

## CH – SWITZERLAND

### CULTURE COLLECTION OF SWITZERLAND (CCOS)

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#### 1. Requirements for Deposit

##### (a) Kinds of Microorganisms that May Be Deposited

In accordance with Article 6(2)(v) of the Treaty and Rule (3)(b)(iii) of the Regulations, CCOS has set out the microorganisms in the table below accepted for the Patent Deposit.

In its public collection and its bank for confidential deposits, CCOS currently manages cell cultures and strains of bacteria, cyanobacteria, yeasts and filamentous fungi that all reach biosafety level 2.

CCOS can thus only accommodate species of microorganisms up to biosafety level 2, that are culturable with currently available methods and can be stored in the long term using the standard techniques, such as freeze-drying or storage in the gaseous phase of liquid nitrogen. Storage of cultures requiring constant re-proliferation will be provided only on payment of a surcharge.

CCOS also offers the establishment and preservation of biological material (BioService); in this case, the identity of materials produced by CCOS must be confirmed separately by the depositor. Apart from microorganisms, CCOS already preserves animal and human cell lines in secure and confidential conditions, as well as the primary cell lines of various customers.

The table below shows the organisms accepted for deposit and the quantity of samples to be provided by the depositor within the framework of “Patent Deposit”.

Accepted organisms	Temperature and form of preservation	Quantity of samples to be deposited <sup>1</sup>	Propagation and conservation suggested by CCOS
Bacteria (incl. cyanobacteria)	-196°C, cryoculture <sup>2</sup> - 80°C, cryoculture 4°C, lyophilisate	21 or 2	Yes

<sup>1</sup> If the propagation of the material can be carried out by CCOS, two samples are necessary.

<sup>2</sup> Cryoculture: cryovials of 2 ml with 1 to 2 ml of microorganisms provided with the corresponding antifreeze medium. Number of cells advised for cultures of animal and human cells >10<sup>6</sup> ml, and >10<sup>9</sup> ml for bacteria.

Cultures of animal cells (incl. Hybridomas)	-196°C, cryoculture	21 or 2	Yes (ZHAW <sup>3</sup> )
Cultures of human cells	-196°C, cryoculture	21 or 2	Yes (ZHAW)
Nucleic acids (DNA, RNA, plasmids)	- 80°C, vials <sup>4</sup> - 20°C, vials	21	No
Fungi (incl. yeasts and molds)	-196°C, cryoculture - 80°C, cryoculture 4°C, lyophilisate	21 or 2	Yes
Algae	-196°C, cryoculture	21	No
Bacteriophages	-196°C, cryoculture	21	No
Nematodes	-196°C, cryoculture	21	No
Protozoa	-196°C, cryoculture	21	No

(b) Technical Requirements and Procedures

(i) Form and Quantity

The depositor has to supply 21 samples of the biological material preferably in standard cryotubes (H 47.3 mm, D 13.1 mm, 2 ml, frozen) or as lyophilisates (room temperature) as stated in the table above. If the depositor choose CCOS BioService for the production of copies, depositor has to provide 2 samples in any kind of common scientific shape.

(ii) Time Required for Viability Testing

The required time for viability testing depends on the biological material and especially slow growing microorganisms need more time for testing (as indicated in brackets):

Bacteria:	3 days (up to 21 days)
Cyanobacteria:	14 days (up to 84 days)
Fungi, yeasts, molds:	5 days (up to 28 days)
Cell cultures, hybridomas:	14 days (up to 28 days)
Other biological material:	upon request

<sup>3</sup> The culture will be made in the laboratories of ZHAW from CCOS lab personal.

<sup>4</sup> Suitable containers for samples; recommended concentration: 100 ng/container.

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(iii) Depositor Checks and Renewal of Stocks

The depositor is responsible for replenishing the stock to ensure that there is sufficient stock to make the deposit available to the entitled public for the required period of the deposit.

CCOS offers the establishment and preservation of biological material by its BioServices; in this case, the identity of materials produced by CCOS must be confirmed separately by the depositor.

(c) Administrative Requirements and Procedures

(i) General

*Language.* In accordance with Rule 3.1(b)(v) of the Regulations, the official languages of CCOS are: English, German, French and Italian.

*Contract.* CCOS and depositor close a general BioStorage contract prior to the deposit.

*Import and/or Quarantine Regulations.* If any import permit is required, CCOS will help for applying at the Federal Custom Administration ([www.ezv.admin.ch](http://www.ezv.admin.ch)).

(ii) Making the Original Deposit

*Requirements to Be Met by the Depositor.* The depositor has to duly complete the CCOS equivalent of model form BP/1 of the Budapest Treaty. In the event of a later indication or amendment of the scientific description and/or proposed taxonomic designation, and a request for attestation, the depositor has to duly complete the equivalent of model form BP/7.

*Official Notifications to the Depositor.* The receipt and viability statement are issued on the CCOS equivalent of model form BP/4 and BP/9, respectively. Attestation of receipt of a later indication or amendment of the scientific description and/or proposed taxonomic designation is issued on the equivalent of model form BP/8. Notification of the furnishing of samples to third parties is issued on model form BP/14.

*Unofficial Notifications to the Depositor.* The depositor may request any unofficial notifications by e-mail or telephone before the official receipt is issued.

*Supply of Information to a Patent Agent.* The depositor has to request CCOS to send copies of the receipt and viability statement to his patent agent.

(iii) Converting a Previous Deposit

Deposits made outside the provisions of the Budapest Treaty may be converted to Patent Deposits. The old deposit contract will be terminated and the material will undergo the procedure as required for an original Patent Deposit without the need of supplying original material to CCOS.

(iv) Making a New Deposit

When making a new deposit, the depositor has to duly complete the CCOS equivalent of model form BP/2 and furnish copies of the documents referred to in Rule 6.2. The receipt and viability statement for a new deposit are issued on the CCOS equivalent of model form BP/5 and BP/9, respectively.

2. Furnishing of Samples

(a) Requests for Samples

CCOS will inform third parties of the procedure to be followed in order to make a valid request. In the case of requests requiring proof of entitlement, CCOS will provide requesting parties with copies equivalent of model form BP/12. Model request form BP/13 is used in connection with requests for deposited microorganisms where the responsible patent office has communicated lists of the accession numbers given by the IDA to deposits of microorganisms referred to in the said patents.

Notwithstanding any entitlement of third parties to receive samples under patent regulations, CCOS will withhold samples of potentially hazardous microorganisms until the requesting party has provided evidence that he is allowed to work with such organism. In any case of requests, the requesting party has to comply with its own country's requirements regarding import, handling of biological material and biosafety regulations.

All furnished samples of a Patent Deposit will be taken from batches of CCOS or depositor preparations, respectively.

(b) Notification of the Depositor

The depositor will be notified by CCOS when a sample of the deposited microorganism will be furnished to third parties on the CCOS equivalent of model form BP/14, unless the depositor has waived his right to receive such notification.

(c) Cataloguing of Budapest Treaty Deposits

In accordance with Rule 9.2 of the Treaty, CCOS does not list Patent Deposits in its public catalogue.

3. Schedule of Fees

	CHF
i) for preservation:	
a) storage for 30 years for microorganisms and cell cultures	2'500
b) storage for 30 years for DNA	1'500

ii) issuance of the attestation referred to in Rule 8.2	50
iii) issuance of viability statements	50
iv) furnishing of samples of microorganisms or cell cultures	250
v) communication of information under Rule 7.6	50

Notes:

CCOS undertakes to furnish appropriately and in good time the samples of microorganisms deposited in accordance with Article 6(2)(viii) of the Treaty and Rule 2.3 of the Regulations.

The list above covers the basic services. A surcharge may be required for CCOS BioServices and deposits which require special conditions or care.

These charges are subject to value-added tax (VAT) according to the Swiss regulations in force and do not include shipment costs.

#### 4. Guidance for Depositors

CCOS provides information about the procedure of making a deposit on its home page ([www.ccos.ch](http://www.ccos.ch)) and can give advice by telephone or e-mail.