

BG – BULGARIA

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1. Requirements for Deposit

If an invention includes the use of biological material or concerns such material which is not publicly accessible, cannot be described in the patent application in such a manner as to permit a person skilled in the art to reproduce the invention, the description shall contain indication of the data of deposition of the biological material: number and date of the deposit, as well as the name and address of the international body of deposition according to Art. 7 of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, where the deposit shall be made not later than the date of the priority application. The description of the application shall contain the full information on the characteristics of the deposited biological material available to the applicant

Art. 37 (2) ACT ON PATENTS AND REGISTRATION OF UTILITY MODELS (TITLE AMEND. - SG 64/06, IN FORCE FROM 09.11.2006)

The applicant should file a copy of the document proving the deposit of the microorganisms issued by the depositary authority at the time of filing the application. The applicant must indicate, the date the deposit is made on and the deposit number of the microorganism and the name of the depositary authority with which such microorganism has been deposited.

2. Time of Deposit

Under the existing practice, the deposit must be made not later than the filing date of the application or, if priority is claimed, the priority date.

3. Duration of Storage

Under the existing practice, the duration of storage is unlimited.

4. Conditions for the Furnishing of Samples

(i) Time of Availability of Samples

Under the existing practice, the deposited culture should be available to the public as from the date of the grant of the relevant title of protection.

(ii) Restrictions Concerning the Furnishing of Samples

Under the existing practice, samples of the deposited microorganism should be furnished only to the requesting party who undertakes vis-à-vis the patentee to use the samples for experimental purposes only and not to make the samples available to any third party.