

## **PH – PHILIPPINES**

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### **1. Requirements for Deposit**

The deposit of a culture of biological material with an international depositary institution/authority recognized by the IPO is required if an invention concerns a microbiological process or the product thereof and involves or relates to the use of a microorganism or other biological material which is not available to the public and which cannot be described in the patent application in such a manner as to enable the invention to be carried out by a person skilled in the art. Otherwise, the disclosure is not considered to have satisfied the requirements of sufficiency.

A list of recognized depositary institutions is available at the Bureau of Patents.

(Implementing Rules and Regulations on Inventions, Rules 408 and 409; Manual of Substantive Examination Practice, Chapter II, Sections 6.2 and 6.4)

### **2. Time of Deposit**

The deposit of the culture of the microorganism must be made not later than the date of filing of the application.

(Implementing Rules and Regulations on Inventions, Rule 408(a); Manual of Substantive Examination Practice, Chapter II, Section 6.2(a))

### **3. Duration of Storage**

The depositary institution should be under contractual obligation to place the culture in permanent collection.

(Implementing Rules and Regulations on Inventions, Rule 409(c))

4. Conditions for the Furnishing of Samples

The depositary institution must provide access to persons who shall have interest therein in regard to matters relating to the patent application as published.

(Implementing Rules and Regulations on Inventions, Rule 409(c))