

INDUSTRIAL PROPERTY OFFICE
(SLOVAKIA)
(ÚRAD PRIEMYSELNÉHO VLASTNICTVA)
AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Industrial Property Office (Slovakia)

PL: Patent Law No. 435/2001, Coll., as amended¹

UML: Utility Model Law No. 517/2007, Coll., as amended¹

LF 145/95: Law on Administration Fees No. 145/1995, Coll., as amended¹

¹ The text of the laws may be obtained on the Internet at: www.upv.sk or www.indprop.gov.sk.

SUMMARY**Designated
(or elected) Office****SUMMARY****SK****INDUSTRIAL PROPERTY OFFICE
(SLOVAKIA)****SK****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:	Slovak
Required contents of the translation for entry into the national phase:	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?	No
National fee:	Currency: Euro (EUR) Filing fee: ¹ EUR 53
Exemptions, reductions or refunds of the national fee:	The filing fee is reduced by 50% where the applicant is also the inventor.
Special requirements of the Office (PCT Rule 51bis): ²	Declaration as to the identity of the inventor ³ Declaration as to the applicant's entitlement to apply for and be granted a patent ³ Declaration as to the applicant's entitlement to claim priority of the earlier application ³ Declaration as to non-prejudicial disclosures or exceptions to lack of novelty ³ Appointment of an agent if the applicant is not resident in Slovakia Translation of the international application for a patent and copy of the drawings in triplicate Translation of the international application for a utility model and copy of the drawings in duplicate Power of attorney must be furnished in duplicate if the international application is for both a patent and a utility model
Who can act as agent?	Any patent agent, attorney or commercial lawyer (natural or legal person) registered in Slovakia

[Continued on next page]

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

² 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.

³ 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****SK****INDUSTRIAL PROPERTY OFFICE
(SLOVAKIA)****SK***[Continued]*

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

SK.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). If the translation furnished to the Office contains only the description, the Office will invite the applicant to furnish the missing parts and will excuse the late furnishing, provided that the scope of the disclosure contained in the translation furnished to the Office is not broadened thereby.

SK.02 FEES (MANNER OF PAYMENT). The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex SK.I.

PL Art. 79(1) **SK.03 POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model is given in Annex SK.II.

PL Art. 79(8) **SK.04 ANNUAL FEES.** The fees for maintaining the patent in force are due for each year of the validity of the patent (see Annex SK.I). For the 3rd year of validity they are due within 3 months from the anniversary date of the granted patent; each subsequent year of validity of the patent, the fees are due prior to the expiration of the preceding year of validity. If payment is not made within this time limit, it can still be made within six months from the due date, with a 100% surcharge.

PL Art. 43(1) **SK.05 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. There is no special form for the request.

PL Art. 43(2) **SK.06 TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within 36 months from the international filing date.

PCT Art. 28
41
PL Art. 45 **SK.07 AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make amendments to the description, claims and drawings, until the decision granting the patent becomes definitive, provided that the subject matter of the amended application does not exceed the scope of the application as originally filed.

PCT Art. 25
PCT Rule 51 **SK.08 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, a request for rejudgment of that decision may be filed within 30 days from the date of the notification of this decision.

PCT Art. 24(2)
48(2)
PL Art. 51(1)
51(3)
51(4) **SK.09 EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Time limits fixed by the Office for a certain action may be extended upon request. This request must be accompanied by a special fee for extension of time limits (see Annex SK.I).

PL Art. 51(2)
51(3) **SK.10 FURTHER PROCESSING.** If a party to the proceedings before the Office has failed to comply with the time limit set by the Office for performing an act, he is entitled to ask the Office for further processing and, at the same time, perform the omitted act within two months from the receipt of the Office's decision issued as a consequence of failure to comply with the time limit. The request must be accompanied by a special fee.

PL Art. 52(1)-(3) **SK.11 RESTITUTIO IN INTEGRUM.** If, in spite of all due care required by the circumstances having been taken, a party to the proceedings before the Office has failed to comply with the statutory time limit or the time limit set by the Office for performing an act, where a consequence of non-performance of the act is the suspension of the proceedings or another right is lost, he is entitled to ask the Office for *restitutio in integrum* and at the same time perform the omitted act within two months from the removal of the cause for which he

could not perform the act but no later than 12 months from the expiry of the non-complied time limit. The request must be accompanied by a special fee. The party to the proceedings shall justify the request and state particularly the facts which had prevented the performance of the act. Statements submitted after the expiry of any of the time limits set shall not be taken into consideration by the Office when making a decision about the request.

- PCT Art. 4.3
43
44
- PCT Rule 4.12
49bis.1
(a), (b)
76.5
- UML. Par. 9
- SK.12 UTILITY MODEL.** If the applicant wishes to obtain utility model registration in the Slovak Republic on the basis of an international application
- (i) instead of a patent or
 - (ii) in addition to a patent,
- subject to what is said in paragraph 16, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

SK.13 If the international application is for a utility model instead of a patent (see the case referred to in paragraph SK.12), the requirements are basically the same as for patents except that the applicant is not required:

- (i) to furnish the translation of the abstract,
- (ii) to make a request for examination and
- (iii) to pay extension fees.

Instead of annual fees, extension fees are due for utility models. The due date and amounts are indicated in Annex SK.I. By payment of extension fees the term of protection may be extended twice, for a period of three years.

- UML. Par. 9
- SK.14** If the international application is for both a utility model and a patent (see the case referred to in paragraph SK.12(ii)), the applicant must, within the time limit applicable for the entry into the national phase, comply with the following requirements:
- (i) pay two filing fees for both the patent and the utility model,
 - (ii) furnish the translation of the documents into the Slovak language,
 - (iii) furnish the translation of international application in three copies for the patent and in two copies for the utility model,
 - (iv) file the power of attorney in duplicate.

The requirements (i), (iii) and (iv) may still be complied with within a time limit fixed in an invitation by the Office, if not already complied with within the time limit applicable for the entry into the national phase.

- PCT Art. 7(2)(ii)
- SK.15** Where, in either of the cases referred to in paragraph SK.12, the international application does not contain drawings, the Office will invite the applicant to furnish drawings within a time limit fixed in the invitation.

- UML. Par. 10
- SK.16** A utility model application concerning the subject matter of an earlier national or international patent application for a national patent for the Slovak Republic may claim the filing date of that earlier patent application provided the utility model application is filed not later than the expiration of two months from the date on which the final decision on the patent application is taken or, if no such decision has been taken, before the end of the tenth year from the date of filing of the patent application. Any priority which is claimed in the earlier patent application will also apply to the subsequent utility model application.

FEES

(Currency: Euro)

Patents

Filing fee	53 ¹
Fee for registration of the assignment of an application to another applicant	27
Fee for requesting examination:	
— basic fee	116
— additional fee for each claim in excess of 10	17
Fee for the second and subsequent extensions of the time limit	20
Fee for further processing	66
Fee for restoration of the right of priority	166
Fee for <i>restitutio in integrum</i>	166
Fee for issue of letters patent not exceeding 10 pages	66
— for each additional page	7
Annual fees:	
— for the 3 rd year	66
— for the 4 th year	82.50
— for the 5 th year	99.50
— for the 6 th year	116
— for the 7 th year	132.50
— for the 8 th year	149
— for the 9 th year	165.50
— for the 10 th year	199
— for the 11 th year	232
— for the 12 th year	265.50
— for the 13 th year	298.50
— for the 14 th year	331.50
— for the 15 th year	365
— for the 16 th year	398
— for the 17 th year	464.50
— for the 18 th year	531
— for the 19 th year	597
— for the 20 th year	663.50

Utility models

Filing fee	66 ¹
Extension of validity of a utility model registration ²	
— for the first time for three years	133
— for the first time for three years within six months after the expiration of a valid utility model certificate	266
— for the second time for three years	266
— for the second time for three years within six months after the expiration of a valid utility model certificate	531

¹ The filing fee is reduced by 50% where the applicant is also the inventor.

² If the utility model was entered in the Register of utility models after the expiration of its validity, the Office will invite the applicant to pay the fee for extension of validity within two months from the issuance of the certificate.

How can payment of fees be effected?

The payment of fees must be effected in the following currency: Euro (EUR). All payments must indicate the application number (national, if already known; international, if the national application number is not yet known), the name of the applicant and the category of fee being paid.

Payment must be effected to the account No. 7000060750/8180 of the Industrial Property Office (Slovakia):

Bank name:	State Treasury Radlinského 32 810 05 Bratislava
Name of the account:	Depozitný účet ÚPV SR BB
IBAN code:	SK49 8180 0000 0070 0006 0750
BIC code	SPSRSKBA
Constant Symbol:	0558

“Variable symbol” is used to identify the payment. It is created by the 10-digits numerical code as follows: 1 plus 9-digits application number assigned by the Office (e.g. 1007482000 is variable symbol for the patent application No. PP 748-2000, 1500032007 is a “variable symbol” for patent application No. PP 50003-2007).

For further information on payment of maintenance fees and payment of fees for utility models, please see: www.upv.sk/?patents-maintenance-fees and www.upv.sk/?administrative-fees-utility-models

PLNÁ MOC/POWER OF ATTORNEY

Podpísaný (meno a priezvisko alebo plný názov spoločnosti):

The undersigned (first name and family name or full name of the company):

(číslo, miesto, krajina):

residing at (street, number, locality, country):

štátna príslušnosť:

citizenship:

zamestnanie:

profession:

pracovisko (zamestnávateľ):

place of employment (employer):

splnomocňuje pána

appoints Mr.

aby ho zastupoval vo veci jeho medzinárodných prihlášok v Slovenskej republike

to represent him in connection with his international applications in the Slovak Republic

Podpis (a pečiatka) - Signature (and seal)

Dátum/Date

(Bez legalizácie - No legalization)