART.22 ŞI ART.39 DIN TRATATUL DE COOPERARE ÎN DOMENIUL BREVETELOR ŞI ART.6 DIN LEGEA NR.64/1991 PRIVIND BREVETELE DE INVENŢIE, REPUBLICATĂ

Subsemnatul.................................................................
(denumirea/ numele şi prenumele solicitantului deschiderii fazei naţionale)
din........................................................................................................................................................................................................................................
(sediul/domiciliul cu adresa completă) (verso*)
solicit în conformitate cu prevederile Regulii 22 din HGR nr.499/2003 deschiderea fazei naţionale ca urmare a desemnării/ desemnării şi alegerii ROMÂNIEI în cererea internaţională, în vederea acordării unui brevet de invenţie, pentru invenţia cu titlul:...........................................
...........................................................................................................................................................................................................................................
...........................................................................................................................................................................................................................................
Declar că inventatorii sunt următorii:
1)........................................................................................................................................................................................................................................
(nume,prenume şi domiciliul inventorului)
2)........................................................................................................................................................................................................................................
(nume,prenume şi domiciliul inventorului) (verso*)
şi invoc prioritarea cererii(lor) de brevet de invenţie anterioară(e);
ŢARA                   DATA DE DEPOZIT                  NUMĂRUL CERERII
1)........................................................................................................................................................................................................................................
2)........................................................................................................................................................................................................................................
(verso*)
Numesc pe.................................................................
din.................................................................
(denumirea mandatarului autorizat)
...........................................................................................................................................................................................................................................
(sediul cu adresa completă)
pentru a depune documentaţia necesară deschiderii fazei naţionale la Oficiul de Stat pentru Invenţii şi Mărci, şi a ne reprezenta în faţa acestuia în conformitate cu prevederile mandatului cuprinse în procură.
Semnată în........................................................................................................la data de.................................................................
(oraşul, țara)                  (ziua, luna, anul)

Anexe:
copie a formularului cererii internaţionale;
-traducerea cererii internaţionale;
-dovada de plată a taxelor;
-procura de reprezentare;
-raportul de documentare;
-raportul de examinare preliminară(dacă este cazul);
-traducerea revendicărilor modificate(dacă este cazul);
-alte documente;
*Datele suplimentare vor fi menţionate pe verso.

Registratura OSIM (numărul şi data primirii)

FORM. B 12

(21 June 2012)