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PCT Applicant's Guide
National Phase

(Special edition as of 31 October 2021, prepared for EQE candidates)

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NATIONAL CHAPTERS

CHAPTER 1

HOW TO USE THE NATIONAL PHASE OF THE *PCT APPLICANT'S GUIDE*

1.001. This part of the *PCT Applicant's Guide* (the *Guide*) contains information on the "national phase" of the PCT procedure, namely the procedure before the designated (or elected) Offices. It follows on from information on the "international phase" of the PCT procedure.

1.002. This part consists of two elements. First, this **text which** explains in detail what must be done by the applicant in connection with entry into the national phase.

1.003. Following this are **National Chapters** relating to all designated (or elected) Offices. Each National Chapter is structured as follows:

(i) **Title page**–containing a table of contents and a list of abbreviations;

(ii) **Summary**–containing a listing of the specific requirements of each designated (or elected) Office which must be complied with in connection with entry into the national phase as outlined below;

(iii) **The procedure in the national phase**–containing an outline of the main procedural steps before the Office concerned once the national phase has started, further details relating to certain particular requirements referred to in the Summary and information about the fees that must be paid and national forms that may or must be used by the applicant in connection with entry into the national phase or during the national phase;

(iv) **Annexes**–containing a schedule of the fees referred to in the National Chapter, an explanation on how payment of fees can be made to the Office and samples or models of forms for use by the applicant in the national phase (photocopies of those forms are accepted by the Offices concerned).

1.004. In the text of the *Guide*, "Article" refers to Articles of the PCT, "Rule" refers to the PCT Regulations and "Section" refers to the PCT Administrative Instructions. Any use of those expressions in the text of the National Chapters is followed by an indication of whether they relate to the PCT or to national legislation. References to a "paragraph" relate, unless otherwise specified, to the text of the National Phase.

1.005. The Office that is competent for each PCT Contracting State which may be designated (or elected) is usually the national Office of the State concerned. For States party to the ARIPO Harare Protocol, the Eurasian Patent Convention or the European Patent Convention, the national phase procedure takes place before the national Office and/or the regional Office concerned (the ARIPO Office, the Eurasian Patent Office or the European Patent Office, respectively), depending on the kind of designations (for national protection and/or for a regional patent) which were made. (As to regional patent systems, see International Phase, paragraphs 4.022 to 4.026). For certain States party to the ARIPO Harare Protocol or the European Patent Convention which have "closed the national route," the national phase takes place exclusively before the ARIPO Office or the European Patent Office, respectively (see paragraph 2.002 of this part). Where the national law of a PCT Contracting State provides for patent protection through the extension of a European patent, the national phase takes place, in effect, before the European Patent Office (see International Phase, paragraph 5.054). For all States party to the OAPI Agreement the national phase takes place exclusively before the OAPI Office (see International Phase, paragraphs 4.022 to 4.026 and paragraph 2.002 below). Annexes B contain information as to the competent designated Offices for each Contracting State.

1.006. The draft of each Chapter dealing with an Office (national or regional) in its capacity as designated (and elected) Office has been approved by that Office. Naturally, the Chapters still may not deal with all the questions that could emerge. Moreover, practices and rules may change, and in any case, the only authentic sources are the laws, rules and regulations. While any correction, completion or updating will be effected as soon as possible, applicants are nevertheless advised to use the services of local patent attorneys or patent agents, whose expert knowledge and experience cannot be replaced by any written text.

CHAPTER 2

ENTRY INTO THE NATIONAL PHASE (GENERAL)

Article 11(3) 23 40

2.001. **What is the national phase?** The national phase is the second of the two main phases of the PCT procedure. It follows the international phase and consists in the processing of the international application before each Office of or acting for a Contracting State that has been designated in the international application (see International Phase). In each designated State the international application has the effect of a national (or regional) application as from the international filing date, and the decision to grant protection for the invention is the task of the Office of or acting for that State (the "designated Office"). The national phase of processing the international application by the designated Office is generally delayed until the termination of the international phase on the expiration of the time limits indicated in paragraphs 3.001 and 3.002.

Article 2(xiii) 4

2.002. **When is an Office a designated Office?** The national Office of a Contracting State is a "designated Office" if the State is "designated" in the international application for national protection. The filing of a request constitutes the designation of all Contracting States that are bound by the Treaty on the international filing date. However, some States may be excluded from this all-inclusive designation where they have notified the International Bureau that Rule 4.9(b) applies to them (see International Phase, paragraph 5.053). Where a PCT Contracting State is party to the ARIPO Harare Protocol, the Eurasian Patent Convention or the European Patent Convention and is designated for a regional (ARIPO, Eurasian or European) patent, the regional Office concerned (the ARIPO Office, the Eurasian Patent Office or the European Patent Office) is the designated Office. Where a State party to the ARIPO Harare Protocol, the Eurasian Patent Convention or the European Patent Convention is designated twice, namely both for national protection and for a regional patent, there are two designated Offices for that State–the national Office of the State itself and the regional Office concerned. However, certain States party to the ARIPO Harare Protocol or the European Patent Convention have "closed the national route" whereby patent protection can be obtained in those countries via an international application *only* by way of a designation for a regional (ARIPO or European) patent. If any of the States that have "closed the national route" are designated, the designated Office concerned is always the ARIPO Office or the European Patent Office, respectively (see International Phase, paragraphs 4.022 to 4.026). The European Patent Office is also, in effect, the designated Office where patent protection is desired for a designated State through the extension of a European patent to that State, a possibility which is only available for countries which have a corresponding agreement with the European Patent Organisation (see Annex B(EP) and the National Chapter (Summary) relating to the European Patent Office). Where States party to the OAPI Agreement are designated, the OAPI Office, by virtue of the provisions of that Agreement, is always the designated Office (see International Phase, paragraphs 4.022 to 4.026). The competent designated Office(s) for each Contracting State is (are) set out in Annexes B.

Article 24(1)(i) and (ii) Rule 90*bis*.2

2.003. Where the applicant, before the expiration of the time limit for entering the national phase, voluntarily withdraws a designation, the Office of or acting for the State whose designation is withdrawn ceases to be a designated Office.

Article 2(xiv) 31

2.004. **When is an Office an elected Office?** Where a demand for international preliminary examination is filed, the term "elected Office" is used–instead of the term "designated Office"–to denote the Office of or acting for a State in which the applicant intends to use the results of the international preliminary examination. Since only designated States can be elected, all elected Offices are necessarily also designated Offices.

Article 37 Rule 90*bis*.4

2.005. Where the demand is withdrawn prior to the date on which examination or processing may start in the national phase, or where the applicant fails to pay the preliminary examination fee or the handling fee and, consequently, the demand is

considered as if it had not been submitted, the Office of or acting for the State which has been elected in the demand ceases to be an elected Office.

Article 22(1)
23
39(1)(a)
40

2.006. **How does the national phase start?** The national phase starts only if the applicant performs certain acts, either before the expiration of a certain time limit or together with an express request that it start earlier. The applicant should not expect any notification inviting him to perform those acts. He has sole responsibility for performing them in due time. The consequences of failure to do so are fatal to the application in a number of designated States (see paragraphs 4.003 and 4.004). It should be noted that the acts must be performed in due time even if, for some reason, the international search report and the written opinion of the International Searching Authority or the international preliminary report on patentability (Chapter I or II of the PCT) are not yet available. Details of the acts to be performed and the applicable time limits are given in the following paragraphs.

CHAPTER 3

TIME LIMIT FOR ENTERING THE NATIONAL PHASE

GENERAL

Article 2(xi) 22

3.001. **What is the time limit for entering the national phase before a designated Office?** Subject to what is said below, no designated Office may normally process or examine the international application prior to the expiration of 30 months from the priority date and any fees due to a designated Office and any translation of the international application to be furnished to a designated Office will have to be paid and furnished, respectively, only by the expiration of that 30-month period ("priority date" means, where the international application contains a priority claim, the filing date of the application whose priority is claimed, and, where it does not contain such a claim, the filing date of the international application. Where the international application contains two or more claims, "priority date" means the filing date of the earliest application whose priority is claimed). In respect of certain designated Offices, the applicable time limit is 20 months, not 30 months because of the incompatibility, for the time being, of the modified PCT provision (PCT Article 22(1)) with the relevant national law; those Offices made a declaration of incompatibility which will remain in effect until it is withdrawn by the respective Offices. Furthermore, certain designated Offices have fixed time limits expiring even later than 30 months, or 20 months, as the case may be. For regular updates on these applicable time limits, refer to the relevant National Chapters; a cumulative table is also available from WIPO's website at https://www.wipo.int/pct/en/texts/time_limits.html.

Article 2(xi) 39(1) 64(2) Rule 54*bis*

3.002. **What is the time limit for entering the national phase before an elected Office?** The time limit is normally 30 months from the priority date, the same time limit for entering the national phase as that which applies in the case of a designated Office which has not been elected (see paragraph 3.001). In respect of the designated Offices, for which the 20-month time limit applies (see paragraph 3.001), the time limit is 30 months from the priority date if the applicant files a demand for international preliminary examination prior to the expiration of 19 months from the priority date. The national law applied by each elected Office may fix a time limit which expires later than 30 months from the priority date. The National Chapter (Summary) relating to each elected Office in respect of which an extended time limit applies indicates the length of that time limit as does the table referred to in paragraph 3.001. It should be noted that some Offices apply different time limits depending on whether the applicant enters the national phase under Chapter I (Article 22) or Chapter II (Article 39(1)) (for details see the table referred to in paragraph 3.001). In those cases, it is recommended that applicants enter the national phase before elected Offices no later than 30 months from the priority date in order to ensure timely national phase entry.

3.003. **Are reminders to enter the national phase sent to the applicant by the designated Offices? What happens if the international search report or the international preliminary examination report is late?** Designated Offices usually do not issue any reminder to applicants that the time limit for entering the national phase is about to expire (or has just expired). It is therefore the applicant's responsibility to monitor the applicable time limit(s) in order for the application not to lose its effect before the designated Offices. The applicant is responsible for timely performance of the acts required for entry into the national phase even if the international search report and the written opinion of the International Searching Authority or the international preliminary report on patentability (Chapter I or II of the PCT) have not been established by the time the applicant has to make a decision about how to proceed (see International Phase, paragraphs 7.023, 7.027, 7.031 and 10.074).

REQUEST FOR EARLIER START OF THE NATIONAL PHASE

Article 23 40

3.004. **Can the national phase start before the expiration of the time limit for entering it?** The PCT provides, in Articles 23 and 40, that national processing may not start before the expiration of the time limits indicated in paragraphs 3.001 and 3.002

unless the applicant makes an express request to the Office concerned that it start the processing and the examination of the international application earlier. Such a request is not effective, however, unless the applicant has performed the prescribed acts indicated in the following paragraphs. The attention of applicants is drawn to the information in paragraph 4.028.

CHAPTER 4

ACTS TO BE PERFORMED FOR ENTRY INTO THE NATIONAL PHASE

GENERAL

Article 22(1)

4.001. **What must be done by the applicant before the start of the national phase?** The following acts must be performed (if applicable):

(i) payment of the national fee (see paragraphs 4.005 to 4.007);

(ii) furnishing of a translation, if prescribed (see paragraphs 4.008 to 4.026);

(iii) in exceptional cases (if a copy of the international application has not been communicated to the designated Office under Article 20), furnishing of a copy of the international application, except where not required by that Office (see paragraphs 4.027 and 4.028);

(iv) in exceptional cases (if the name and address of the inventor were not given in the request when the international application was filed, but the designated Office allows them to be given at a time later than that of the filing of a national application), furnishing of the indication of the name and address of the inventor (see paragraphs 4.030 and 4.031).

Article 27(1), (2), (6) and (7)
Rule 51*bis*

4.002. There may be acts in addition to those described in paragraph 4.001 which must be performed for the international application to proceed in the national phase, but none of those acts, which are described further below and in the National Chapter relating to each designated Office, has to be performed within the time limit for entering the national phase.

Article 24(1)(iii) 39(2)

4.003. **What are the consequences of failure to perform the acts required for entry into the national phase?** The consequences where, on expiration of the applicable time limit for entering the national phase, the required acts have not (all) been performed, are that the international application loses the effect of a national application and the procedure comes to an end in respect of each Office before which they have not (all) been performed. Non-performance of the required acts in respect of one Office does not alter the effect of the international application before the other Offices. The automatic loss of the effect relieves the applicant, where he decides not to pursue the international application in the national phase, of the need to expressly withdraw the international application or the designation or election of a certain State.

Article 48(2)
Rule 49.6 82*bis*

4.004. Where the applicant fails to perform the required acts in time, he may ask the designated Office to maintain the effect of the international application and to excuse the delay (see paragraphs 6.022 to 6.027).

NATIONAL FEES

Article 22(1) 39(1)(a)
Rule 49.1(a)(ii) 76.5

4.005. **What fees must be paid for entry into the national phase and when?** The fees to be paid for entry into the national phase are indicated in each National Chapter (Summary and fees annex). They must be paid in the currencies and within the time limits that are also indicated there. If annual or renewal fees have become due by the time the national phase could start, they must be paid before the expiration of the time limit applicable for entering the national phase. The National Chapters set out this information.

4.006. **How can payment of national fees be effected?** The fees annex to each National Chapter contains this information.

4.007. **Does the applicant have the right to claim the exemption, reduction or refund of national fees?** The exemption, reduction or refund of national fees is granted by various designated Offices. Each National Chapter (Summary) contains information on whether fee exemptions, reductions or refunds can be claimed and, if so, under what circumstances and in what amounts.

TRANSLATION OF THE INTERNATIONAL APPLICATION

Article 22(1) 39(1)(a) Rule 49.1(a)(i) 76.5

4.008. **In which case must the international application be translated?** A translation of the international application must be furnished if the language in which it was filed or published is not a language accepted by the designated Office.

Rule 49.1(a)(i) 76.5

4.009. **What is the language into which the international application must be translated?** The language or languages prescribed by the designated Offices are given in the National Chapter (Summary) relating to each Office. Where several languages are given, the applicant may choose the language which suits him best. It should be noted that the language in which the translation of the international application is furnished is usually also the language for the whole procedure before the designated Office.

Rule 49.5(a) 49.5(k)

4.010. **What must the translation comprise?** The translation must comprise a translation of the description, including the title of the invention (where the title has been established or amended by the International Searching Authority, the translation must only contain the title as established or amended by that Authority), of the claims (see paragraph 4.014) and of any text matter in the drawings (see paragraph 4.022), as originally filed and/or as amended (see paragraphs 4.014 to 4.017, 4.019 and 4.020). Where pages have been accepted as incorporated by reference by the receiving Office (see paragraph 6.027 to 6.031 of the international phase), the translation must contain these pages. Each National Chapter (Summary) lists what the translation must comprise for the designated Office concerned. For the translation of the abstract and of the request, see the following paragraphs.

Rule 49.5(a)

4.011. **Does the abstract require translation?** Normally the abstract must also be translated (where it has been amended or established by the International Searching Authority, the translation must only contain the abstract as established or amended by that Authority), but some Offices do not require a translation for the national phase. The National Chapter (Summary) relating to each Office which requires that the abstract be translated contains an indication to that effect.

Rule 49.5(a)(i)

4.012. **Does the request require translation?** The designated Offices have the right to require a translation of the request but most of them do not require it. The National Chapter (Summary) relating to each Office which requires that the request be translated contains an indication to that effect.

Rule 49.5(b)

4.013. **How does the applicant prepare a translation of the request?** The usual way of translating the request is to transfer the data contained in the request of the international application as filed to a request form in the language of the translation. Every designated Office that requires a translation of the request is obliged to furnish to the applicant–free of charge–a copy of the request form in the language of the translation. It should be noted that the use of the request form in the language of the translation is optional, so that applicants who do not have such a form may present the translation in a different format.

Rule 49.5(a)(i)

4.013A. **Do declarations under Rule 4.17 require translation?** Declarations are part of the request form and therefore translation of declarations must be furnished only when the designated Office requires the applicant to furnish a translation of the request (see paragraphs 4.012 and 4.013).

Rule 49.5(a)(ii)

4.014. **Which are the claims that must be translated where the claims have been amended under Article 19?** The designated Offices have the right to require a translation of the claims both as originally filed and as amended under Article 19. Each National Chapter (Summary) contains information on the applicable requirements. As to translations of the claims as amended under Article 19 in a case where the international application has been the subject of international preliminary examination, see paragraph 4.019.

Rule 49.5(c-*bis*)

4.015. Where a designated Office requires a translation of both the claims as filed and of the claims as amended under Article 19, but the applicant furnishes only one of the required two translations, the designated Office either disregards the claims of which a translation has not been furnished or invites the applicant to furnish the missing translation within a time limit which must be reasonable in the circumstances. If such

an invitation is issued but the missing translation has still not been furnished within that time limit, the designated Office may either disregard the claims whose translation is missing or consider the international application withdrawn.

Rule 49.5(l)

4.016. The procedures outlined in paragraph 4.015 do not apply in all designated Offices. The various National Chapters (Summary) indicate, for each designated Office which requires a translation of both the claims as filed and of the claims as amended under Article 19, whether an invitation is issued where both translations are not filed and what the consequences are if the missing claims are not furnished in response to such an invitation.

Rule 49.5(c)

4.017. **Must any statement explaining amendments made to the claims under Article 19 be translated?** This statement must be translated only where required by the designated Office (see the National Chapter (Summary)). Failure to furnish a translation of the explanatory statement has no effect on the international application itself; it can only result in the statement being disregarded by the designated Office.

Rule 49.5(h)

4.018. **Must a reference to deposited biological material be translated?** Where such a reference is contained in the description, its translation is part of the translation of the description. Where the reference is not contained in the description but has been furnished on the optional sheet (see International Phase, paragraph 11.075) or in a later communication, a translation must be furnished together with the translation of the international application. Where the applicant fails to furnish the translation of the reference, the designated Office may invite him to do so if it deems necessary.

4.018A. **Must declarations or evidence submitted with a request for restoration of the right of priority during the international phase be translated?** Where the decision by the receiving Office to restore the right of priority is reviewed by the designated Office under Rule 49*ter*.1(d), that Office may require the applicant to prepare translations of any declaration or other evidence furnished to the receiving Office.

Article 36(2)(b)
Rule 70.16
74.1
76.5

4.019. **What must be translated where the international application has been the subject of international preliminary examination?** Amendments to the description, claims or drawings under Article 34 that have been filed with the International Preliminary Examining Authority and have been taken into account for the establishment of the international preliminary report on patentability (Chapter II of the PCT) will be annexed to that report. Any amendments under Article 19 as well as replacement sheets containing rectifications of obvious mistakes authorized under Rule 91.1(b)(iii), will similarly be annexed to the report if they have been taken into account (that is, they will in general not be annexed to the report if they have been superseded by later amendments or considered as reversed by an amendment under Article 34. However, exceptionally where the International Preliminary Examining Authority considers that a superseding or reversing amendment goes beyond the disclosure in the international application as filed, the replacement sheet superseded or reversed by the most recent superseding or reversing amendment will nevertheless be annexed to the report, and the report will contain an indication of this as referred to in Rule 70.2(c)). A translation of the amendments annexed to the report must be furnished together with the translation of the international application within the applicable time limit under Article 39(1).

Rule 70.16
76.5(iv)

4.020. If there have been any amendments under Article 19 which are not annexed to the international preliminary report on patentability (Chapter II of the PCT), a translation of those amendments need not be furnished to most elected Offices. A few elected Offices do, however, require translations of amendments under Article 19 even if they are not annexed to the international preliminary report on patentability (Chapter II of the PCT)–see the various National Chapters (Summary) for details.

Rule 49.5(a)(iii)
49.5(e)
76.5

4.021. **Does the translation have to contain drawings?** No applicant is required to furnish original drawings to the designated Offices together with the translation of the international application. Offices may require only the furnishing of a copy of the original drawing(s), and few actually do so. The National Chapter (Summary) relating to each designated Office indicates this information. If the copy of the drawings is not furnished within the time limit for entering the national phase, the international application does

not lose its effect, but the designated Office invites the applicant to furnish the missing copy.

Rule 49.5(d) and (f) 76.5

4.022. **How must the translation of text matter in drawings be presented?** Where a drawing, a table or the like contains text matter, that text matter must be translated. There are two methods that may be used for the physical presentation of the translated text matter. One is to furnish new sheets of drawings, tables, etc., containing the translated text matter. The other is to paste the translation over the original text matter and to furnish a copy of that sheet. The latter method, however, requires the copy to be of good quality and fit for reproduction by the designated Office. If it is not, the designated Office may invite the applicant to correct the defect. The expression "Fig." which is frequently used in drawings does not require translation into any language. If the translation of the text matter of the drawings is not furnished within the time limit for entering the national phase, the international application may lose the effect of a national application.

Rule 49.5(j) 76.5

4.023. **What are the physical requirements for the translation?** The translation of the international application and any copy of drawings must comply with the physical requirements prescribed by the designated Office. However, no such Office has the right to require compliance with requirements as to the form of the translation of the international application that are different from or additional to those laid down in the PCT and the Regulations for the filing of international applications. Therefore, if the papers furnished to the designated Office comply with the physical requirements for international applications, they must be accepted by that Office. For details of those physical requirements, see International Phase, paragraphs 5.177, 6.032 and 6.051.

Rule 51*bis*.1(c) 76.5

4.024. **In how many copies must the translation be furnished?** One copy of the translation is in principle sufficient for entering the national phase. There are some designated Offices, however, that require two or more copies. Where this is the case, it is mentioned in the National Chapter (Summary). If one or more copies are missing, those Offices will give the applicant an opportunity to furnish them once the national phase has started.

Rule 51*bis*.1(d)(ii) 76.5

4.025. **Must the translation be certified?** The translation of the international application furnished for entry into the national phase does not need to be certified by a public authority or a sworn translator. However, if later the designated Office reasonably doubts the accuracy of the translation, it may require the applicant to furnish a certification of the translation.

Rule 51*bis*.1(d)(i) 76.5

4.026. **Must the translation be verified?** Verification of a translation means that the translation must be accompanied by a statement signed by the applicant or by the translator, to the effect that, to the best of his knowledge, the translation is complete and faithful. There are only a few designated Offices that require verification. For each such Office, the National Chapter (Summary) contains an indication to that effect and gives further details (including forms).

COPY OF THE INTERNATIONAL APPLICATION

Article 22(1) 39(1)(a) Rule 47.1(a) 49.1(a-*bis*) and (a-*ter*) 76.5 93*bis*.1

4.027. **Must a copy of the international application be furnished by the applicant to the designated Office for entry into the national phase?** Under normal circumstances, none of the designated Offices requires a copy of the international application to be submitted by the applicant. There are only a few that do require a copy where the communication by the International Bureau of a copy of the international application under Article 20 has not, or could not yet have, taken place (for details, see the National Chapters (Summary)). That communication is effected by the International Bureau in accordance with Rule 93*bis*.1 but not prior to the international publication of the international application. The applicant is notified accordingly by means of Form PCT/IB/308 (First notice informing the applicant of the communication of the international application (to designated Offices which do not apply the 30 month time limit under Article 22(1)), and Form PCT/IB/308 (Second and supplementary notice informing the applicant of the communication of the international application (to designated Offices which apply the 30 month time limit under Article 22(1)). When the applicant receives these Forms, he does not have to furnish a copy of the international

application to any of the designated Offices, since the notices are accepted by all of them as conclusive evidence that the communication has duly taken place on the date specified in the notice.

Article 13(2)(b) 22(1) 23(2) 39(1)(a) 40(2) Rule 47.4

4.028. On the other hand, where the applicant makes an express request for early processing of the international application (see paragraphs 2.006 and 3.004) before the communication of the international application has taken place, he must either furnish a copy of the international application, and of any amendment filed under Article 19 with the International Bureau, at the same time as he makes the express request for early processing to the designated Office or request the International Bureau to transmit a copy of his international application to the designated Office in accordance with Article 13(2)(b). The other acts prescribed for entering the national phase must naturally also be complied with.

CHOICE OF CERTAIN KINDS OF PROTECTION

Rule 49*bis*.1 76.5

4.029. The filing of a request constitutes an indication that the international application is, in respect of each designated Office to which Article 43 or 44 applies, for the grant of every kind of protection which is available by way of the designation of that State. As a result, if the applicant wishes the international application to be treated in a designated Office as an application not for the grant of a patent but for the grant of another kind of protection available for the designated Office, or for the grant of more than one kind of protection, the applicant is required to indicate his choice of protection to the designated Office when performing the acts to enter the national phase. Similarly and within the same time limits, the applicant is required to make such indications also in cases where he wishes the international application to be treated in a designated Office as an application for a patent of addition, a certificate of addition, inventor's certificate of addition, a utility certificate of addition or as a continuation or a continuation-in-part. Although some designated Offices may require the applicant to furnish any such indications at the time the acts referred to in Article 22 or Article 39 are performed, many designated Offices would allow the applicant to furnish such indications or, where applicable, convert from one kind of protection to another, at a later time as provided by national law.

NAMING OF INVENTOR

Article 22(1)

4.030. **In which case must the name and address of the inventor be indicated for entry into the national phase?** If the name or address of the inventor or inventors has not been indicated in the request at the time of filing, that information must be furnished to the designated Offices at the time of entry into the national phase. If such indications are required, most of the designated Offices will invite the applicant to furnish them if he fails to do so on entering the national phase, but some of them will not. Details are given in the National Chapters (Summary).

Article 27(2)(ii) Rule 51*bis*.1(a) 76.5

4.031. The indication of the name and address of the inventor is to be distinguished from other declarations of or concerning the inventor or the invention, etc. The latter are considered "special requirements" (see paragraphs 5.001 to 5.005) which may be complied with after entry into the national phase.

USE OF NATIONAL FORMS

Rule 49.4 76.5

4.032. **Is the use of national forms mandatory for entry into the national phase?** No applicant may be required to use a national form to perform the acts prescribed for entry into the national phase. Several Offices do, however, keep such forms at the disposal of applicants, and their use is recommended. The National Chapters contain information about existing forms, and the annexes to the Chapters reproduce samples of them.

CHAPTER 5

SPECIAL REQUIREMENTS TO BE COMPLIED WITH IN CONNECTION WITH THE NATIONAL PHASE

GENERAL

Article 27(1), (2), (6) and (7)
Rule 51*bis* 76.5

5.001. **What is the meaning of "special requirements" and when do they have to be complied with?** No designated Office is allowed to require, before the expiration of the applicable time limit for entering the national phase, the performance of acts other than those referred to in Article 22(1), namely the payment of the national fee, the furnishing of a translation (if prescribed) and, in exceptional cases, the furnishing of a copy of the international application, and the indication of the name and address of the inventor (see paragraph 4.001). All other requirements of the national law, to the extent that they are admitted under Article 27, are referred to in this publication as "special requirements." They may still be complied with after entry into the national phase. Rule 51*bis* indicates the most common of those requirements and provides that the applicant must be given an opportunity to comply with any such special requirement after the start of the national phase. This opportunity is usually given either by sending an invitation to comply with a certain special requirement within a time limit indicated in the invitation or by providing in the national law for a certain time limit within which the applicant must, without invitation, comply with the requirement.

5.002. For each designated Office, the National Chapter (Summary) lists the special requirements, if any, which must be complied with in connection with entry into the national phase, and indicates whether the Office concerned will invite the applicant to comply or, if there is no invitation, what the time limit is within which he must comply should he not have done so already. It is highly recommended that any special requirement indicated in the National Chapter (Summary) be complied with at the time of performing the acts for entry into the national phase, because this is more economical and avoids the risk of forgetting to comply with the requirement later. The most common of the special requirements are explained in general terms in the following paragraphs. Details are given in each National Chapter (Summary).

CERTAIN DECLARATIONS CONCERNING THE INVENTOR, ASSIGNMENTS, ETC.

Rule 51*bis*.1(a)
51*bis*.2
51*bis*.3
76.5

5.003. **What must be done to prove inventorship, the right to file the application or the like?** Depending on national law and practice, some designated Offices require the applicant to furnish:

(i) any document relating to the identity of the inventor;

(ii) any document relating to the applicant's entitlement to apply for or be granted a patent;

(iii) any document containing proof of the applicant's entitlement to claim priority of an earlier application where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the date on which the earlier application was filed;

(iv) any document containing an oath or declaration of inventorship;

(v) any evidence concerning non-prejudicial disclosures or exceptions to lack of novelty, such as disclosures resulting from abuse, disclosures at certain exhibitions and disclosures by the applicant during a certain period of time.

However, in general, a document referred to above will not be required if the applicant has furnished a declaration under Rule 4.17 (see paragraph 5.005). What may be required by a particular designated Office is indicated in the National Chapters (Summary). The annexes to the National Chapters contain forms that must or may be used for this purpose. Documents (other than declarations under Rule 4.17) required by designated Offices, must always be sent by the applicant to the designated Office

concerned and should not be sent to the International Bureau, which, if it does receive them, keeps them in its files but does not transmit them to the designated Offices.

5.004. **When must requirements relating to matters such as inventorship, right to file, etc. be complied with?** In general, such requirements must be complied with within a time limit of at least two months from the date of an invitation that the designated Office must send to the applicant, in case the requirement concerned was not already complied with within the time limit for entering the national phase (see paragraphs 3.001 and 3.002). Certain designated Offices have, however, informed the International Bureau that the time limit of two months was not compatible with the applicable national law (see the relevant National Chapters (Summary)).

Rule 4.17
51*bis*.2

5.005. **What can be done in the international phase to simplify the processing of international applications in the national phase?** The applicant may include in Box No. VIII of the request form one or more of the following declarations under Rule 4.17:

Rule 4.17(i)
51*bis*.1(a)(i)

– Box No.VIII(i): declaration as to the identity of the inventor (noting that such declaration need not be made in Box No. VIII(i) if the name and address of the inventor are indicated in the request, that is, usually in Boxes No. II and/or III);

Rule 4.17(ii)
51*bis*.1(a)(ii)

– Box No.VIII(ii): declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent;

Rule 4.17(iii)
51*bis*.1(a)(iii)

– Box No.VIII(iii): declaration as to the applicant's entitlement, as at the international filing date, to claim priority of the earlier application;

Rule 4.17(iv)
51*bis*.1(a)(iv)

– Box No.VIII(iv): declaration of inventorship (only for the purposes of the United States of America), noting that that declaration must be signed;

Rule 4.17(v)
51*bis*.1(a)(v)

– Box No.VIII(v): declaration as to non-prejudicial disclosures or exceptions to lack of novelty.

Where the request contains a declaration complying with Rule 4.17(i) to (iv), a designated Office may not (except if it has informed the International Bureau to the contrary) require any document or evidence relating to the subject matter of that declaration (see paragraph 5.003) unless it reasonably doubts the veracity of the declaration concerned. In the case of a declaration as to non-prejudicial disclosures or exceptions to lack of novelty made under Rule 4.17(v), the designated Offices concerned are always entitled to require further documents of evidence. For further details, see International Phase, paragraphs 5.074 to 5.080.

REPRESENTATION

Article 27(7)
Rule 51*bis*.1(b)
76.5

5.006. **Must the applicant be represented by an agent for the national phase?** Most designated Offices require non-resident applicants to be represented by an agent; others require non-resident applicants to have an address for service in the country. The National Chapters (Summary) indicate whether an agent must be appointed or whether an address for service is required.

Article 27(7)
Rule 51*bis*.1(b)
76.5

5.007. **When and how must the agent be appointed?** It is highly recommended that an agent be appointed for the performance of the acts for entry into the national phase. An address for service, where required, should also be indicated at the time of performing those acts. As for any obligation to be represented by an agent or to have an address for service, it applies only once the national phase has started. The appointment of an agent must be made in a power of attorney signed by the applicant(s). Model powers of attorney are contained in the annexes to the National Chapters and on the website at https://www.wipo.int/pct/en/forms/pa/index.htm.

Article 27(7)

5.008. **Who may act as an agent for the national phase?** The reply to this question is given for each designated Office in the National Chapter (Summary). Lists with names and addresses of agents may be obtained from the designated Offices, but not from the International Bureau.

PRIORITY DOCUMENT: COPY AND TRANSLATION

Rule 17.2(a)

5.009. **When must a copy of the priority document be furnished for the national phase?** The priority document must be submitted during the international phase to the receiving Office or to the International Bureau, and the International Bureau makes it available to designated Offices (for details, see International Phase, paragraph 5.070). Where the priority document has been submitted within the time limit during the international phase to the receiving Office or to the International Bureau, no designated Office may require an original priority document (that is, an original certified copy of the earlier application) from the applicant. What may be required, however, is a copy of the priority document, that is, a simple photocopy of the original priority document (consisting of a copy of both the earlier application and the certificate of its filing date), together with a translation of the priority document (see paragraph 5.010).

Rule 17.2(a)
51*bis*.1(e)
76.4
82*ter*.1(b)

5.010. **When must a translation of the priority document be furnished for the national phase?** A designated Office may require the applicant to furnish a translation of the priority document only where the validity of the priority claim is relevant to the determination of whether the invention concerned is patentable; and for the determination of whether an element or part that has been incorporated by reference, pursuant to Rules 4.18 and 20.6, is completely contained in the priority document concerned. In addition, where a part of the description, claims or drawings was incorporated by reference, the designated Office may also require the applicant to furnish an indication as to where the given part is contained in the translation of the priority document.

CHAPTER 6

MISCELLANEOUS QUESTIONS CONCERNING THE NATIONAL PHASE

SUBSTANTIVE CONDITIONS OF PATENTABILITY

Article 27(5) and (6) 33(5)

6.001. **What is the effect of the PCT on the substantive conditions of patentability applied in the national phase?** The PCT leaves each Contracting State free to determine substantive conditions of patentability. This is particularly true for what constitutes "prior art." However, since the requirements of prior art as defined in the PCT and its Regulations for the purposes of the international phase are generally as strict as, or stricter than, those defined in any national law, the chances of unpleasant surprises by way of previously uncited prior art references being raised during the national phase are substantially reduced. On the other hand, the PCT does not prevent any national law from requiring the applicant to furnish, in the national phase, evidence in respect of any substantive condition of patentability in that law.

CORRECTION OF TRANSLATION

6.002. **May the applicant correct errors in the translation of the international application?** Where the translation of the international application contains an error, that error may be rectified, during the national phase, before all designated Offices.

Article 46

6.003. The scope of the translation of the international application may not, however, exceed the scope of the international application in its original language. Where, for example, as a result of incorrect translation, the scope of the international application in the language of the translation is narrower than in its original language, that scope may be broadened but must not exceed the original scope. Where the scope of the translation is broader than that of the international application in its original language, the designated Office or any other competent authority of the designated State may limit accordingly the scope of the international application or of a patent resulting from it.

RESTORATION OF THE RIGHT OF PRIORITY

Rule 49*ter*.1

6.004. **What are the effects of a decision by a receiving Office to restore the right of priority on designated Offices?** A decision by a receiving Office to restore a right of priority based on the criterion of "due care" will, as a general rule, be effective in all designated Offices, unless the designated Office submitted a notification of incompatibility under Rule 49*ter*.1(g) (see paragraph 6.005). A decision by a receiving Office to restore a right of priority based on the criterion of "unintentionality" will be effective only in those designated States the applicable laws of which provided for restoration of the right of priority based on that criterion or on a criterion which, from the viewpoint of applicants, is more favorable than that criterion. A decision by a receiving Office to refuse to restore the right of priority can always be reviewed by a designated Office (see paragraph 6.006), unless it has submitted a notification of incompatibility under Rule 49*ter*.1(g), such that restoration is not possible in that jurisdiction.

In addition, a review of a positive decision may be made by a designated Office in the limited situation where it reasonably doubts that one of the substantive requirements for restoration was complied with. No review is permitted on purely formal grounds, such as, for example, the ground that the relevant fee in the international phase might not have been paid.

Rule 49*ter*.1(g)

6.005. **What are the consequences of a decision by a receiving Office to restore the right of priority on a designated Office which has made a notification of incompatibility?** Several designated Offices have notified the International Bureau under Rule 49*ter*.1(g) of the incompatibility of Rule 49*ter*.1(a) to (d) with the national law applied by that Office. As a result, these designated Offices will not be obliged to give effect to the decision by a receiving Office to restore the right of priority for the purposes of the procedure before that designated Office as outlined above.

A list of Offices which have notified the International Bureau of incompatibility of their national law with Rule 49*ter*.1 can be found on WIPO's website at https://www.wipo.int/pct/en/texts/reservations/res_incomp.html#R_49ter_1_g.

Rule 49*ter*.2

6.006. **Can a request to restore the right of priority also be filed directly with a designated Office?** A request to restore the right of priority can also be filed directly with a designated Office once the applicant has entered the national phase before that Office. An applicant may wish to rely on this opportunity if he could not file a request to restore the right of priority with the receiving Office because of the operation of Rule 26*bis*.3(j), or obtain the restoration of the priority right on the desired criterion because of the criterion for restoration applied by the receiving Office, or because the receiving Office has refused the request to restore filed with it (see Rule 49*ter*.1(e)). Several designated Offices have, however, notified the International Bureau under Rule 49*ter*.2(h) of the incompatibility of Rule 49*ter*.2(a) to (g) with the national law applied by that Office. As a result, these designated Offices will not accept a request to restore the right of priority filed with it. A list of Offices which have notified the International Bureau of the incompatibility of their national law with Rule 49*ter*.2 can be found on WIPO's website at https://www.wipo.int/pct/en/texts/reservations/res_incomp.html#R_49ter_2_h.

Rule 49*ter*.2(b)(i) 49*ter*.2(f)

6.007. **What is the applicable time limit to request restoration of the right of priority with a designated Office?** The time limit for complying with the requirements for requesting the restoration of the right of priority is at least one month from the applicable time limit under Article 22 for entering the national phase, though designated Offices are free to apply longer time limits where permitted under their national law (Rule 49*ter*.2(f)). Where the applicant makes an express request for entry into the national phase under Article 23(2), the time limit of one month starts from the date of receipt of that request by the designated Office. If the designated Office requires the applicant to provide a declaration or evidence in support of the statement of reasons for failure to timely file the international application, it allows the applicant a reasonable time under the circumstances to furnish such documents.

Rule 49*ter*.2(b) and (f)

6.008. **How should a request for the restoration of the right of priority be filed with the designated Office?** The request to restore the right of priority must be submitted by way of a letter to the designated Office.

For the request to restore the right of priority to be successful, the following requirements must be met:

- the international application must contain a priority claim to an earlier application and the international application must have been filed within two months from the expiration of the priority period. If the international application did not contain the relevant priority claim at the time of filing, such a claim must have been added, pursuant to Rule 26*bis*.1(a) (see International Phase, paragraphs 6.038 to 6.040), before the expiration of the time limit under Rule 26*bis*.3(e) (Rule 26*bis*.3(c));
- the request to restore should state the reasons for the failure to file the international application within the priority period (see paragraph 6.010). The statement of reasons should be drafted in light of the restoration criterion which the applicant seeks to satisfy, from among those applied by the Office (see paragraph 6.009);
- the request must be accompanied by any fee for requesting restoration required by the designated Office (see National Chapter, Annex I for whether a particular designated Office requires such a fee);
- if required by the designated Office and subject to an invitation by the Office, a declaration or other evidence in support of the statement of reasons must be furnished (Rule 49*ter*.2(c)) (for the applicable time limit, see paragraph 6.007).

Rule 49*ter*.2(a) and (f)

6.009. **What are the criteria for restoration applied by the designated Office?** There are generally two criteria for restoration: either the failure to file the international application within the priority period occurred in spite of due care required by the circumstances having been taken or the failure to file the international application within the priority period was unintentional. All designated Offices to which these Rules are

applicable (see paragraph 6.006) must apply at least one of these criteria, or else one more favorable from the point of view of the applicant. If a designated Office wishes, it may apply both criteria for restoration.

Rule 49*ter*.2(b)(ii)

6.010. **What needs to be included in the statement of reasons for the request to restore the right of priority?** The statement should indicate the reasons for the failure to file the international application within the priority period. It should contain all the relevant facts and circumstances which would allow the designated Office to determine that the failure to file the international application within the priority period occurred in spite of due care required by the circumstances having been taken or was unintentional.

Rule 49*ter*.2(e)

6.011. **Will there be an opportunity to convince the designated Office that it should not refuse the request?** If the designated Office intends to refuse the request for the restoration of the priority claim, it is required to notify the applicant of its intention. The applicant must be given an opportunity to make observations on the intended refusal within a reasonable time limit, specified in the notification of intended refusal. Note that this notification may in practice be sent to the applicant together with an invitation to file a declaration or other evidence.

INCORPORATION BY REFERENCE OF MISSING OR CORRECT ELEMENTS OR PARTS

Rule 82*ter*.1

6.012. **Will pages which have been accepted as incorporated by reference by the receiving Office be accepted by the designated or elected Office?** Designated and elected Offices may, to a limited extent, review decisions by receiving Offices which have allowed incorporation by reference (Rule 82*ter*.1(b)). If the designated or elected Office finds that the applicant did not comply with its obligation to furnish or arrange for the furnishing of a priority document; the statement of incorporation was missing or not submitted with the request; no written notice confirming incorporation by reference was submitted; no required translation furnished; or the element or part in question was not completely contained in the priority document, the designated or elected Office may treat the international application as if the international filing date had been accorded on the basis of the date on which the sheets containing the missing or correct element or part were submitted, but only after having given the applicant the opportunity to make observations on this outcome, in which case the applicant may request that the missing part or the correct element or part which had been furnished be disregarded, in accordance with Rule 82*ter*.1(d). Similarly, those designated Offices which have submitted notifications of incompatibility under Rule 20.8(b) or 20.8(b-*bis*) (see International Phase, paragraph 6.027) may, pursuant to Rule 20.8(c), also treat the international application as if the international filing date had been accorded without the benefit of the incorporation by reference but also only after having given the applicant the opportunity to make observations on this outcome, in which case the applicant may request that the missing part or the correct element or part which had been furnished be disregarded.

AMENDMENT OF THE INTERNATIONAL APPLICATION FOR THE NATIONAL PHASE

Article 19
28
34(2)(b)
41
Rule 46
52.1
66.1
78

6.013. **May the applicant amend the international application for the national phase?** The PCT guarantees the applicant an opportunity to amend the claims, the description and the drawings before any designated Office. Although he already has had the opportunity to amend the claims in the international phase, he may wish to make further amendments, which may be different for the purposes of the various designated Offices, in the national phase, or he may wish to amend also the description or the drawings (which is not possible during the international phase unless the applicant has made a demand for international preliminary examination). All designated and elected Offices are obliged to permit such amendments for at least one month from the time when the applicant enters the national phase. That minimum time limit may be later in certain exceptional circumstances specified in Rules 52.1 and 78. In any event, most designated and elected Offices permit amendments at any time during the national

examination procedure (if applicable). In certain designated or elected Offices, where examination must be specifically requested, the request for making amendments may only be made after the applicant has entered the national phase. The National Chapters give additional indications in this respect.

Rule 91.3(f)

6.014. **May the applicant correct obvious mistakes in the international application for the national phase?** Normally, any obvious mistake in the description, claims and drawings may be corrected before the designated Office. The correction can be presented as an amendment (see paragraph 6.013), provided that the scope of the international application as originally filed is not thereby broadened.

Rule 91.3(e) and (f)

6.015. **What are the effects of the authorization of an obvious mistake on the designated and elected Offices?** Generally, designated and elected Offices must process the international application in the national phase "as rectified", unless that designated or elected Office has already started the processing or examination of the international application before the date on which that Office is notified under Rule 91.3(a) by the International Bureau of the authorization of the rectification concerned. Otherwise, a designated or elected Office may disregard a rectification that was authorized under Rule 91.1 if it finds that it would not have authorized the rectification if it had been the competent authority (see Rule 91.3(f)). The designated Office may, however, only disregard any rectification that was authorized during the international phase, if it has given the applicant an opportunity to make observations, within a reasonable time limit, on the Office's intention to disregard the rectification.

6.016. Where the authorization of rectification has been refused during the international phase and the applicant has made a request for publication under Rule 91.3(d) (see International Phase, paragraph 11.043), he should repeat the request for rectification before each designated Office in a language admitted by that Office.

6.017. The conditions for allowing the rectification of an obvious mistake depend on the national law and practice applied by the designated Offices. Applicants are advised to inquire at the Offices concerned regarding the conditions applicable.

REVIEW IN THE NATIONAL PHASE OF CERTAIN DECISIONS MADE DURING THE INTERNATIONAL PHASE

Article 25

6.018. **In which case may a request for review be made?** A review by the designated Office of the following decisions may be requested:

(i) the receiving Office has refused to accord an international filing date to the international application because of certain defects in that application;

(ii) the receiving Office has declared that the international application is considered withdrawn because of certain defects in that application or because of non-payment of the prescribed fees;

(iii) the International Bureau has made a finding that the international application is considered withdrawn because it has not received the record copy within the prescribed time limit.

Article 25(2)(a)

Thus, those decisions that may have been made during the international phase and affect the international application as such are subject to review by each designated Office. Review by the designated Office consists of an examination to ascertain whether the receiving Office's refusal or declaration or the International Bureau's finding was the result of an error or omission on the part of the authority concerned.

6.019. **How may the right to request a review be exercised and when?** In any of the three cases referred to in paragraph 6.018, the applicant must, if he wants the decision to be reviewed,

Article 25(1)(b)

(i) request the International Bureau, under Article 25, to send to each designated Office specified by him a copy of any relevant document in the file; this request must be in English or French;

Article 25(2)(a)
Rule 51.2

(ii) request each of those designated Offices, separately, to review the decision affecting his international application, giving the facts and evidence indicating an

error or omission on the part of the receiving Office or of the International Bureau, as the case may be; in addition, and at the same time (see paragraph 6.020), the applicant must pay to the said designated Office the national fee for entry into the national phase, and furnish a translation of the international application where required; for details about fees and required translations, see the National Chapters (Summary); the request to the designated Office must be in a language accepted by that Office; where the review requested concerns the refusal to accord an international filing date, the applicant must attach to his request a copy of the notice informing him of the refusal.

Rule 51.1 51.3

6.020. Both the request to the International Bureau and the request to any designated Office together with any required translation and fee must reach the authority concerned within two months from the date of the notification informing the applicant of the unfavorable decision.

Article 24(2) 25(2)(a) 48(2)

6.021. **What may be the result of a review by the designated Office?** If the applicant has complied with the requirements outlined in the preceding paragraphs, the designated Office will make a finding on whether the decision was justified and, if it finds that it was the result of an error or omission, it must treat the international application as if that error or omission had not occurred, and maintain the effect of the international application as a regular national application as of the international filing date. If it finds that the decision was not the result of an error or omission, it may nevertheless maintain the effect of the international application under Article 24(2). The latter may be the case where the decision was the result of failure to meet a prescribed time limit (such as for the furnishing of corrections or the payment of fees); in such a case, the applicant is advised to request the designated Office not only to review the decision but also to excuse the delay. Details on the excusing of delays in meeting time limits are given in the following paragraphs.

EXCUSING OF DELAYS IN MEETING TIME LIMITS

Article 48(2) Rule 82*bis*

6.022. **Can a delay in meeting a time limit be excused?** A delay in meeting a time limit which has resulted in the international application being considered withdrawn, during either the international phase or the national phase, may be excused under certain circumstances. The excusing of a delay is understood as any decision which has the effect of the international application being treated as if the time limit had not been exceeded. The excusing of a delay cannot be requested during the international phase, however. It may be granted only in the national phase (for delays in both the international phase and the national phase) by each designated Office individually, and only as far as that Office is concerned. The conditions laid down by the national law of each designated Office are paramount in determining whether a delay must be or may be excused. All national provisions related to the excusing of delays must be applied to international applications in the same way and under the same conditions as they are to national applications. Examples of such provisions are those that allow for the reinstatement of rights, restoration, *restitutio in integrum*, revival of abandoned applications, further processing, continuation of proceedings, and so on.

Rule 82*bis*.1

6.023. **In respect of which time limits may delays be excused?** The time limits concerned are all those fixed in the PCT (Treaty and Regulations) and also any time limit fixed by a PCT authority and any time limit either fixed by, or in the national law applicable by, the designated Office for the performance of any act by the applicant before that Office, including the time limit for entering the national phase.

Article 48(2) Rule 49.6 82*bis*.2

6.024. **What must be done by an applicant who has exceeded the time limit for entering the national phase and/or who failed to perform the acts referred to in Article 22 or 39(1) within the applicable time limit?** Contracting States are required under Rule 49.6 to provide for the possibility to reinstate the rights of the applicant with respect to an international application where the applicant failed to comply with the requirements of Article 22 or 39(1). Details of this possibility are given in Rule 49.6. Some Contracting States have notified the International Bureau, under Rule 49.6(f), of the incompatibility of this Rule with their national laws. A table of such notifications is available on WIPO's website at:

https://www.wipo.int/pct/en/texts/reservations/res_incomp.html#R_49_6_f. Once a State has taken the necessary actions to amend its national law, notification of this will be published in the *Official Notices (PCT Gazette)* and the table will be updated. Moreover, even if a Contracting State has made a notification under Rule 49.6(f), the applicant is advised to check with the Office concerned whether a system to reinstate rights with respect to an application exists or not. Some States have made notifications only because their national laws already contain provisions for the reinstatement of rights but these provisions are not in line with the contents of Rule 49.6. Some States therefore have no procedure in place to reinstate rights with respect to an application whereas others do have such systems, either more or less favorable to the applicant than Rule 49.6.

Article 48(2) Rule 51.1 51.3

6.025. **What must be done by the applicant who has exceeded a time limit?** The applicant must perform all acts required for entry into the national phase (see paragraphs 4.001 to 4.031). He must at the same time request the designated Office to excuse the delay and to maintain the effect of the international application before it. The procedure depends on the national requirements applicable, including any time limit for filing a request to excuse the delay. Those requirements are indicated in the National Chapter. Applicants can usually be sure of meeting any such time limit when the request to excuse is made and the acts for entering the national phase are performed either within two months from the date of the notification of the unfavorable decision or within two months from the date on which the time limit (such as the time limit for entering the national phase) expired.

Article 24(2) 48(2)

6.026. The request for a delay to be excused should be made in addition to, and together with, any request for the review of a decision made by the receiving Office declaring the international application withdrawn for failure to comply with any requirement within a certain time limit (see paragraphs 6.018 to 6.021). Should the designated Office confirm the decision made by the receiving Office, it may nevertheless maintain the effect of the international application because, under its national law, the delay may be excused in accordance with provisions for the reinstatement of rights, the revival of an abandoned application, the continuation of proceedings or the like. It should be noted that, as outlined in the preceding paragraphs, the applicant must, before each Office concerned, fulfill all the conditions in the applicable national law, including the making of the request for a delay to be excused within any time limit prescribed by the national law.

Article 48(1) Rule 82

6.027. **Must the late arrival of a document caused by irregularities in the mail service be excused?** If a time limit fixed in the Treaty or the Regulations is exceeded because of the delayed arrival of a document or letter, it must be excused if it was caused by a delay in the mail or by an interruption of the mail service, provided that sufficient evidence is produced and the mailing was by mail registered with the postal authorities or with any delivery service notified by the designated Office to the International Bureau. Similarly, and under the same conditions, a new copy of a document or letter may be substituted for a document or letter lost in the mail, provided that the replacement document or letter is proved to be identical with the one lost. For details, see Rule 82.

RECTIFICATION OF ERRORS MADE BY THE RECEIVING OFFICE OR BY THE INTERNATIONAL BUREAU

Rule 82*ter*

6.028. **Which errors made by the receiving Office or the International Bureau may be rectified?** If the receiving Office has made an error in according the international filing date or if the priority claim in the request has been erroneously considered by the receiving Office or the International Bureau not to have been made, the designated Office must rectify the error if it is one that it would have rectified in accordance with its national law or national practice had it made the error itself.

6.029. **What must be done to request rectification of such an error and when?** The applicant must request the designated Office to rectify the error and must prove, to the satisfaction of that Office, that the international filing date accorded by the receiving Office is incorrect owing to an error made by the receiving Office, or that a priority claim

has erroneously been considered not to have been made by the receiving Office or the International Bureau. The request should be made on entering the national phase.

ACTS TO BE PERFORMED DURING THE NATIONAL PHASE

6.030. **What has to be done by the applicant once the national phase has started?** The usual national procedure applies to international applications during the national phase. What is said in the following text and in the National Chapter (Summary) concerns only the acts that must be performed for entry into the national phase and those acts that should be performed on entering the national phase but may still be performed once it has started. What has to be done thereafter–at least the main procedural steps–is outlined for each designated Office in the relevant National Chapter (Summary). Applicants who are not familiar with the patent procedure before a certain designated Office should seek professional advice even where they are not obliged to be represented before that Office by an agent.

CORRESPONDENCE WITH AND PAYMENTS TO DESIGNATED OFFICES

6.031. **How should the international application be identified?** All documents sent and all payments of fees to a designated Office (and any letter accompanying such documents or payments) should indicate–if already known–the national serial number given to the international application by the designated Office. Where the national number is not yet known (or not given), the international application number should be indicated, preferably together with the international filing date, the name of the applicant and the title of the invention.

DEPOSIT OF BIOLOGICAL MATERIAL

6.032. **What are the requirements regarding deposits of biological material?** Annex L contains details of designated Offices' requirements regarding deposits of biological material.

FURNISHING OF A NUCLEOTIDE AND/OR AMINO ACID SEQUENCE LISTING

Rule 13*ter*.1(a)
Rule 13*ter*.1(b)
Rule 13*ter*.3
Annex C of the Administrative Instructions

6.033. **What requirements need to be satisfied in relation to the furnishing of a sequence listing?** No designated Office may require that the applicant furnish nucleotide and/or amino acid sequences and the listing of those sequences ("sequence listings") in a format other than that complying with the standard provided for in Annex C of the Administrative Instructions (Standard for the Presentation of Nucleotide and Amino Acid Sequence Listings in International Patent Applications under the PCT). Where the international application contains one or more sequence listings which do not comply with the standard provided for in Annex C of the Administrative Instructions, any designated Office may require that an Annex C compliant sequence listing be furnished. Designated Offices may also require that an electronic version of a sequence listing be furnished, even if such a listing has been filed as part of the description of an electronically filed international application in an Annex C compliant format, or has been submitted for the purposes of international search under Rule 13*ter* during the international phase. This is because the electronic format in which it was filed during the international phase will not necessarily be in a format acceptable to that designated Office.

REQUEST FOR ACCELERATED EXAMINATION PROCEDURE

6.034. **Is an accelerated examination procedure available to all applicants in the national phase?** Where applicants have received a positive international preliminary report on patentability (under Chapter I or II) in respect of their international application, they may request fast-track examination before certain Offices which participate in the Patent Prosecution Highway or offer accelerated examination based on positive PCT work products from other Offices. For further information see https://www.wipo.int/pct/en/filing/pct_pph.html.

INTERNATIONAL CENTER FOR PATENT REGISTRATION, MINISTRY OF ECONOMY (UNITED ARAB EMIRATES)

AS

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List of abbreviations:

Office: International Center for Patent Registration, Ministry of Economy (United Arab Emirates)

IPL: Federal Law No. 31 of 2006 Pertaining to the Industrial Regulation and Protection of Patents, Industrial Drawings and Designs

SUMMARY **Designated (or elected) Office** SUMMARY

AE INTERNATIONAL CENTER FOR PATENT REGISTRATION, MINISTRY OF ECONOMY (UNITED ARAB EMIRATES) AE

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Arabic or English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Request, description, claims (if amended, both as originally filed and as amended), any text matter of drawings, abstract Under PCT Article 39(1): Request, description, claims, any text matter of drawings, abstract (if any of those parts has been amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[1]	Currency: United Arab Emirates dirham (AED) For patent and utility model: Filing fee: AED 2,000 (1,000)[2]
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[3]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4] Appointment of an agent if the applicant is not resident in the United Arab Emirates International application and translation thereof to be furnished in two copies Instrument of transfer or assignment of the international application
Who can act as agent?	Any patent attorney or patent agent registered to practice before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

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

2 The amount in parentheses is applicable in case of filing by a natural person.

3 If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the applicant must comply with the requirement within 90 days after entry into the national phase. The Office will not issue an invitation to this effect.

4 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

AE.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).

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

IPL Art. 7.3, 12, 13

AE.03 **EXAMINATION.** The Office examines international patent applications as to substance. Within 60 days after publication of the decision to grant a patent, any interested party may file a petition to oppose the grant before a Committee set up in accordance with IPL Art. 66.1. If there is no opposition petition the patent shall be granted.

IPL Art. 14, 38

AE.04 **ANNUAL FEES.** Annual fees are payable in advance each year on the anniversary of the international filing date, beginning with the second year. Annual fees not paid within the applicable time limit may still be paid within six months from the expiration of that time limit but will be subject to payment of a surcharge. If annual fees are not paid within six months from the due date the patent shall lapse. The amounts of the annual fees are indicated in Annex AE.I.

PCT Art. 25
PCT Rule 51, 82*ter*

AE.05 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

IPL Art. 12, 67

AE.06 **APPEALS.** In case of a negative decision of the Office during the national phase, such decision may be appealed to the competent Court within a period of 60 days from the date of the notification.

PCT Art. 24(2), 48(2)
PCT Rule 51

AE.07 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

IPL Art. 5

AE.08 **UTILITY MODEL.** If the applicant wishes to obtain a utility certificate instead of a patent or in addition to a patent, the applicant must, within the time limit applicable for the entry into the national phase, so indicate to the Office and pay the fees (see Annex AE.I).

FEES

(Currency: United Arab Emirates dirham)

Patents

Filing fee	2,000	(1,000)[1]
Appeal fee:	1,000	(500)[1]
Publication fee:	800	(400)[1]
Correction fee:	400	(200)[1]
Annual fees:		
— for the 2nd year	800	(400)[1]
— for the 3rd year	840	(420)[1]
— for the 4th year	880	(440)[1]
— for the 5th year	920	(460)[1]
— for the 6th year	960	(480)[1]
— for the 7th year	1,000	(500)[1]
— for the 8th year	1,040	(520)[1]
— for the 9th year	1,080	(540)[1]
— for the 10th year	1,120	(560)[1]
— for the 11th year	1,160	(580)[1]
— for the 12th year	1,200	(600)[1]
— for the 13th year	1,240	(620)[1]
— for the 14th year	1,280	(640)[1]
— for the 15th year	1,320	(660)[1]
— for the 16th year	1,360	(680)[1]
— for the 17th year	1,400	(700)[1]
— for the 18th year	1,440	(720)[1]
— for the 19th year	1,480	(740)[1]
— for the 20th year	1,520	(760)[1]
Surcharge for late payment of the annual fee.	400	(200)[1]

Utility certificates

Filing fee	2,000	(1,000)[1]

How can payment of fees be effected?

All fees must be paid to the Office in United Arab Emirates dirhams, by online payment. All payments must indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and the category of fee being paid.

[1] The amount in parentheses is applicable in case of filing by a natural person.

ANTIGUA AND BARBUDA INTELLECTUAL PROPERTY AND COMMERCE OFFICE (ABIPCO)

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List of abbreviations:

Office: Antigua and Barbuda Intellectual Property and Commerce Office (ABIPCO)

PA: The Patents Act, No. 22 of 2018

PR: The Patent Regulations, No. 41 of 2018

SUMMARY Designated (or elected) Office SUMMARY

AG ANTIGUA AND BARBUDA INTELLECTUAL PROPERTY AND COMMERCE OFFICE (ABIPCO) AG

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19),[2] 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)[2]
Is a copy of the international application required?	A copy is required only if the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) or 40(2).
National fee:	Currency: East Caribbean dollar (XCD) For patent: Filing fee: XCD 800 For utility certificate: Filing fee: XCD 400
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

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

[2] Where the applicant furnishes a translation of the international application only as amended or only as originally filed, the Office will invite the applicant to furnish the missing translation.

SUMMARY **Designated (or elected) Office** SUMMARY

AG ANTIGUA AND BARBUDA INTELLECTUAL PROPERTY AND COMMERCE OFFICE (ABIPCO) AG

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3, 4] Document evidencing a change of name of the applicant if the change occurred after the international filing date[5] Declaration as to the applicant's entitlement to apply for and be granted a patent[3, 5] Declaration as to the applicant's entitlement to claim priority of the earlier application[3, 5] Translation to be furnished in two copies[5] Statement justifying the applicant's right to the patent where the applicant is not the inventor[3] Appointment of an agent if the applicant is not resident in Antigua and Barbuda Instrument appointing the agent (authorization or power of attorney)
Who can act as agent?	Any attorney at law resident in Antigua or Barbuda or any patent agent registered before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

[3] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[4] 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 indicated in the invitation.

[5] 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 of six months from the date of the invitation.

THE PROCEDURE IN THE NATIONAL PHASE

PCT Rule 51*bis*1(e)

AG.01 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

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

PA Sec. 26(2)-(5)

AG.03 **ANNUAL FEES.** Annual fees are payable in advance for each year starting one year after the filing date of the application for the grant of a patent. Where the period prescribed for the payment of the annual fee expires and payment of the said fee has not been made, the Registrar shall give the owner of the patent or the applicant, as the case may be, a period of grace not exceeding six months, within which he must pay the annual fee together with the surcharge for late payment of the annual fee (the amounts of the annual fees and the surcharge fee for late payment are indicated in Annex AG.I). If annual fees are not paid within the applicable time limit the patent shall lapse.

PA Sec. 58(1)

AG.04 **REPRESENTATION.** If the applicant has neither a residence nor a principal place of business in Antigua and Barbuda, he shall be represented by an agent registered before the Registrar of the Office, resident and practicing in Antigua and Barbuda.

PR Sec. 47(1-3)

AG.05 **APPOINTMENT OF AN AGENT.** The appointment of an agent shall be made by an authorization of agent set out in Form No. 7 (Annex AG.II) which shall be signed by the applicant or, if there are more than one, by each applicant. An attorney at law, resident in Antigua and Barbuda, who is the holder of a valid practicing certificate issued in Antigua and Barbuda may be appointed as an agent. An agent, resident in Antigua and Barbuda, who is not an attorney at law shall apply to the Registrar to be registered as an agent admitted to represent applicants before the Office upon payment of the prescribed fee.

PA Sec. 24 (1)-(3)

AG.06 **EXAMINATION.** A patent will be granted only after examination as to substance which must be requested by the applicant within six months after the publication of the application in the Official Gazette and is subject to payment of a fee. If the request for examination is not submitted within the prescribed time limit, the application shall be deemed abandoned.

PA Sec. 17

AG.07 **AMENDMENT OF THE APPLICATION.** The applicant may, upon payment of the prescribed fee, at any time before the patent is granted, make amendments to his application, provided that the amendment does not go beyond the original disclosure. The amount of the fee is indicated in Annex AG.I.

PCT Art. 24(2) 48(2)
PCT Rule 82*bis*

AG.08 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

AG.09 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Rule 49.6
PA Sec. 51(8)

AG.10 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant, in spite of due care required by the circumstances having been taken, failed to perform the acts referred to in Article 22 within the applicable time limit. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit or twelve months from the date of expiration of the applicable time limit, whichever time limit expires earlier. The Office shall not refuse a request for reinstatement of rights without giving the applicant the opportunity to make observations on the intended refusal within a time limit which shall be reasonable under the circumstances. The fee for reinstatement of rights is indicated in Annex AG.I.

PCT Rule 49*ter*.2
PA Sec. 51(9)

AG.11 **RESTORATION OF THE RIGHT OF PRIORITY.** A request for the restoration of the right of priority may be filed with the Office where the applicant unintentionally or in spite of all due care required by the circumstances, failed to timely file the international application within the priority period (see National Phase, paragraphs 6.006 to 6.011). The Office shall not refuse, totally or in part, a request for restoration of right of priority without giving the applicant the opportunity to make observations on the intended refusal within a time limit which shall be reasonable under the circumstances. The fee for restoration of the right of priority is indicated in Annex AG.I.

PCT Rule 49*bis*.1 (a), (b)
PA Sec. 51(2)

AG.12 **UTILITY CERTIFICATE.** If the applicant wishes to obtain a utility certificate on the basis of an international application instead of a patent, the applicant, when performing the acts referred to in PCT Article 22 or 39(1), shall so indicate to the designated Office.

PA Sec. 21(1)
49(1)

AG.13 **CONVERSION.** An international application for a patent may be converted into a utility certificate application and vice-versa at any time before the grant of a patent. The conversion is subject to the payment of a fee indicated in Annex AG.I.

FEES

(Currency: East Carribean dollar)

Patents

Filing fee	800
Fee for each claim in excess of 20	10
Fee for each divisional application	400
Fee for publication of the application	75
Fee for grant	1,000
Fee for publication of grant of patent	50 plus amount payable to publisher

Annual fees:

— for the 2nd year	200
— for the 3rd year	300
— for the 4th year	400
— for the 5th year	500
— for the 6th year	600
— for the 7th year	700
— for the 8th year	800
— for the 9th year	900
— for the 10th year	1000
— for the 11th year	1,100
— for the 12th year	1,200
— for the 13th year	1,300
— for the 14th year	1,400
— for the 15th year	1,500
— for the 16th year	1,600
— for the 17th year	1,700
— for the 18th year	1,800
— for the 19th year	1,900
— for the 20th year	2,000
Fee for late payment of the annual fee	400
Fee for conversion of application	400
Fee for reinstatement of rights	800
Fee for restoration of the right of priority	800

Utility certificates:

Filing fee	400
Fee for each divisional application	200
Fee for conversion	400

How can payment of fees be effected?

All fees must be paid in East Carribean dollar; payments may be made in cash, by check or by any other means prescribed by the Registrar upon consultation with and subject to the written consent by the Minister. Fees that are paid by check, shall be made to the Registrar. All payments must indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and the category of fee being paid.

FORM NO. 7

In the matter of Patent Application No …….

I ……

APPOINT……..

Of …….

to be my attorney and generally in relation to my interest in the patent comprised in the above-mentioned title to do anything and everything that I myself could do, and for me and in my name to execute all such instruments to do all such acts, matter and things as may be necessary or expedient for carrying out the powers hereby given.

Signed by …… Date ……
(Applicant)

I, ……..(Notary Public) certify that

…… (applicant) did personally stand before me, and after the contents of this instrument has been read and explained did sign this instrument and did acknowledge doing so freely and voluntary for the uses, purposes, and considerations set forth above.

Signed by …….. Date ……
(Notary Public)

GENERAL DIRECTORATE OF INDUSTRIAL PROPERTY (DGIP) (ALBANIA)

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List of abbreviations:

Office: General Directorate of Industrial Property (DGIP) (Albania)

APL: Albanian Industrial Property Law No. 9947 dated 7 July 2008, as amended by Law No. 17/2017 dated 16 February 2017

SUMMARY Designated (or elected) Office SUMMARY

AL GENERAL DIRECTORATE OF INDUSTRIAL PROPERTY (GDIP) (ALBANIA) AL

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:[1]	Albanian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Claims (if amended, as amended only) Under PCT Article 39(1): Claims (if amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[1]	Currency: Albanian lek (ALL) For patent: Filing fee: ALL 7,000 For utility model: Filing fee: ALL 6,000
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2]	Appointment of an agent if the applicant does not reside in Albania or is not a legal entity established under Albanian law Name of the inventor if this has not been indicated in the "Request" part of the international application[3] If someone, other than the inventor, applies for a patent, the application shall contain a declaration indicating the applicant's right to the invention[3] Any document relating to any transfer or assignment of the right to the application[3]
Who can act as agent?	Any patent agent registered to practice before the Office
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

[1] Must be furnished or 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 of two months from the date of the invitation.

[3] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

AL.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).

APL Art. 18(2)
PCT Rule 51*bis*1(e)

AL.02 **TRANSLATION OF PRIORITY DOCUMENT.** The Office will invite the applicant to furnish a translation into Albanian of the priority document but only if there is any doubt concerning the validity of the priority claim and that document is in a language other than Albanian, English, French, German, Italian, Russian or Spanish.

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

APL Art. 195

AL.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model is given in Annex AL.II.

APL Art. 28

AL.05 **EXAMINATION.** The Office does not examine national patent applications as to substance. In order for the granted patent to have legal effect, the applicant must, within ten years of the date of entry into the national phase, file an examination report prepared by an authorized examining authority.

PCT Art. 28
41

AL.06 **AMENDMENT AND CORRECTION OF THE APPLICATION; TIME LIMITS.** Until grant the applicant has the right, on his own initiative, to make amendments and/or corrections to the application provided that the scope of the application as filed is not broadened thereby.

APL Art. 41

AL.07 **ANNUAL FEES.** The maintenance of the application is subject to the payment of annual fees which are due each year on the anniversary of the international filing date, starting from the first year after the grant of the patent, except where the time limit under PCT Article 22 or 39(1) expires later, in which case the latter time limit applies. Annual fees not paid within the applicable time limit may still be paid within six months from the expiration of that time limit against payment of an additional fee (see Annex AL.I). This time period may be extended by two months by paying an additional fee to postpone the renewal deadline. If the renewal fee has not been paid within the applicable time limit, the Office, within two months from the end of the six-month deadline, notifies the applicant that he/she may postpone the six-month deadline by another two months. Notifications are made only to addresses in Albania.

APL Art. 91

AL.08 **CONVERSION OF PATENT APPLICATION INTO UTILITY MODEL APPLICATION.** Upon written request by the applicant, a patent application can be converted into an application for utility model at any time up to the grant of the patent.

PCT Art. 25
PCT Rule 51
APL Art. 28(3)
193

AL.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 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 date of the decision with the Board of Appeals upon payment of a fee. A decision of the Board of Appeals may be appealed within 30 days to the Albanian courts.

APL Art. 34

AL.10 Continued processing may be requested where the applicant has failed to observe a time limit fixed by the Office and that failure results in a loss of rights conferred by a patent application or a patent. The Office shall authorize continued processing if the applicant files a request and performs all the omitted acts within the prescribed time limit. Continued processing may not be requested for the reinstatement of the right of priority.

APL Art. 35

AL.11 Reinstatement of rights may be requested where the applicant, in spite of all due care required by the circumstances, failed to observe a time limit set by the Office, which results in a loss of rights. If the request is granted, the legal consequences of the failure to observe the time limit shall be deemed not to have ensued.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

AL.12 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where during the international phase or before the Office the applicant has missed a time limit for performing any act in relation to the international application, such time limit may be extended by the Office upon request by the applicant and where justified.

FEES

(Currency: Albanian lek)

Patents

Filing fee	7,000
Fee for grant	6,000
Annual fees:	
— for the 2nd year	5,000
— for the 3rd year	6,000
— for the 4th year	8,000
— for the 5th year	10,000
— for the 6th year	12,000
— for the 7th year	14,000
— for the 8th year	18,000
— for the 9th year	20,000
— for the 10th year	25,000
— for the 11th year	27,000
— for the 12th year	30,000
— for the 13th year	35,000
— for the 14th year	40,000
— for the 15th year	45,000
— for the 16th year	50,000
— for the 17th year	55,000
— for the 18th year	60,000
— for the 19th year	65,000
— for the 20th year	70,000
Fee for late payment of the annual fee:	
— within six months from the expiration of the time limit	50% of the applicable annual fee
— within two months from the end of the six-month deadline	100% of the applicable annual fee
Fee for reinstatement of rights	7,000
Fee for restoration of the right of priority	7,000

Utility models:

Filing fee	6,000
Fee for grant	6,000

How can payment of fees be effected?

All fees must be paid in Albanian leks, in cash, by money order or check. All payments must indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and the category of fee being paid. Any payment by money order or check must be made to the account of the Office at the Banka Kombetare Tregtare.

Beneficiary's name:	Drejtoria e Përgjithshme e Pronësisë Industriale
Bank name:	Banka Kombetare Tregtare
Bank Account No.:	515003225CLPBCLALLZQ
Bank Address:	Shkolla Baletit, Tirana, Albania
BIC/SWIFT code:	NCBAALTXXXX

SHQIPERIA PER NJE KEKESE TE VETME PATENTE, DISENJO INDUSTRIALE MARKE TREGETARE

PROKURE

Une inenshkruariZ._____, [insert title ofrepresentation]

Caktoj si me poshte

_____

Per te vepruar si perfaqesuesi im/yne, me firme te lire, e te ndare dhe me fuqi per t'u zevendesuar duke e autorizuar ate te depozitoje ne Shqiperi;

[cakto titullin e patentes]

me kerkues dhe perdorues

[përcakto emrin e pronarit/përdoruesit]

me adrese

_____

Dhe te bejne cfaredo tjeter qe te jete e nevojeshme per pranimin dhe per njohjen e te drejtave dhe interesave qe rrjedhin nga kjo, ne lidhje me Drejtorinë e Përgjithshme të Pronësisë Industriale të Shqipërisë si dhe zyra te tjera kompetente te tilla si dhe te percaktojne shpikesit, te depozitojne dokumentat, te vertetojne perkthimin e paraqitur si te njejte me tekstin origjinal, te paguajne taksat, ti pergjigjen veprimeve zyrtare te kerkojne certifikata ose kopje te vertetuara te kerkoje rimbursime dhe te mbledhe tarifa te rimbursueshme, te modifikoje ose terheqe kerkesa dhe dokumenta, te marre njoftime, patenta dhe certifikata te te leshuara dhe dokumenta qe lidhen me to, te apeloje ne Bordin e Apelimit duke paraqitur dhe dokumentat qe e mbeshtesinate.

Per kete qellim, une/ne te neshkruarit, zgjedhim të njejtën rezidencë me perfaqesuesin e lartepermendur tek e cila une/ne, kerkojme qe Drejtoria e Përgjithshme e Pronësisë Industriale të Shqipërisë dhe zyra te tjera kompetente te adresojne direkt te gjitha komunikimet si dhe te gjitha kerkesat, e dergesat e dokumentave qe mund te jene te nevojshme

Nenshkrimi ……

Data……..

Vula ose vertetimi nga noteri

ALBANIA FOR A SINGLE PATENT,

INDUSTRIAL DESIGN, TRADEMARK APPLICATION

POWER OF ATTORNEY

I, theundersigned Mr._____s, [insert title ofrepresentation]

Do hereby appoint

_____

To act as my/our representatives with free and separate signature, and with power of substitution, authorizing him/her to file in Albania;

[insert patent title]

with applicant anduser

[insert name of owner/user]

with address

_____

And to do whatever else is necessary for its acceptance and for the recognition of the rights and interests deriving there from with respect to the Albanian General Directorate of Industrial property and to other competent offices, such as to designate the inventor/s, to file documents to certify the translation field as conforming with the original texts, to reply to official actions, to apply for certificates and certified copies, to apply for refunds and the collect refundable fees, to amend or withdraw applications and documents, to receive notifications, patents or certificates issued, to appeal to the Board of Appeals presenting the related documents in supportthereof.

To this propose, I/We the undersigned, elect domicile with the aforesaid representative, to whom I/We request that the Albanian General Directorate of Industrial property and other competent Offices directly address all communications as well as all requests and deliveries of documents which may be necessary

Signature and stamp……

Date……

Seal of the company or legalization of the signature by a notary required

INTELLECTUAL PROPERTY OFFICE OF THE REPUBLIC OF ARMENIA

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Intellectual Property Office of the Republic of Armenia

PL: Law on Patents

SUMMARY **Designated (or elected) Office** SUMMARY

AM INTELLECTUAL PROPERTY OFFICE OF THE REPUBLIC OF ARMENIA AM

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:[1]	Armenian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Request, description, claims (if amended, as amended only, together with any statement under PCT Article 19), any text matter of drawings, abstract Under PCT Article 39(1): Request, description, claims, any text matter of drawings, abstract (if any of those parts has been amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Armenian dram (AMD) For patent and short-term patent: Filing fee:[1] AMD 20,000 Additional fee for each claim in excess of five:[1] AMD 5,000 Fee for priority claims, per priority: AMD 10,000 Annual fees for the 2nd and the 3rd year, per year: AMD 20,000
Exemptions, reductions or refunds of the national fee:	National fees relating to obtaining and maintaining of patents and short-term patents are reduced by 75% if the applicant is a physical person or a legal entity with less than 25 employees, and by 50% for legal entities with 25 to 100 employees.
Special requirements of the Office (PCT Rule 51*bis*):[2]	Appointment of an agent if the applicant is not resident in Armenia Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any person who is a resident of Armenia
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies the "unintentional" criterion to such requests

[1] Must be furnished or 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.

THE PROCEDURE IN THE NATIONAL PHASE

AM.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).

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

AM.03 **EXAMINATION.** The international application is subjected to formal examination and is published six months after the date of national phase entry. A patent shall be granted after substantive examination, if the international application meets patentability requirements. A request for substantive examination can be filed by the applicant or by any third party after the publication of the international application within five years from the date of national phase entry.

AM.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney if the applicant is not resident in Armenia. A model is given in Annex AM.II.

PCT Art. 28, 41
PL Art. 50

AM.05 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Amendments and corrections to the description, claims and drawings may be made within two months after the entry into national phase provided that the scope of the subject matter of the application is not broadened thereby.

AM.06 **ANNUAL FEES.** The first annual fee must be paid simultaneously with the fee for grant of patent or before the beginning of the second year of the patent term, whichever occurs later. Payment can still be made, together with a 50% surcharge for late payment, within six months from the due date. The amounts of the annual fees are indicated in Annex AM.I.

PCT Art. 24(2), 48(2)
PCT Rule 82*bis*
PL Art. 36

AM.07 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Delays in meeting time limits during the examination stage may be excused within three months from the mailing of the notification of the legal consequences of failure to meet the time limit, and upon payment of the corresponding fee indicated in Annex AM.I.

PCT Art. 25
PCT Rule 51
PL Art. 57

AM.08 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. In the case of disagreement with the final decision of the Office, the applicant has the right, within three months from receipt of the decision, to appeal to the Council of Appeals of the Office upon payment of an appeal fee as indicated in Annex AM.I. If the applicant disagrees with the decision of the Council of Appeals of the Office, he may, within six months from receipt of the decision of the Council, appeal to the court.

PCT Rule 49*bis*.1 (a), (b), 76.5
PL Art. 12, 29, 50, 53, 54

AM.09 **SHORT-TERM PATENT.** If the applicant wishes to obtain a short-term patent instead of a patent in Armenia, on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office. The short-term patent application is subjected to formal examination, and a short-term patent shall be granted, if the international application also, on the face of it, meets patentability requirements. For this purpose, the prior art is being defined as materials at the examiner's disposal.

PL Art. 46

AM.10 **CONVERSION.** The applicant may, at the latest, 10 working days before the date of publication of the application, submit a request to convert the patent application into a short-term patent application. The short-term patent application may be converted into a patent application at any time before the decision to grant a short-term patent is taken. The converted application shall have the priority date of the date of the initial application.

AM.11 **NUCLEOTIDE AND AMINO ACID SEQUENCES**. Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, the applicant must furnish a sequence listing as a separate part of the description in electronic form.

FEES

(Currency: Armenian dram)

Patents

Filing fee[1]	20,000
Additional fee for each claim in excess of five[1]	5,000
Fee for priority claims, per priority[1]	10,000
Fee for grant[1]	15,000
Publication fee for each sheet of description of an invention in excess of twenty-five[1]	2,500
Appeal fees against decision on examination[1]	25,000
Fee for requesting excuse of the failure to comply with a time limit[1]	15,000
Fee for restoration of the right of priority	10,000
Fee for conversion of an application for a patent into an application for a short-term patent[1]	10,000
Annual fees:[1]	
— for the 2nd and the 3rd years, per year	20,000
— for the 4th and the 5th years, per year	25,000
— for the 6th and the 7th years, per year	30,000
— for the 8th and the 9th years, per year	40,000
— for the 10thand the 11th years, per year	50,000
— for the 12th and the 13th years, per year	60,000
— for the 14th and the 15th years, per year	70,000
— for the 16th and the 17th years, per year	80,000
— for the 18th to the 20th years, per year	100,000
— for the 21st and the 22nd years, per year	130,000
— for the 23rd to the 25th years, per year	160,000

1 Fees are reduced by 75% if the applicant is a physical person or legal entity with less than 25 employees, and by 50% for legal entities with 25 to 100 employees.

Short-term patents

Filing fee[2]	20,000
Additional fee for each claim in excess of five[2]	5,000
Fee for priority claims, per priority[2]	10,000
Fee for grant of short-term patent[2]	25,000
Publication fee for each sheet in excess of twenty-five[2]	2,500
Appeal fee against decision on examination[2]	15,000
Fee for requesting excuse of the failure to comply with a time limit[2]	15,000
Fee for conversion of an application for a short-term patent into an application for a patent[2]	10,000
Annual fees:	
— for the 2nd and the 3rd years, per year	20,000
— for the 4th and the 5th years, per year	25,000
— for the 6th and the 7th years, per year	30,000
— for the 8th and the 9th years, per year	35,000
— for the 10th year	40,000

How can payment of fees be effected?

The payment of fees should be effected in Armenian drams. 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 type of fee being paid. The fees should be paid to the Office by bank draft.

[2] See footnote 1.

ԼԻԱԶՈՐԱԳԻՐ

Սույն լիազորագիրը տրված է _____

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(հասցեն _____

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_____)

ի դեմս գրանցված արտոնագրային հավատարմատար(ների) _____

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առ այն, որ նրան(ց) հանձնարարված է ներկայացնել

POWER OF ATTORNEY

The present Power is granted to _____

_____

_____

_____

(address _____

_____

_____

_____)

in the name of the registered patent attorney(s) _____

_____

_____

_____

_____

_____

which is hereby empowered to represent the interests of

_____

_____

_____

_____

_____

_____

շահերը Հայաստանի Հանրապետության տարածքում արդյունաբերական սեփականության իրավունքի ձեռքբերման, պաշտպանման, գործողության մեջ պահելու հետ կապված բոլոր հարցերով:

Լիազորագիրը տրված է 3 տարի ժամկետով:

in all matters related to application for granting, maintenance and protection of industrial property rights within the territory of the Republic of Armenia.

The term of this Power is 3 years.

Կատարված է _____ (տեղը)

Done in _____ (place)

Թվականը

Date _____

Լիազորող

Issuer

Անուն, հայրանուն, ազգանուն

Name _____

Պաշտոնը

Position _____

Ստորագրություն

Signature ( )

ANGOLAN INSTITUTE OF INDUSTRIAL PROPERTY

AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Angolan Institute of Industrial Property

SUMMARY Designated (or elected) Office SUMMARY

AO ANGOLAN INSTITUTE OF INDUSTRIAL PROPERTY AO

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Portuguese
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only), 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee: [2]	Currency: Kwanza (AOA) For patent: Filing fee and publication fee up to 15 claims: AOA 27,722 plus for each claim over 15: AOA 792 For utility model: Filing fee and publication fee up to 15 claims: AOA 13,464 plus for each claim over 15: AOA 792
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

[1] Must be furnished within the time limit applicable under PCT Article 22 or 39(1).
[2] Must be paid within 21 days from the expiration of the time limit applicable under PCT Article 22 or 39(1).

SUMMARY Designated (or elected) Office SUMMARY

AO ANGOLAN INSTITUTE OF INDUSTRIAL PROPERTY AO

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Appointment of an agent if the applicant is not resident in Angola[3] An instrument appointing the agent (authorization or power of attorney) is required[3] Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4, 5] Statement or notice as to the applicant's entitlement to apply for and be granted a patent[4, 5] Two copies of translation of international application should be furnished Document evidencing a change of name or person of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)[5] Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any attorney or lawyer authorized to represent applicants before the national office in Angola
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[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.

[5] 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 two months from the date of the invitation.

THE PROCEDURE IN THE NATIONAL PHASE

AO.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).

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

AO.03 **EXAMINATION.** The Office will examine or arrange the examination of patent applications as to substance. A request for examination must be filed within three years from the international filing date. The request is subject to the payment of a fee which is indicated in Annex AO.I.

AO.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney if the applicant is not a resident in Angola. If the power of attorney is not filed at the time of entry into the national phase, it may be filed within two months from the expiration of that time limit.

PCT Art. 28 41

AO.05 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend or correct the claims, description and drawings in the international application provided that the scope of the subject matter of the application is not broadened thereby. The applicant may file voluntary amendments during the processing of the international application and after grant. Such amendments are subject to the payment of a fee as indicated in Annex AO.I.

AO.06 Where, after taking due account of the international search and international preliminary examination reports, the Office concludes that the application does not comply with the criteria for patentability, it will notify the applicant accordingly and invite him to submit his observations and, where needed, amendments to the application together with a request that the matter be reconsidered. The Office will allow not less than two and not more than six months for the submission of the observations and amendments.

AO.07 **ANNUAL FEES.** Annual fees are due on the eve of each anniversary of the international filing date. The Office will issue a reminder to the applicant concerning payment of the annual fee at least one month prior to the date on which the annual fee is due. Subject to the payment of a surcharge (for the amount, see Annex AO.I), annual fees may be paid up to six months after the date. Any annual fee which falls due during the international phase need not be paid until the expiration of the applicable time limit for the entry into the national phase.

PCT Art. 24(2) 48(2)
PCT Rule 82*bis*

AO.08 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. At the Director General's discretion, the applicant may be given an extension of any time limit prescribed by the Regulations and the Administrative Instructions. Such extension may be granted even if the time limit has already expired.

PCT Rule 49*bis*.1 (a), (b) 76.5

AO.09 **UTILITY MODEL.** If the applicant wishes to obtain a utility model registration in Angola on the basis of an international application

(i) instead of a patent, or

(ii) in addition to a patent,

the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

AO.10 If the international application is for a utility model instead of a patent, the requirements are basically the same as for patents. The time limit applicable for entry into the national phase is 31 months under PCT Article 22 or 39(1) and the term of protection of utility models is 15 years from the international filing date.

AO.11 If the international application is for both a utility model and a patent, the applicant must, within the time limit applicable for entry into the national phase, comply with the following requirements :

(i) pay two filing fees for both the patent and the utility model within 21 days from entry into the national phase;

(ii) where the international application was not filed in Portuguese, furnish a translation into Portuguese in two copies, including the description and at least one claim.

AO.12 **CONVERSION.** An international application for a patent may be converted into a utility model application and vice-versa. Conversion from a patent application into a utility model application must be undertaken within 60 days from date of entry into the national phase. The applicant can still apply to the Director General of IAPI if the 60 days time limit has expired for the conversion as long as the patent application has not yet been examined as to substance.

FEES

(Currency: Kwanza (AOA))

Patents

National fee, comprising:

– Filing fee and publication fee up to 15 claims	27,722
– plus for each claim over 15	792
Examination fee	27,280
Fee for registration of assignments, transmissions, amendments, etc	10,032

Annual fees (payable on each anniversary of the international filing date):

– for the 1st anniversary	3,784
– for the 2nd anniversary	4,050
– for the 3rd anniversary	4,400
– for the 4th anniversary	5,016
– for the 5th anniversary	5,368
– for the 6th anniversary	5,632
– for the 7th anniversary	6,248
– for the 8th anniversary	6,600
– for the 9th anniversary	6,952
– for the 10th anniversary	7,568
– for the 11th anniversary	7,832
– for the 12th anniversary	8,184
– for the 13th anniversary	8,448
– for the 14th anniversary	9,064
– for the 15th anniversary	9,680
Surcharge for late payment of annual fees within six month	+50% of the fee
Surcharge for late payment of annual fees after six month	+ three times the fee

Utility models

National fee, comprising:

– Filing fee and publication fee up to 15 claims	13,464
– plus for each claim over 15	792
Examination fee	17,336
Fee for registration of assignments, transmissions, amendments, etc	10,032

Annual fees (payable on each anniversary of the international filing date):

– from the 1st to the 5th anniversary, per year	2,816
– from the 6th to the 10th anniversary, per year	3,520
– from the 11th to the 15th anniversary, per year	4,136

How can payment of fees be effected?

The payment of fees to IAPI must be effected in Kwanza. All payments must give the application number (national if already known; international if the national number is not yet known). Payment of fees may be made by bank check.

AFRICAN REGIONAL INTELLECTUAL PROPERTY ORGANIZATION (ARIPO)

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List of abbreviations:

Office: African Regional Intellectual Property Organization (ARIPO)

HP: Protocol on Patents and Industrial Designs within the Framework of the African Regional Intellectual Property Organization (ARIPO) (Harare Protocol)

HR: Regulations for Implementing the Harare Protocol

HAI: Administrative Instructions under the Regulations for Implementing the Harare Protocol

SUMMARY **Designated (or elected) Office** SUMMARY

AP AFRICAN REGIONAL INTELLECTUAL PROPERTY ORGANIZATION (ARIPO) AP

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:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only), 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	Yes
National fee:	Currency: US dollar (USD)

For patent:		
Filing fee:[2]		
– online:	USD 232	
– on paper:	USD 290	
Designation fee:	USD 85	per country
Annual fee for the first year:[3]	USD 50	
Annual fee for the second year:[3]	USD 70	
Annual fee for the third year:[3]	USD 90	
For utility model:		
Filing fee:		
– online:	USD 80	
– on paper:	USD 100	
Designation fee:	USD 20	per country
Maintenance fee for the first year:	USD 20	
Maintenance fee for the second year:	USD 25	
Maintenance fee for the third year:	USD 30	

Exemptions, reductions or refunds of the national fee:	No search or examination fee is payable if an international search report or preliminary examination report has been established for the international application.

[*Continued on next page*]

1 Must be furnished within the time limit applicable under PCT Article 22 or 39(1).
2 Must be paid within 21 days from the expiration of the time limit applicable under PCT Article 22 or 39(1).
3 The Office should be consulted for the time limit applicable for the payment of this fee.

SUMMARY **Designated (or elected) Office** SUMMARY

AP AFRICAN REGIONAL INTELLECTUAL PROPERTY ORGANIZATION (ARIPO) AP

[*Continued*]

Special requirements of the Office (PCT Rule 51*bis*):[4]	Appointment of an agent if the applicant is not resident in an ARIPO Contracting State Assignment deed of the priority right where the applicants are not identical[5]
Who can act as agent?	Any agent authorized to represent applicants before the national office of an ARIPO Contracting State
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[4] If not 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.

[5] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

AP.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).

HR 11, 21, 23(2)(b)

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

HP Sec. 3(3); HR 18; HAI 48-50

AP.03 **EXAMINATION.** The Office will examine or arrange the examination of patent applications as to substance. A request for examination must be filed within three years from the international filing date. The request is subject to the payment of a fee which is indicated in Annex AP.I. Failure to make the request within the prescribed time limit will cause the application to lapse.

HR 10(2), 23(2)(c); HAI 19

AP.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney if the applicant is not a resident in a State member of ARIPO. A model is given in Annex AP.II. If the power of attorney is not filed at the time of entry into the national phase, it may be filed within two months from the expiration of that time limit.

PCT Art. 28, 41; HP Sec. 3(10)(g). *5ter*; HR 21*ter*; HAI 27

AP.05 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend or correct the claims, description and drawings in the international application provided that the scope of the subject matter of the application is not broadened thereby. The applicant may file voluntary amendments during the processing of the international application and after grant. Such amendments are subject to the payment of a fee as indicated in Annex AP.I.

HR 18(3); HAI 27, 50

AP.06 Where, after taking due account of the international search and international preliminary examination reports, the Office concludes that the application does not comply with the criteria for patentability, it will notify the applicant accordingly and invite him to submit his observations and, where needed, amendments to the application together with a request that the matter be reconsidered. The Office will allow not less than two and not more than six months for the submission of the observations and amendments.

HP Sec. 3(8); HR 19; HAI 54

AP.07 **CONVERSION INTO NATIONAL APPLICATION.** If notwithstanding the request for reconsideration referred to in paragraph AP.06, the Office refuses the application, the applicant may, within three months from the date of the refusal of the request for reconsideration, request that his application be treated, in any designated member State, as an application according to the national law of that State. The request must specify the designated States in which the procedure for the grant of a national patent is desired, and must be submitted in the number of copies which should correspond to the number of the designated States specified, plus one copy for the Office. Within two weeks of receiving the request, the Office will transmit copies of the application and all relevant documents to the national Offices of the designated States specified by the applicant. The request for the conversion of an ARIPO application to a national application is subject to the payment of a fee indicated in Annex AP.I.

HP Sec. 3(11), 3*bis*.(6)(ii); HR 21, 23(2)(b); HAI 58, 59

AP.08 **ANNUAL FEES.** Annual fees are due on the eve of each anniversary of the international filing date. The Office will issue a reminder to the applicant concerning payment of the annual fee at least one month prior to the date on which the annual fee is due. Subject to the payment of a surcharge (for the amount, see Annex AP.I), annual fees may be paid up to six months after the date. Any annual fee which falls due during the international phase need not be paid until the expiration of the applicable time limit for the entry into the national phase.

HR 23(2)(b)
HAI 38(3)

AP.09 **ARIPO DESIGNATION FEES.** The applicant must pay one ARIPO designation fee (indicated in Annex AP.I.) for each State designated in the international application for an ARIPO patent for which he, at the time the payment is made, continues to seek ARIPO patent protection. Where the ARIPO designation fees are not paid for all the States designated for an ARIPO patent, the applicant must indicate the States to which the designation fees are to be applied. Where the amount of designation fees paid is not sufficient to cover all the States designated in the application, the amount paid shall be applied in respect of the States designated in the order in which they are designated and to the extent to which they are covered by the fee paid; the late payment in full of a designation fee shall be subject to the payment of the surcharge indicated in Annex AP.I.

PCT Art. 25
PCT Rule 51
HP Sec. 3(4)

AP.10 **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, an appeal against this decision may be lodged with the Office.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*
HAI 13

AP.11 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. At the Director General's discretion, the applicant may be given an extension of any time limit prescribed by the Regulations and the Administrative Instructions. Such extension may be granted even if the time limit has already expired.

HP Sec. 5*bis*

AP.12 Reestablishment of rights may be requested where the applicant lost any right because, in spite of all due care required by the circumstances having been taken, failed to comply with a time limit before the office. A request for reestablishment of rights must be filed within two months after the removal of the cause of the failure to perform the action but not later than one year from the expiration of the time limit which has not been observed. Within the said time limits, the omitted act must be completed, the fee for reestablishment (see Annex AP.I) must be paid and the request must state the grounds on which it is based and must set out the facts on which it relies. Reestablishment of rights is not applicable to the time limit for claiming priority.

PCT Rule 49*bis*.1 (a), (b)
76.5

AP.13 **UTILITY MODEL.** If the applicant wishes to obtain a utility model registration in ARIPO on the basis of an international application

(i) instead of a patent, or

(ii) in addition to a patent,

the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

AP.14 If the international application is for a utility model instead of a patent, the requirements are basically the same as for patents. However, the time limit applicable for entry into the national phase is 33 months under PCT Article 22 or 39(1) and the term of protection of utility models is 10 years from the international filing date.

AP.15 If the international application is for both a utility model and a patent, the applicant must, within the time limit applicable for entry into the national phase, comply with the following requirements :

(i) pay two filing fees for both the patent and the utility model within 21 days from entry into the national phase;

(ii) where the international application was not filed in English, furnish a translation into English in two copies, including the description and at least one claim.

AP.16 **CONVERSION.** An international application for a patent may be converted into a utility model application and vice-versa. Conversion from a patent application into a utility model application must be undertaken within 60 days from date of entry into the national phase. However, the applicant can still apply to the Director General of ARIPO if the 60 days time limit has expired for the conversion as long as the patent application has not yet been examined as to substance. A fee for requesting conversion is due (see Annex AP.I).

FEES

(Currency: US dollar)

Patents

National fee, comprising:	
— basic fee (application fee)	
— online filing	232
— paper filing	290
— designation fee for each ARIPO Contracting State designated	85
Search fee (only where no international search report is submitted)	300
Examination fee	300
Publication fee	350
— Surcharge for each additional page in excess of 30	20
— Surcharge for each additional claim in excess of 10	50
Grant fee	350
Fee for certified copy of ARIPO patent application or granted patent	100
— in addition, per page	5
Fee for registration of assignments, transmissions, amendments, etc	100
Fee for conversion of an ARIPO patent application to a national application	100
Fee for conversion of an ARIPO patent application to an ARIPO utility model application	100
Fee for reestablishment of rights	100
Annual fees in respect of each designated State (payable on each anniversary of the international filing date):	
— for the 1st anniversary	50
— for the 2nd anniversary	70
— for the 3rd anniversary	90
— for the 4th anniversary	110
— for the 5th anniversary	130
— for the 6th anniversary	150
— for the 7th anniversary	170
— for the 8th anniversary	190
— for the 9th anniversary	210
— for the 10th anniversary	230
— for the 11th anniversary	250
— for the 12th anniversary	270
— for the 13th anniversary	290
— for the 14th anniversary	310
— for the 15th anniversary	330
— for the 16th anniversary	380
— for the 17th anniversary	430
— for the 18th anniversary	480
— for the 19th anniversary	530
— for the 20th anniversary	580
Surcharge for late payment of annual fees	100
— and for every month or fraction thereof that the fee remains unpaid	50

Correction of errors:
— the first error 50
— any additional error 20

Fee for voluntary amendment during processing 200

Fee for voluntary amendment after grant 300

Consultation of Registers 10

Request for copies of extracts from Register or from files, per page 5

Preparation of abstract 100

Request for any extension 50

Utility models

National fee, comprising:
— basic fee (application fee)
— online filing 80
— paper filing 100
— designation fee for each ARIPO member State designated 20

Registration and publication fee 50

Fee for certified copy of ARIPO utility model application, per page 2
— and for every page in excess of 10 1

Fee for registration of assignments, transmissions, amendments, etc 30
— and for every page in excess of 10 1

Fee for conversion of an ARIPO utility model application to a national application 300

Maintenance fees in respect of each designated State:
— for the 1st year 20
— for the 2nd year 25
— for the 3rd year 30
— for the 4th year 35
— for the 5th year 40
— for the 6th year 45
— for the 7th year 50
— for the 8th year to the 10th year, per year 10

Surcharge for late payment of maintenance fees 30
— and for every month or fraction thereof that the fee remains unpaid 5

How can payment of fees be effected?

The payment of fees to ARIPO must be effected in US dollars. All payments must give the application number (national if already known; international if the national number is not yet known). Payment of fees may be made by bank check or telegraphic transfer.

AFRICAN REGIONAL INTELLECTUAL PROPERTY ORGANIZATION (ARIPO)

ARIPO Form No. 4 HARARE PROTOCOL APPOINTMENT OF REPRESENTATIVE (POWER OF ATTORNEY) (Rule 10(2); Instruction 19) To:* Director General ARIPO Office P.O. Box 4228 Harare Zimbabwe	For Official Use Received on: Applicant's or Representative's File Reference:

I/We, the undersigned;

Name:

Address:

hereby appoint (name):

address:

Telephone # Mobile # E-mail Fax #

to act as my/our representative in all proceedings relating to:

☐ Application for grant of patent and any patent granted pursuant thereto** ( )

☐ Application for registration of utility model*** ( )

☐ Application for registration of industrial design and any registration effected pursuant thereto****

( )

☐ Other (specify)

and ratify all acts done by the representative on my/our behalf in connection with that (those) matter(s), and request that all notices, requisitions and communications relating thereto be sent to the said representative at his address.

Any previous appointment in respect of the same matter(s) is hereby revoked.

XI. SIGNATURE(S)*****

Date

* If filed together with the request Form, indicate name and address of receiving Office; if filed subsequently, indicate ARIPO Office and its address.
** Indicate title of invention and application number, if known.
*** Indicate title of the utility model.
**** Indicate title (if any) of industrial design and application number, if known.
***** Must be signed by the person(s) appointing the representative; type name(s) under signature(s).

AUSTRIAN PATENT OFFICE

AS

DESIGNATED (OR ELECTED) OFFICE

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Power of attorney . . . . . Annex AT.II

List of abbreviations:

Office: Austrian Patent Office

PatG: Patent Law [*Patentgesetz*]

PatV: Law for the Introduction of the Patent Treaties [*Patentverträge-Einführungsgesetz*]

GMG: Law on the Protection of Utility Models [*Gebrauchsmustergesetz*]

PAG: Law on Charges of the Austrian Patent Office [*Patentamtsgebührengesetz*]

SUMMARY Designated (or elected) Office SUMMARY

AT AUSTRIAN PATENT OFFICE AT

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	German
Required contents of the translation for entry into the national phase: [1]	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: [1]	Currency: Euro (EUR) For patent: Fee for entry into the national phase: EUR 52 Document fee (*Schriftengebühr*): EUR 50 Search and examination fee, including 10 claims: EUR 292 Claims fee, from the 11th claim, for each group of up to 10 claims: EUR 104 For utility models: Fee for entry into the national phase: EUR 52 Document fee (*Schriftengebühr*): EUR 50 Search fee, including 10 claims: EUR 156 Claims fee, from the 11th claim, for each group of up to 10 claims: EUR 104
Exemptions, reductions or refunds of the national fee:	No fee for entry into the national phase is payable if the international application was filed with the Austrian Patent Office as receiving Office.

[Continued on next page]

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

SUMMARY — Designated (or elected) Office — SUMMARY

AT — AUSTRIAN PATENT OFFICE — AT

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[2]	For applicants having a residence or a principal place of business in Austria or in a member State of the European Union or in a State party to the Agreement on the European Economic Area or in Switzerland, the applicant is not obliged to be represented by an agent. However, if the residence or the principal place of business of the applicant is outside of Austria, he has – at least - to mention a natural person or legal entity having an address in Austria for the reception of documents. If the applicant wants to be represented he may be either represented by any natural person or legal entity having a residence or its principal place of business in Austria or by any natural person or legal entity authorized to professional representation in Austria (professional agent or agency). For applicants having neither a residence nor a principal place of business in Austria nor in a member State of the European Union or in a State party to the Agreement on the European Economic Area nor in Switzerland, the applicant is obliged to be represented by a patent attorney, attorney at law or notary, entitled to professional representation in Austria (professional agent or agency).
Who can act as agent?	Any patent attorney, attorney at law or notary, entitled to professional representation in Austria (professional agent or agency). The list of patent attorneys may be obtained from the Österreichische Patentanwaltskammer, Linke Wienzeile 4/1/9, A-1060 Wien, Austria (www.patentanwalt.at). The list of attorneys at law may be obtained from the Österreichischer Rechtsanwaltskammertag, Rotenturmstr. 13, A-1010 Wien, Austria (www.oerak.or.at). The list of notaries may be obtained from the Österreichische Notariatskammer, Landesgerichtsstr. 20, A-1010 Wien, Austria (www.notar.at).
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

[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

THE PROCEDURE IN THE NATIONAL PHASE

AT.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 part 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.

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

PatG Sec. 21
77

AT.03 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. An attorney-at-law, a patent attorney or a notary may replace a power of attorney by a reference to his authorization. A model of a power of attorney is given in Annex AT.II.

PatG Sec. 20

AT.04 **MENTION OF INVENTOR.** The name of the inventor is mentioned by the Office in the Patent Register and in the publication of the patent upon express request only. That request may be made by the applicant or the inventor at any time, even after the publication of the patent. Where several persons are entitled to make such request, the requestor must produce proof that the other persons entitled agree, unless the request is made jointly by all those entitled.

PAG Sec. 6

AT.05 **ANNUAL FEES.** Annual fees for patents are only payable after publication in the Patent Gazette [*Österreichisches Patentblatt*] of the granting of the patent. In general, annual fees are only payable for the sixth year and the following years (calculated on the basis of the last day of the month in which the application was filed). However, no payment of annual fees is due before the granting of the patent.

The annual fees must be paid within three months preceding the due date (the last day of the month which corresponds to the month in which the application was filed), but not later than six months after the due date. Payments made after the due date will be subject to a late payment surcharge of 20% of the applicable fee.

The amounts of the annual fees for national patents and utility models are indicated in Annex AT.I.

PCT Art. 28
41
PatG Sec. 91(3)

AT.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make amendments to any part of the application up to the decision to grant a patent, provided that the scope of the subject matter of the application is not broadened thereby. It is to be noted that, during the opposition procedure following the grant of the patent, amendments to the description, claims or drawings may still be made, but only within the scope of the patent as granted.

PCT Art. 25
PCT Rule 51
PatG Sec. 70
PatV Sec. 16(3)

AT.07 **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, an appeal against this decision may be lodged within two months from the date of receipt of the decision. Within the same two-month time limit, a fee for appeal must be paid (for the amount, see Annex AT.I). The Higher Regional Court of Vienna will then decide on the appeal.

PCT Art. 24(2) 48(2)
PatG Sec. 129 to 136

AT.08 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Reinstatement may be requested where the applicant, due to an unforeseeable or unavoidable event or in spite of due care required by the circumstances, has failed to comply with a time limit before the office and non-observance of the time limit is detrimental to his rights. A request for reinstatement must be presented in writing within two months after the removal of the cause of the failure to perform the act but not later than one year from the expiration of the time limit which has not been observed. Within these two months, the omitted act must be completed, the procedural fee for reinstatement indicated in Annex AT.I must be paid, and the request must state the facts which justify the reinstatement and procedure evidence of those facts, unless they are well known to the Office.

PCT Art. 4(3) 43 44
PCT Rules 4.12 49*bis*.1 (a), (b) 76.5
GMG Sec. 3(4) 13 to 17

AT.09 **UTILITY MODEL.** If the applicant wishes to obtain utility model registration in Austria 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 AT.13, the applicant, when entering the national phase, shall so indicate to the Office. Utility model applications must fulfill basically the same requirements as patent applications. However, unlike patent applications, utility model applications enjoy a grace period in which disclosure of the invention by the applicant or his legal predecessor is not prejudicial to novelty provided that it did not take place more than six months prior to the date of filing.

GMG Sec. 6 18(1) 19 27

AT.10 The term of protection of the utility model commences with its publication and registration; the maximum term of protection for a utility model is 10 years from the end of the month in which the application is filed. In normal proceedings and where possible, if there are no objections to the publication and registration of the utility model, the Office compiles a search report within six months of the date of filing—the application procedure for utility models does not involve substantive examination. The applicant may amend the claims on receipt of the search report. Once proof of payment of the required fees has been received, the utility model is registered and published on the same date (in the Official Gazette). Additionally, applicants may request accelerated proceedings (immediate publication and registration of their utility model) when filing their application. Under that procedure, where no objections arise from the formal examination and the proof of payment is received, the utility model is published and registered within one to three months from filing.

PatV Sec. 16

AT.11 If the international application is for both a utility model and a patent, the applicant must, within the time limit applicable for the entry into the national phase, pay two fees for entry into the national phase (for the patent application and the utility model application) and, where the international application was not filed in the German language, furnish a translation into German, and file a power of attorney (if any) in duplicate.

PAG Sec. 16

AT.12 Annual fees are payable from the fourth year onwards, as from the last day of the month of the filing date. In case the utility model is not published and registered before three years from the last day of the month of the filing date, annual fees are payable only for the years following the publication and registration of the utility model. The amounts of the annual fees are indicated in Annex AT.I.

PatG Sec. 92b
GMG Sec. 21

AT.13 **CONVERSION.** An international application for a patent may be converted into a utility model application, and vice versa, after the applicant has complied with the requirements for the entry into the national phase as indicated in the Summary. Conversion may be effected up to the date on which the decision is taken to publish or reject the application. However, once a conversion has taken place, a conversion back to the original status will not be possible.

GMG Sec. 15a(1)

AT.14 **BRANCHING OFF.** A utility model application concerning the subject matter of an earlier application for a patent that is valid in Austria may claim the filing date of that earlier patent application provided the utility model application is filed before the expiration of two months after the patent application is considered withdrawn or finally rejected or after the opposition procedure, if any, is terminated.

PCT Rule 49*ter*.2

AT.15 **RESTORATION OF THE RIGHT OF PRIORITY.** A declaration or other evidence in support of a request for restoration of the right of priority should be filed within the time limit set out in PCT Rule 49*ter*.2(b)(i).

PCT Rule 49*ter*.2(e)

If such a request is not accompanied by a declaration or other supporting evidence it will not be refused *prima facie* by the Office but the applicant will be requested to furnish the required declaration within a time limit which shall be reasonable under the circumstances.

FEES

(Currency: Euro)

	Patent	Utility model
Fee for entry into the national phase[1]	52	52
Document fee (*Schriftengebühr*) :	50	50
Search and examination fee, including 10 claims	292	—
Search fee, including 10 claims	—	156
Claims fee, from the 11th claim, for each group of up to 10 claims	104	104
Publication fee (for grant)	208[2]	135
Supplement for accelerated publication and registration	—	52
Annual fees:		
— for the 2nd year	—	—
— for the 3rd year	—	—
— for the 4th year	—	52[3]
— for the 5th year	—	104
— for the 6th year	104	261
— for the 7th year	208	313
— for the 8th year	313	365
— for the 9th year	417	417
— for the 10th year	522	470
— for the 11th year	626	—
— for the 12th year	731	—
— for the 13th year	835	—
— for the 14th year	940	—
— for the 15th year	1,044	—
— for the 16th year	1,148	—
— for the 17th year	1,253	—
— for the 18th year	1,357	—
— for the 19th year	1,566	—
— for the 20th year	1,775	—
Fee for restoration of the right of priority, including document fee (*Schriftengebühr*)	269	269
Procedural fee for reinstatement, including document fee (*Schriftengebühr*)	269	269
Fee for appeal (Higher Regional Court of Vienna)	355	355

[1] Where the international application has been filed with the Austrian Patent Office as receiving Office, the fee for entering the national phase is considered to have been paid with the payment of the transmittal fee.

[2] In excess of 15 pages, an additional fee of 135 euro is payable for each 15 pages (or part thereof) of the description, including the claims and drawings attached to the description.

[3] Instead of paying annual fees, a single fee of 376 euro may be paid for the fourth to sixth years and 1,410 for the seventh to the tenth years, which results in savings for the applicant.

How can payment of fees be effected?

The payment of fees must be effected in euro by transfer into the bank account of the Austrian Patent Office:

Beneficiary's name:	Österreichisches Patentamt Dresdner Straße 87 A-1200 Wien
Bank name:	BAWAG P.S.K.
Bank address:	Georg-Coch-Platz 2 A-1018 Wien
BIC/Swift-Code:	BUNDATWW
IBAN:	AT75 0100 0000 0516 0000
Bank Number	01000
Account Number	5.160.000

Fees for appeal must be paid to the account of the Higher Regional Court of Vienna:

IBAN:	AT970100000005460401
BIC/SWIFT	BUNDATWW

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 type of fee being paid. Fees paid to the bank account of the Office are regarded as being received on the date on which the money is credited to the said account.

ÖSTERREICH
EUROPA
INTERNATIONALE VERTRÄGE

PATENTE / SCHUTZZERTIFIKATE /
GEBRACHSMUSTER / MARKEN / MUSTER /
HALBLEITERSCHUTZ / SORTENSCHUTZ

VOLLMACHT

Der (Die) Unterzeichnete(n)
bevollmächtigt (bevollmächtigen) die

Patentanwälte
Vertreter vor dem Europäischen Patentamt

- einschließlich des Rechts auf Erteilung von Untervollmachten – alle einem Patentanwalt zustehenden Vertretungshandlungen auf dem Gebiet des Erfindungs-, Kennzeichen-, Muster-, Halbleiterschutz-, und Sortenschutzwesens, insbesondere vor den österreichischen, europäischen und internationalen Behörden.

Jeder Bevollmächtigte ist zur Beistandsleistung, insbesondere vor Gericht und Verwaltungsbehörden ermächtigt. Ebenso ist er zu Behebung und Empfangnahme von Geld und Geldeswert sowie zur Unterzeichnung von Urkunden für den Vollmachtgeber, insbesondere Übertragungserklärungen, Erfindernennungen und dergleichen ermächtigt.
Der (die) Unterzeichnete(n) erklärt (erklären) sich zur ungeteilten Hand, Honorare sowie Auslagen und eine allfällige Umsatzsteuer zu bezahlen und erklären sich damit einverstanden, dass der bezügliche Anspruch in Wien (Österreich) gerichtlich geltend gemacht werden kann.

GERICHTSSTAND
HAFTUNGSBEGRENZUNG

Der (die) Unterzeichnete(n) erklärt (erklären) sich damit einverstanden, dass für sämtliche Ansprüche aus oder in Zusammenhang mit diesem Auftragsverhältnis das jeweils sachlich für den Ort des Kanzleisitzes der Vollmachtnehmer zuständige Gericht ausschließlich zuständig ist, wobei der Vollmachtennehmer auch ein aus- oder inländisches Gericht anrufen kann.

Die Anwendung österreichischen Rechtes auf das Auftragsverhältnis und alle damit zusammenhängenden Rechtsstreitigkeiten wird für verbindlich erklärt.

AUSTRIA
EUROPE
INTERNATIONAL TREATIES

PATENTS / PROTECTION CERTIFICATES / UTILITY MODELS /
TRADEMARKS / DESIGNS /
PROTECTION OF SEMICONDUCTORS AND PLANTS

POWER OF ATTORNEY

The undersigned
Hereby authorize(s) the

Patent Attorneys
European Patent Attorneys

to represent them - inclusive the right to grant powers of substitution - in all matters with regard to invention, trademarks, designs, semiconductor and plant protection, in particular before the Austrian, European an International Authorities.

The above attorneys are authorized to assist the undersigned in particular in proceedings before courts and administrative authorities.
They are authorized to sign documents (in particular assignments, declarations of inventors, subpowers or the like) on behalf of the undersigned and to receive money and money's worth.
The undersigned hereby agree(s) to pay (solidary) the full costs of the representation as well as expenses and taxes and with respect to same accept(s) the jurisdiction of the pertinent courts in Vienna (Austria).

COURT OF COMPENTENT JURISDICTION
LIMITATION OF LIABILITY

The undersigned hereby declares (declare) his her (her, their) consent and agrees (agree) that for all claims arising from or in connection with this mandate, the court of competent jurisdiction at the seat of the holder of power of attorney shall have exclusive jurisdiction. The holders of power of attorney may, at his own discretion, also take action before any other foreign or domestic court of his choice.

It is stipulated that Austrian Law shall be applicable and binding for this mandate and for all legal disputes connected therewith or arising therefrom.

Unterschrift mit vollem Namen (Sign full name here): _____

Place, Date
Ort, Datum

Österreichische Patentanwaltskammer
Austrian Chamber of Patent Attorneys

Bei Personen: Namen und Vornamen voll ausschreiben, bei Firmen, genaue, eingetragene Firmenbezeichnung angeben. **Keine Beglaubigung**!

First names and surnames of individual persons are to be written in full, corporate bodies are to sign in the form in which they are registered. **No legalization!**

AUSTRALIAN PATENT OFFICE

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Fees . . . . . Annex AU.I

List of abbreviations:

Office: Australian Patent Office

APA: Australian Patents Act

APR: Australian Patents Regulations

Sec.: Section of the Patents Act

Reg.: Regulation of the Patents Regulations

SUMMARY Designated (or elected) Office SUMMARY

AU AUSTRALIAN PATENT OFFICE AU

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:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), any text matter of drawings Under PCT Article 39(1): Description, claims, any text matter of drawings (if any of those parts has been amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	A copy is required only if the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) at a time when the applicant has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20
National fee:	Currency: Australian dollar (AUD) Filing fee:[1] AUD 370[2] 570[3]
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[4]	Name of the inventor if it has not been furnished in the "Request" part of the international application[5] Statement or notice as to the applicant's entitlement to apply for and be granted a patent[5] Statement or notice as to the applicant's entitlement to claim priority of the earlier application[5] Address for service in Australia or New Zealand (but no representation by an agent is required) Verification of translation[6]
Who can act as agent?	Any person registered to practice as a patent attorney before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies national requirements to such requests

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

2 This fee is applicable where the following preferred means for specific transactions are used: Online Services (eServices) or Business to Business (B2B). For further details, see www.ipaustralia.gov.au/patents/understanding-patents/time-and-costs

3 This fee is applicable where other means such as mail or at a counter are used for specific transactions. For further details, see www.ipaustralia.gov.au/patents/understanding-patents/time-and-costs

4 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.

5 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

6 A verified translation is only required upon request by the Commissioner.

THE PROCEDURE IN THE NATIONAL PHASE

APR Reg. 3.5AC(9), 3.5AF(2D)
1.3 definition of "certificate of verification"

AU.01 **TRANSLATION (VERIFICATION).** A verification of the translation of the international application or of any amendments under PCT Articles 19 or 34 need only be furnished to the Office if the Commissioner specifically requires the applicant to do so. This only occurs if there is a reasonable belief that the translation into English does not accurately reflect the document in its original language. The required certificate of verification of the translation of the international application consists of a simple signed and dated statement, which can be made by any person.

APR Reg. 3.5AC(8) 3.5AC(9)(a) 3.5AF(2C), 3.5AF(2D)(a)

AU.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). This can be done when the applicant becomes aware of an error or omission, or in response to the Commissioner requiring verification of a translation.

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

APR Reg. 3.2C(2)(a)(i)

AU.04 **ADDRESS FOR SERVICE.** An applicant, irrespective of whether or not he is a national of or a resident in Australia, is not required to be represented by an agent, but he is required to have an address for service (of notices and other communications) in Australia or New Zealand. The applicant must supply such an address in order to continue proceedings before the Office. Any applicant may be represented by a patent attorney authorized to practice before the Office and the address for service should normally be that of a registered patent attorney. A list of registered patent attorneys is available upon request from the Office.

APA Sec. 142(2)(d) 143(a)
APR Reg. 13.3 13.6 22.2

AU.05 **RENEWAL FEE.** A continuation (renewal) fee must be paid to maintain the application. The first continuation fee falls due four years from the international filing date (fourth anniversary fee); thereafter a continuation fee becomes due on each anniversary of the international filing date. Payment can be made at any time up to the due date or together with the payment of a fee for extension of time, within six months from the final date. The amounts of the continuation fees and of the fees for extension of time are indicated in Annex AU.I.

APA Sec. 44 45
APR Reg. 3.15

AU.06 **REQUEST FOR EXAMINATION.** The Office will grant a standard patent only after examination as to patentability, the procedure for which is started only upon request.

APR Reg. 3.15 3.16

AU.07 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within five years from the international filing date or, where the Office directs the applicant to request examination, within two months of the date of the notice of the Office to that effect.

APR Reg. 22.2 22.2C

AU.08 **FEE FOR REQUESTING EXAMINATION.** The request for examination is only effective if a fee for requesting examination has been paid. The amount of this fee is indicated in Annex AU.I.

APA Sec. 142(2)(e)
APR Reg. 13.4

AU.09 **TIME LIMIT TO HAVE AN APPLICATION ACCEPTED.** An application for which an examination request has been made has to have been accepted within 12 months from the date of the first examination report.

APR Reg. 22.22 22.2I

AU.10 **ACCEPTANCE FEE**. A fee is required to be paid upon acceptance of the application. The amount of this fee is indicated in Annex AU.I.

APR Reg. 3.15(2)

AU.11 **ENTITLEMENT.** All requests for examination must include a statement or notice as to the applicant's entitlement to apply for and be granted a patent, and to claim priority of the earlier application. These requirements may be taken to have been met if the applicant includes in the request the relevant declarations in accordance with PCT Rule 4.17.

APA Sec. 43AA
APR Reg. 3.14D
22.15A

AU.12 **PRIORITY DOCUMENT (TRANSLATION).** A verified translation into English (see paragraph AU.01) of any priority document need only be furnished to the Office if the Commissioner specifically requests the applicant to do so. This will only occur when the translation is necessary to determine the validity of the application.

Verification of the translated priority document is only required to be furnished to the Office if the Commissioner specifically requires the applicant to do so. This only occurs if there is a reasonable belief that the translation into English does not accurately reflect the priority document in its original language. The required certificate of verification of the translation of the priority document consists of a simple signed and dated statement, which can be made by any person.

PCT Art. 28
41
APA Sec. 102
104
APR Chapter 10

AU.13 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make the following modifications to his application before the Office (subject, in the case of voluntary amendment, to the payment of the fee for voluntary amendments indicated in Annex AU.I):

(i) prior to acceptance:

— correction of clerical errors and obvious mistakes;

— such modifications as do not result in the claiming or disclosure of new matter (beyond the disclosure of the international application as filed);

(ii) after acceptance:

— correction of clerical errors and obvious mistakes;

— such modifications as do not result in the claiming or disclosure of new matter (beyond the disclosure of the international application as filed) and do not broaden the scope of the claims existing before the modifications.

PCT Art. 25
PCT Rule 51
APA Sec. 10
APR Reg. 3.5AB

AU.14 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. Before any adverse decision is made, the applicant is always afforded the opportunity of being heard. Review of an adverse decision can be obtained from the Federal Court of Australia.

PCT Art. 24(2)
48(2)

AU.15 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

APA Sec. 223
APR Reg. 8.3(4)
22.11

AU.16 If, due to an error or omission on the part of the applicant, his agent or attorney, or due to circumstances beyond the control of the person concerned, the applicant has failed to observe a time limit which is prejudicial to his rights, or the Commissioner is satisfied that the person took due care as required by the circumstances, to ensure the doing of the act within that time, he may request the Office to extend the time limit even though that time has already expired. The request must be presented in writing, and establish the facts on which the request is based in a declaration and also must be accompanied by a fee (for the amount of the fee, see Annex AU.I).

PCT Rule 49ter(f)
APA Sec. 223

AU.17 **RESTORATION OF THE RIGHT OF PRIORITY.** A request for restoration of the right of priority will be treated under national law requirements, at the option of the applicant, as an application for an extension of time on the basis of the relevant act not being done despite due care, not being done due to circumstances beyond the control of the person concerned or because of an error or omission on the part of the person concerned or by his or her agent or attorney. Fees and other requirements associated with the request vary according to the criterion against which it is made. A request for restoration should be presented in writing, should indicate the criterion against which the request is made and be accompanied by the relevant fee (see "Fee for extension of time limit" in Annex AU.I). Preferably it should also be accompanied by a declaration setting out the circumstances and facts on which the request is based.

FEES

(Currency: Australian dollar)

Standard patent applications

Filing fee:	370[1]	570[2]
— national phase entry of a PCT application under paragraph 89(398b) of the Australian Patents Act	370[1]	570[2]

Request for examination fee:

(a) for examination under section 45 of the Australian Patents Act (normal examination):	
(i) if the application is a PCT application for which the Australian Patent Office has issued an international preliminary examination report under PCT Article 35	300
(ii) all other applications	490

Fee for acceptance of a patent request and complete specification:

(a) for acceptance	250
(b) if more than 20 claims are contained in the specification at acceptance, for each claim in excess of 20 (but equal to or less than 30)	125
(c) if more than 30 claims are contained in the specification at acceptance, for each claim in excess of 30	250

Continuation/renewal fees
(becoming payable on each anniversary of the international filing date from the 4th onwards):

— on the 4th anniversary	300[1]	350[2]
— on the 5th anniversary	315[1]	365[2]
— on the 6th anniversary	335[1]	385[2]
— on the 7th anniversary	360[1]	410[2]
— on the 8th anniversary	390[1]	440[2]
— on the 9th anniversary	425[1]	475[2]
— on the 10th anniversary	490[1]	540[2]
— on the 11th anniversary	585[1]	635[2]
— on the 12th anniversary	710[1]	760[2]
— on the 13th anniversary	865[1]	915[2]
— on the 14th anniversary	1,050[1]	1,100[2]
— on the 15th anniversary	1,280[1]	1,330[2]
— on the 16th anniversary	1,555[1]	1,605[2]
— on the 17th anniversary	1,875[1]	1,925[2]
— on the 18th anniversary	2,240[1]	2,290[2]
— on the 19th anniversary	2,650[1]	2,700[2]

Fee for extension of time limit:

(a) where there is an error or omission on the part of the person concerned or his agent or attorney—for each or part of a month	100
(b) for circumstances beyond the control of the person concerned—application for extension of time	100
(c) where the Commissioner is satisfied that the person concerned took due care, as required by the circumstances, to ensure the doing of the act within that time—for each or part of a month	100
(d) to pay continuation fee if the fee is not paid on or before the anniversary but is paid within 6 months of the anniversary—for each or part of a month for which the time is extended	100

[1] This fee is applicable where the following preferred means for specific transactions are used: Online Services (eServices) or Business to Business (B2B). For further details, see www.ipaustralia.gov.au/patents/understanding-patents/time-and-costs

[2] This fee is applicable where other means such as mail or at a counter are used for specific transactions. For further details, see www.ipaustralia.gov.au/patents/understanding-patents/time-and-costs

Fee for voluntary amendments before request for examination is filed or after acceptance 250

Additional fee for voluntary amendments after acceptance, if the specification as proposed to be amended has more than 20 claims, and the effect of the amendment is to increase the number of claims, for each additional claim 250

The complete list of national fees for the Office is in Part 2 in Schedule 7 to the Australian Patents Regulations.

How can payment of fees be effected?

(i) All fees must be paid to the Australian Patent Office.

(ii) National fees must be paid by credit card, accounts for selected services, cash, cheque, money order, EFTPOS, EFT or direct debit in Australian dollars. Payments by bank transfer should be made to the following bank:

Beneficiary's name:	IP Australia Official Departmental Account
Bank name:	National Australia Bank
Bank Account No.:	082-926 868711229
Bank Address:	Woden Shopping Square ACT 2606
BIC/SWIFT code:	NATAAU3303M

INTELLECTUAL PROPERY AGENCY OF THE REPUBLIC OF AZERBAIJAN

AS

DESIGNATED (OR ELECTED) OFFICE

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THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY Designated (or elected) Office SUMMARY

AZ INTELLECTUAL PROPERY AGENCY OF THE REPUBLIC OF AZERBAIJAN AZ

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into:	Azerbaijani
Required contents of the translation for entry into the national phase:	Under PCT Article 22: Description, claims (if amended, as amended only 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Azerbaijani manat (AZN) For patent or utility model: Filing fee (including examination):[1] AZN 20 Additional fee for each independent claim in excess of one: AZN 7 Additional fee for each dependent claim in excess of ten: AZN 7 Annual fee for the 3rd year: AZN 50 (10)[2]
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[3]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4] Declaration justifying the applicant's right to a patent if he is not the inventor[4] Appointment of an agent if the applicant is not resident in Azerbaijan
Who can act as agent?	Any patent attorney registered to practice before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

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

2 The amount in parentheses is applicable where all applicants are natural persons.

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 requirements 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.

INSTITUTE FOR INTELLECTUAL PROPERTY OF BOSNIA AND HERZEGOVINA

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Institute for Intellectual Property of Bosnia and Herzegovina

IPL: Bosnian Patent Law

APL: Bosnian Law on Administrative Procedures

SUMMARY **Designated (or elected) Office** SUMMARY

BA INSTITUTE FOR INTELLECTUAL PROPERTY OF BOSNIA AND HERZEGOVINA BA

Summary of requirements for entry into the national phase

If grant of a national patent by the Institute for Intellectual Property of Bosnia and Herzegovina is desired:

Time limits applicable for entry into the national phase:	Under PCT Article 22(3): 34 months from the priority date Under PCT Article 39(1)(b): 34 months from the priority date
Translation of international application required into:[1]	Bosnian, Croatian or Serbian
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?	Yes
National fee:	Currency: Convertible mark (BAM) Filing and publication fee: BAM 260 — plus for each page of the application over 30: BAM 3 — plus for each claim over 10: BAM 11 Publication fee for granted patent: BAM 60
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 51*bis*):[2]	Appointment of an agent if the applicant is not resident in Bosnia and Herzegovina
Who can act as agent?	Any person registered to practice before the Office

[Continued on next page]

[1] Must be furnished 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.

SUMMARY Designated (or elected) Office SUMMARY

BA INSTITUTE FOR INTELLECTUAL PROPERTY OF BOSNIA AND HERZEGOVINA BA

[Continued]

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

If extension of a European patent is desired: See European Patent Organisation (EP) in Annex B2, Summary (EP) and National Chapters EP and BA

THE PROCEDURE IN THE NATIONAL PHASE

BA.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).

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

PCT Art. 28, 41

BA.03 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend or correct the international application up to the grant of a patent, provided that the scope of the subject matter of the application is not broadened thereby.

BA.04 **MAINTENANCE FEES.** After a patent has been granted, maintenance fees must be paid for maintaining the patent in force. The first maintenance fee is payable for the third year following the international filing date. Payment of the maintenance fees for subsequent years must be made before the anniversary of the international filing date. If payment is not made within this time limit, the Office will invite the applicant to pay the maintenance fee, together with a 50% surcharge, within six months after the due date. The amounts of the maintenance fees are indicated in Annex BA.I.

PCT Art. 24(2), 48(2)
PCT Rule 82*bis*

BA.05 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where, during the international phase or before the Office, the applicant has missed a time limit for performing any act in relation to the international application, such time limit may be extended by the Office. The procedure for excusing a delay is available to: (1) parties which have been delayed in performing certain actions due to justifiable reasons; (2) parties which have failed to submit the application in time because it was submitted to an unauthorized authority due to lack of awareness or obvious mistake; and (3) parties which have missed prescribed deadlines due to lack of awareness or obvious mistake but submit the application or relevant papers to the competent authority within three days after the deadline and where delay would mean that the party would lose rights.

BA.06 The request for excusing a delay shall explain the circumstances which caused the delay and include the paper(s) sought to be submitted late. The request for excusing a delay must be submitted within eight days from the day on which the circumstances which caused the delay ceased to exist, or, where the party learned about its cessation only later, from the day the party learned of it. Requests for excusing a delay are acceptable only up to three months from the day when the delayed paper or action was due.

PCT Art. 25
PCT Rule 51

BA.07 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. In the case of a negative decision of the Office during the national phase (including in case of a request for review under Article 25), an appeal may be submitted to the Board of Appeal of the Institute for Intellectual Property of Bosnia and Herzegovina within one month from the date of receipt of the decision.

FEES

(Currency: convertible mark)

Filing and publication fee	260
Publication fee for granted patent	60
Maintenance fees:	
— for the 3rd year, counted from the international filing date	90
— for the 4th year, counted from the international filing date	110
— for the 5th year, counted from the international filing date	130
— for the 6th year, counted from the international filing date	190
— for the 7th year, counted from the international filing date	250
— for the 8th year, counted from the international filing date	310
— for the 9th year, counted from the international filing date	370
— for the 10th year, counted from the international filing date	480
— for the 11th year, counted from the international filing date	600
— for the 12th year, counted from the international filing date	720
— for the 13th year, counted from the international filing date	940
— for the 14th year, counted from the international filing date	1,060
— for the 15th year, counted from the international filing date	1,180
— for the 16th year, counted from the international filing date	1,400
— for the 17th year, counted from the international filing date	1,620
— for the 18th year, counted from the international filing date	1,840
— for the 19th year, counted from the international filing date	2,060
— for the 20th year, counted from the international filing date	2,280

How can payment of fees be effected?

All fees must be paid to the Institute for Intellectual Property of Bosnia and Herzegovina via a registered patent agent.

Exceptionally, foreign natural persons and legal entities may make the payment directly without a representative if the payment is made in the local currency (BAM). Foreign natural persons and legal entities shall submit to the Office the address for correspondence which must be in the territory of Bosnia and Herzegovina. In that case, upon request, the Office will issue an invoice with all the necessary information for payment.

CORPORATE AFFAIRS AND INTELLECTUAL PROPERTY OFFICE (BARBADOS)

AS

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List of abbreviations:

Office: Corporate Affairs and Intellectual Property Office (Barbados)

PA: Patents Act, 2001-18, as amended by the Intellectual Property Act, 2006-2

PR: Patent Regulations 1984

SUMMARY Designated (or elected) Office SUMMARY

BB CORPORATE AFFAIRS AND INTELLECTUAL PROPERTY OFFICE (BARBADOS) BB

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Barbados dollar (BBD) Filing fee:[1] BBD 300 First annual fee:[2] BBD 200
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[3]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4] Statement justifying the applicant's right to the patent if he is not the inventor[4] Appointment of a patent agent
Who can act as agent?	Any attorney-at-law licensed and registered with the Office to practice as a patent agent in Barbados.[5]
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Please refer to the Office

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

2 Due to the new time limit applicable under PCT Article 22, the Office should be consulted for the time limit applicable for the payment of this fee.

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.

5 A list of agents may be obtained from the Office.

THE PROCEDURE IN THE NATIONAL PHASE

BB.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).

PR Rules 4, 8

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

PA Sec. 18(2)

BB.03 **DESIGNATION OF THE INVENTOR.** If the applicant is not the inventor, a statement by the inventor must be filed justifying the applicant's right to the invention.

PA Sec. 17(5)

BB.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model is given in Annex BB.II.

PA Sec. 29

BB.05 **ANNUAL FEES.** They are payable before the second and each subsequent anniversary of the international filing date. For the due date of the payment of the first annual fee, see the Summary. Where the applicant failed to pay by the due date, payment can still be made, together with a surcharge for late payment, within the six months following the due date. The amounts of the annual fees are indicated in Annex BB.I.

PA Sec. 28

BB.06 **FEE FOR GRANT.** A fee for grant must be paid before the grant of the patent. The amount of the said fee is indicated in Annex BB.I.

PCT Art. 28, 41
PA Sec. 20

BB.07 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Amendments may be made in the national phase up to the grant of the patent, provided that the scope of the subject matter of the application is not broadened thereby.

PCT Art. 25
PCT Rule 51
PA Sec. 51

BB.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, an appeal against this decision may be lodged to the High Court by a notice of motion within 30 days from the date of receipt of the decision. Any person aggrieved by any decision or act of the Office may lodge an appeal against the decision or act to the High Court.

PCT Art. 24(2), 48(2)
PR Rule 44

BB.09 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Where the applicant failed to comply with a time limit during the international phase or before the Office, he may request extension of time. Such request must be addressed to the Office together with an affidavit setting forth the relevant facts and is subject to the payment of a special fee (see Annex BB.I). Extension of time may be requested either before or after the expiration of the time. The extension may be granted by the Office for such period as the Office thinks suitable in the circumstances of the case.

FEES

(Currency: Barbados dollar)

Filing fee	300
Fee for grant	300
Annual fees:	
— before the 2nd anniversary of filing	200
— before the 3rd anniversary of filing	300
— before the 4th anniversary of filing	400
— before the 5th anniversary of filing	500
— before the 6th anniversary of filing	600
— before the 7th anniversary of filing	700
— before the 8th anniversary of filing	800
— before the 9th anniversary of filing	900
— before the 10th anniversary of filing	1000
— before the 11th anniversary of filing	1100
— before the 12th anniversary of filing	1200
— before the 13th anniversary of filing	1300
— before the 14th anniversary of filing	1400
— before the 15th anniversary of filing	1500
— before the 16th anniversary of filing	1600
— before the 17th anniversary of filing	1700
— before the 18th anniversary of filing	1800
— before the 19th anniversary of filing	1900
Surcharge for late payment of annual fee	100
Fee for extension of time	50

How can payment of fees be effected?

Payment must be made in Barbados dollars, but the equivalent amount in a foreign currency that is convertible in Barbados may be accepted. Fees may be paid by cheque, bank draft or money order to the Registrar of the Corporate Affairs and Intellectual Property Office or by cash at the Office.

POWER OF ATTORNEY

I (We)

(Name and address)

do hereby authorize

to represent me(us) as applicant(s)
in all proceedings related to the processing

☐ of all my(our) patent applications

☐ of international application No.

(check the applicable box)

before the Corporate Affairs and Industrial Property Office and to make or receive payments on my(our) behalf.

Place: Date:

Signature:

PATENT OFFICE OF THE REPUBLIC OF BULGARIA

(PATENTNO VEDOMSTVO NA REPUBLICA BULGARIA)

AS

DESIGNATED (OR ELECTED) OFFICE

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Declaration concerning the identity of the inventor . . . . . Annex BG.II
Power of attorney . . . . . Annex BG.III

List of abbreviations:

Office: Patent Office of the Republic of Bulgaria

BGL: Bulgarian Law Patent

SUMMARY Designated (or elected) Office SUMMARY

BG PATENT OFFICE OF THE REPUBLIC OF BULGARIA BG

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:[1]	Bulgarian
Required contents of the translation for entry into the national phase:[1]	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: Bulgarian lev (BGN) For patent: Filing fee:[2] BGN 40 Publication fee: BGN 70 For utility model: Filing fee:[2] BGN 40
Exemptions, reductions or refunds of the national fee:	For patents and utility models: The filing fee is reduced by 50% where the applicant is the inventor, a State educational institution, an academic research organization, a budgetary organization or a small or medium-sized enterprise
Special requirements of the Office (PCT Rule 51*bis*):[3]	Instrument of assignment of the priority right if the applicants are not identical[4] Instrument of assignment of the international application if the applicant has changed after the international filing date Declaration concerning the inventorship[4] Appointment of an agent if the applicant is not resident in Bulgaria Translation of the international application to be furnished in three copies

[Continued on next page]

[1] If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to furnish a complete translation within three months from the date of the invitation.

[2] This fee must be paid within the time limit applicable under PCT Article 22 or 39(1).

[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 requirements 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.

SUMMARY Designated (or elected) Office SUMMARY

BG PATENT OFFICE OF THE REPUBLIC OF BULGARIA BG

[Continued]

Who can act as agent?	Any patent attorney or patent agent registered to practice before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

THE PROCEDURE IN THE NATIONAL PHASE

BGL Art. 35(3)

BG.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).

BGL Art. 34(2), 35(3)

BG.02 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is Bulgarian.

BGL Art. 5(2)

BG.03 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex BG.I. The amount of fees for patents is reduced by 50% in case of a declaration of readiness for licensing made by the applicant at the time of entering the national phase.

BG.04 **CLAIMS FEE.** The claims fee must be computed on the basis of the number of claims valid at the beginning of the national phase (that is, where amendments have been filed, the claims as amended under PCT Article 19 or 34(2) or the claims as submitted by the applicant under PCT Article 28 or 41 upon entering the national phase). Where the applicant fails to pay the correct amount of the claims fee, the Office will invite him to pay the missing amount.

BGL Art. 36

BG.05 **DECLARATION CONCERNING THE INVENTOR.** The applicant must state who the inventor is and give his name and nationality. This declaration will be made on behalf of the applicant by his agent.

BGL Art. 3(2)

BG.06 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. The model is given in Annex BG.II.

BGL Art. 35(2) 46(1)

BG.07 **EXAMINATION.** The Office carries out a formal requirements examination, preliminary examination and admissibility. Entering the national phase the applicant must file a request and pay a filing fee, a fee for formality requirements examination, preliminary examination and admissibility. The Office invites the applicant to pay the fees within three months from the filing day. Where the applicant fails to furnish the document certifying payment of fees within the term in the invitation, the application shall be deemed to be withdrawn. If the result of the examination shows that the application contains formal defects or is not otherwise patentable, the Office invites the applicant to submit corrections and/or amendments. The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex BG.I.

BGL Art. 46c

BG.08 **PUBLICATION.** The application is published in Bulgarian after the expiry of 18 months from the filing date or the priority date.

BGL Art. 69(4)

BG.09 **EXAMINATION FEE WHERE AN ADDITIONAL SEARCH HAS TO BE CARRIED OUT.** This fee is to be paid where the priority claim(s) is (are) cancelled or where the international search has not been carried out for a part of the international application because of lack of unity.

BGL Art. 53

BG.10 **FEES FOR GRANT AND PUBLICATION.** A fee for grant, a fee for mention of the grant of a patent in the *Official Bulletin* of the Office and a fee for publication of the granted patent must be paid within three months after receipt by the applicant of the invitation to pay said fees. The amounts of the fees are indicated in Annex BG.I.

BGL Art. 33 26(2) 53

BG.11 **ANNUAL FEES.** After a patent has been granted, a fee must be paid for each year following the international filing date. Payment of the annual fees, for the years which have expired or begun on the date of granting of the patent, must be made together with the fees for grant and publication of the patent, within three months from the receipt of an invitation to pay said fees, in accordance with Article 53. Where the current patent year expires with the said

three month term, the fee for the next "patent year" shall also be paid. The annual fees for subsequent years must be paid not later than the last day of the month in which the preceding "patent year" expires. Where the applicant fails to pay by that day, payment can still be made, together with a 100% surcharge for late payment, within six months from the due date. A patent which has lapsed due to failure to pay the fee may be renewed within a six-month period after payment of the patent renewal fee. The "patent years" are counted from the international filing date. The amounts of the annual fees are indicated in Annex BG.I.

PCT Art. 28, 41
BGL Art. 42, 46(1)

BG.12 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make, without changing the substance of the invention, amendments or corrections to the description, claims or drawing(s) within one month from the fulfillment of the requirements under PCT Article 22 or 39(l). Further amendments may be made up to the grant of the patent where required by the Office, provided that the scope of the subject matter of the application is not broadened thereby.

PCT Art. 25
PCT Rule 51
BGL Art. 71

BG.13 **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 reasoned appeal against this decision may be lodged with the Office within three months from the date of receipt of the decision. The decision of the Office on the appeal is final.

PCT Art. 24(2), 48(2)
BGL Art. 49

BG.14 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

BG.15 Reinstatement may be requested where the applicant, in spite of all due care reasonably required, was unable to observe a time limit during the international phase or before the Office, default of which is prejudicial to his rights. A request for reinstatement must be presented within three months after the removal of the cause of the failure to perform the action. The request for reinstatement must be presented in writing, state the grounds on which it is based and set out the facts on which it relies.

BGL Art. 48

BG.16 **EXTENSION OF TIME LIMIT FOR REPLY TO OFFICIAL ACTIONS.** Whenever the applicant cannot reply to official actions in due time he may be granted an extension by three months by filing with the Office a special request (no prescribed form) and paying a fee as indicated in Annex BG.I. Such extension may be requested not more than twice.

PCT Rules 49*bis*.1 (a), (b), 76.5
BGL Art. 73 to 75, 75b and d

BG.17 **UTILITY MODEL.** Legal protection for utility models shall be granted through registration with the Office. The registration shall have effect with respect to third parties as of the date of publication in the *Official Bulletin* of the Office. The term of validity of a utility model registration shall be four years as of the filing date of the application. It may be extended by two consecutive three-year periods. The total term of validity may not exceed 10 years as of the filing date of the application. Where the applicant wishes to obtain a utility model registration on the basis of an international application, instead of a patent or in addition to a patent, or in the cases referred in Article 71, he must file a request for transformation and he shall pay a filing fee and a fee for examination of the formal requirements. The Office invites the applicant to pay the fees within one month from the filing day. Where the applicant fails to pay the correct amount of the fees, the examination department will invite him to pay the missing amount. Where the applicant fails to furnish the document certifying payment of fees within the time limit fixed in the invitation, the application shall be deemed to be withdrawn. The amounts of the filing fee and the fee for examination of the formal requirements are indicated in Annex BG.I.

The applicant of a patent application may also file an application for utility model registration for the same invention, subject to the provisions of Article 73(5), invoking the filing date and the priority date of the patent application.

BGL Art. 47a

BG.18 **CONVERSION.** Up to the grant of a patent an application for a patent may be converted into an application for a utility model registration.

FEES

(Currency: Bulgarian lev)

Patents

Filing fee:[1]	40
Fee for publication of the application:	70
Examination fee:[1]	
— for one invention:	160
— for a group of inventions:	180
Claims fee for each claim in excess of 10	20
Fee for priority claims, per priority:	20
Fee for grant:	70
Fee for publication of the patent:	
— for the patent specification, claims and drawings:	
— up to 10 pages:	80
— for each page in excess of 10:	10
Fee for publication of the granted patent (independent claims included):	50
Appeal fee[1] against:	
(a) a decision to fully or partially refuse the grant of a patent:	
— for one invention:	180
— for a group of two inventions:	280
(b) a decision to terminate the application proceedings:	90
Annual fees:	
— for the 1st to 3rd year, per year	50
— for the 4th year	40
— for the 5th year	140
— for the 6th year	180
— for the 7th year	220
— for the 8th year	270
— for the 9th year	380
— for the 10th year	500
— for the 11th year	600
— for the 12th year	700
— for the 13th year	800
— for the 14th year	900
— for the 15th year	1,000
— for the 16th year	1,100
— for the 17th year	1,200
— for the 18th year	1,300
— for the 19th year	1,500
— for the 20th year	1,700

[1] The application, examination and appeal fees are reduced by 50% where the applicant is the inventor, a State educational institution, an academic research organization, a budgetary organization or a small or medium-sized enterprise.

Renewal fee: 450

Other fees:
Publication of patent description, claims or abstract in the Official Bulletin:
— up to 10 pages 80
— for each page after the 10th 10

Utility models

Filing fee:[2] 40

Fee for priority claims, per priority: 20

Examination fee:[2] 180

Registration fee 80

Fee for grant: 45

Appeal fee[2] against:
(a) a decision to fully or partially refuse the registration of a utility model: 140
(b) a decision to suspend the registration proceedings: 90

Other fees:

Publication in the Official Bulletin of independent claims for registered utility models: 50

Extension of registration terms for utility models:. 50
— for the 5th to the 7th year 300
— for the 8th to the 10h year 400

How can payment of fees be effected?

All payments of fees must be effected by the applicants to the Patent Office of the Republic of Bulgaria in Bulgarian leva to the Bulgarian National Bank–Central Office, IBAN BG90 BNBG 9661 3100170901, BIC BNBGBGSD.

Fees paid to this account are regarded as being received by the Office at the date on which the Bulgarian National Bank credits the money to the account of the Office.

[2] See footnote 1.

Попълва се от Патентното ведомство	**ПАТЕНТНО ВЕДОМСТВО НА РЕПУБЛИКА БЪЛГАРИЯ** Бул. "Д-р Г.М. Димитров" № 52, вх. Б София 1040 Тел. 9701 xxx, Факс 87 35 258 БНБ-ЦУ в лева IBAN BG90 BNBG 9661 3100 1709 01 BIC BNBGBGSD

ДЕКЛАРАЦИЯ

ЗА ДЕЙСТВИТЕЛНИЯ/ТЕ ИЗОБРЕТАТЕЛ/И

1. Заявка за: **патент за** ☐ изобретение
регистрация на ☐ полезен модел

1А. Заявителски номер:	**1Б. Наименование:**

2. **Заявител/и:** (Име, презиме и фамилия или наименование и вид на ЮЛ):

3. Правото за подаване на заявката е предоставено на заявителя/ите:

☐ на правно основание (Договор за прехвърляне на права, продажба и др.)

☐ служебно изобретение/служебен полезен модел по чл.15 от ЗПРПМ

☐ други (да се опишат):

4. Аз/Ние декларирам/е, че посоченото лице/а е/са единственият/те изобретател/ ъизобретатели на изобретението/полезния модел, за която се подава заявката.

5. Подпис/и:

(име, длъжност)

Подписва се от заявителя (заявителите) или от представителя по индустриална собственост, като под подписа се посочват трите имена и длъжността, когато заявителят е юридическо лице. Когато заявителят е едноличен търговец или юридическо лице декларацията се подписва от лицето, което го представлява по закон и се поставя печат.

Образец ИЗ-ПМ/01/в.02/2010 1 стр.

6. Изобретатели:	
Име, презиме и фамилия: Адрес:	Държава: (по гражданство/ постоянен адрес) Код на страната: ☐☐ Телефон: е - поща:
Име, презиме и фамилия: Адрес:	Държава: (по гражданство/ постоянен адрес) Код на страната: ☐☐ Телефон: е - поща:
Име, презиме и фамилия: Адрес:	Държава: (по гражданство/ постоянен адрес) Код на страната: ☐☐ Телефон: е - поща:
Име, презиме и фамилия: Адрес:	Държава: (по гражданство/ постоянен адрес/ седалище) Код на страната: ☐☐ Телефон: е - поща:
☐ Останалите изобретатели, ако има такива, са посочени на допълнителни листа броя.	

ПЪЛНОМОЩНО

Долуподписаният/ните

(трите имена на физическите лица или

наименование на фирмата)

от

(местожителство и постоянен адрес или

седалище и адрес)

УПЪЛНОМОЩАВАМ

(трите имена на представителя по индустриална

собственост)

(адрес за кореспонденция)

да ме представлява относно

като извършва от мое име и за моя сметка всички необходими действия пред Патентното ведомство на Р.България, защитавайки моите права и законни интереси, относно посоченият/те тук обект/и на индустриална собственост, да упълномощава трето лице за процесуално представителство, както и да прехвърля изцяло или частично предоставените му тук правомощия на трето лице, което има законовото право да ги упражнява.

Дата:

Упълномощител:
/подпис/

(Под подписа на упълномощителя да се посочва името му. Когато упълномощаването е от фирма, да се посочва и длъжността на подписалия, като се полага печата на фирмата.)

Важи за упълномощаване само на представители по индустриална собственост, вписани в регистъра на Патентното ведомство.

БЕЗ НОТАРИАЛНА ЗАВЕРКА

POWER OF ATTORNEY

The undersigned

(full name of the natural person, or the name of the Firm)

from

(place of residence and permanent address

or main office and address)

AUTHORIZE

(full name of the industrial property representative)

(correspondence address)

to represent me with regard to

taking on my behalf and at my expense all necessary steps before the Patent Office of the Republic of Bulgaria, protecting my rights and lawful interests, concerning the industrial property object(s) mentioned herein, to empower third parties to procedure representation, as well as to assign completely or partially the legal rights given to him hereby to a third person, the latter having the legal right to exercise them.

Date:

Authorizer:
/signature/

(The name of the authorizer shall be given under his signature. Where the authorizer is a Firm, the position of the person who has signed shall be given, and the seal of the Firm shall be put thereto)

Applies to authorization only of industrial property representatives entered in the Register of the Patent Office.

NO LEGALIZATION REQUIRED

NATIONAL PATENT OFFICE (BAHRAIN)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY Designated (or elected) Office SUMMARY

BH NATIONAL PATENT OFFICE (BAHRAIN) BH

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Arabic or English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Request, description, claims (if amended, both as originally filed and as amended), any text matter of drawings, abstract Under PCT Article 39(1): Request, 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: Bahraini dinar (BHD) For patent: Filing fee:[1] BHD 540 (270)[2] Second annual fee: BHD 200 (100)[2] Publication fee: BHD 320 (160)[2] Examination fee, including search: According to actual cost For utility model: Filing fee:[1] BHD 270 (135)[2]
Exemptions, reductions or refunds of the national fee:	None

[*Continued on next page*]

[1] Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
[2] The amount in parentheses is payable in case of filing by an individual.

SUMMARY Designated (or elected) Office SUMMARY

BH NATIONAL PATENT OFFICE (BAHRAIN) BH

[*Continued*]

Special requirements of the Office (PCT Rule 51*bis*):[3]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4] Statement justifying the applicant's right to the patent where the applicant is not the inventor[4] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Appointment of an agent if the applicant is not a resident of Bahrain An instrument appointing the agent (authorization or power of attorney) is required Verification of translation of the international application Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any attorney or lawyer registered to practice before the Office
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

[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 of two months from the date of receipt of the invitation.

[4] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

BRUNEI DARUSSALAM INTELLECTUAL PROPERTY OFFICE (BRUIPO)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex BN.I
Request for the grant of a patent (Patents Form 1) . . . . . Annex BN.II
Power of attorney (Patents Form 46) . . . . . Annex BN.III
Request for a search and examination report (Patents Form 12) . . . . . Annex BN.IV
Request for a search report (Patents Form 11) . . . . . Annex BN.V
Request for an examination report (Patents Form 16) . . . . . Annex BN.VI

List of abbreviations:

Office: Brunei Darussalam Intellectual Property Office (BruIPO)

PO: Patents Order, 2011

PR: Patents Rules, 2012

SUMMARY **Designated (or elected) Office** SUMMARY

BN BRUNEI DARUSSALAM INTELLECTUAL PROPERTY OFFICE (BRUIPO) BN

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19[2]), any text matter of drawings, abstract[3] Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract[3] (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report[2])
Is a copy of the international application required?	Yes
National fee:	Currency: Brunei dollar (BND) Filing fee:[1] BND 160
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4, 5] Evidence of entitlement to apply for or be granted a patent[4, 5] Evidence of entitlement to claim priority of earlier application[4, 5] Document evidencing a change of name of the applicant if the change occurred after the international filing date[5] Address for service in Brunei Darussalam if the applicant is not resident in Brunei Darussalam Instrument appointing the agent (authorization or power of attorney) Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form

[Continued on next page]

1 Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
2 Where the applicant furnishes a translation of the international application only as amended or only as originally filed, the Office will invite the applicant to furnish the missing translation.
3 The translation of the abstract is only required if the international application has not yet been published.
4 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.
5 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 of two months from the date of receipt of the invitation.

SUMMARY **Designated (or elected) Office** SUMMARY

BN BRUNEI DARUSSALAM INTELLECTUAL PROPERTY OFFICE (BRUIPO) BN

[Continued]

Who can act as agent?	Any natural or legal person resident in Brunei Darussalam
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

THE PROCEDURE IN THE NATIONAL PHASE

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

BN.02 **TRANSLATION.** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

PR Sec. 92(6)

BN.03 **TRANSLATION (TIME LIMITS).** If the applicant pays the filing fee, but fails to file the translation, a notification will be sent by the Office requesting the filing of the required translation within two months from the date of the notification.

BN.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex BN.I.

BN.05 **ADDRESS FOR SERVICE.** If the applicant is not resident in Brunei Darussalam, an address for service in Brunei Darussalam must be given.

BN.06 **APPOINTMENT OF AN AGENT.** If the applicant is represented by an agent, a power of attorney is required (Annex BN.III).

BN.07 **THE INVENTOR.** The name and address of the inventor should be indicated. If the applicant fails to provide these, the Office will invite the applicant to comply.

PR Sec. 54(1)

BN.08 **ANNUAL FEES.** Annual fees are payable for the fifth and each subsequent year following the international filing date. Payment must be made before the expiration of the month containing the anniversary of the international filing date. Payment of annual fees may still be made within three months from the due date, subject to the payment of a surcharge. The amounts of these fees are indicated in Annex BN.I.

PO Sec. 29(2)(b)
PR Sec. 39

BN.09 **EXAMINATION.** A patent will be granted only after substantive examination which must be requested by the applicant. The request for examination must be made in English using Patents Form 12 (Request for a search and examination report) or Patents Form 11 (Request for a search report) and/or Patents Form 16 (Request for an examination report) (Annexes BN.IV-VI).

Examination must be requested within 42 months from the international filing date.

Within the time limit for requesting examination, a fee for requesting examination must be paid. Processing of the request for examination will only start after the fee for examination has been paid. The amount of the fee is indicated in Annex BN.I.

PCT Art. 28
41

BN.10 **AMENDMENT OF THE APPLICATION.** The applicant may, at any time before the patent is granted, make amendments to the application, provided that the amendment does not go beyond the original disclosure. The amount of the fee is indicated in Annex BN.I.

PCT Art. 25
PCT Rule 51

BN.11 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

BN.12 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PO Sec. 40
PR Sec. 58
PCT Rule 49.6

BN.13 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant unintentionally or in spite of due care required by the circumstances having been taken, failed to perform the acts referred to in Article 22 within the applicable time limit. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit or twelve months from the date of expiration of the applicable time limit, whichever time limit expires earlier. Within the said two months, the omitted action must be completed and the fee for reinstatement of rights (see Annex BN.I) must be paid.

FEES

(Currency: Brunei dollar (BND))

Filing fee	160
Request for examination	1,100
Request for search and examination	2,600
Fee for amendment of the application	100
Reinstatement fee	500
Restoration fee	500
Annual fees	
— for the 5th to the 7th years, per year	160
— for the 8th to the 10th years, per year	270
— for the 11th to the 13th years, per year	350
— for the 14th to the 16th years, per year	450
— for the 17th to the 19th years, per year	550
— for the 20th year	650
Surcharge for late payment of annual fees	
— not exceeding one month	50
— each additional month (but not exceeding six months)	100

How can payment of fees be effected?

The payment of the fees has to be effected in Brunei dollars. 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 may be effected to the Office by cash, cheque or bank draft. Payments by bank transfer should be made to the following bank:

Beneficiary's name:	The Brunei Economic Development Board
Bank:	Baiduri Bank Brunei Berhad
Account No.:	02-00-111-299988
Address:	Unit 1, Block A, Kiarong Complex, Lebuhraya Sultan Hassanal Bolkiah, Bandar Seri Begawan BE 1318, Brunei Darussalam

PATENTS FORM 1

REGISTRY OF PATENTS
BRUNEI DARUSSALAM

Rules 22 and 29

Patents Order, 2011
Patents Rules, 2012

REQUEST FOR THE GRANT OF A PATENT UNDER SECTION 25

* denotes mandatory fields

1. YOUR REFERENCE*

2. TITLE OF INVENTION*

3. DETAILS OF APPLICANT(S)* (see note 3) Number of applicant(s)

(A) Name

Address

State Country

☐ For corporate applicant ☐ For individual applicant

State of incorporation State of residency

Country of incorporation Country of residency

☐ For others (please specify in the box provided below)

(B) Name

Address

State Country

☐ For corporate applicant ☐ For individual applicant

State of incorporation State of residency

Country of incorporation Country of residency

☐ For others (please specify in the box provided below)

(C) Name

Address

State Country

☐ For corporate applicant ☐ For individual applicant

State of incorporation State of residency

Country of incorporation Country of residency

☐ For others (please specify in the box provided below)

☐ Further applicants are to be indicated on continuation sheet 1

4. DECLARATION OF PRIORITY UNDER SECTION 17(2) (see note 5)

A. Country/country designated

DD MM YYYY

File number Filing Date

☐ This information is provided to meet the requirements under section 26(1)(c)(ii)(B)
(Statement under section 26(1)(c)(ii)(C) is to be made in paragraph 9)

B. Country/country designated

DD MM YYYY

File number Filing Date

☐ This information is provided to meet the requirements under section 26(1)(c)(ii)(B)
(Statement under section 26(1)(c)(ii)(C) is to be made in paragraph 9)

☐ Further details are to be indicated on continuation sheet 6

5. INVENTOR(S)* (see note 6)

A. The applicant(s) is/are the sole/joint inventor(s) Yes ☐ No ☐

B. A statement on Patents Form 8 is/will be furnished Yes ☐ No ☐

6. CLAIMING AN EARLIER FILING DATE UNDER (see note 7)

☐ section 20(3) ☐ section 26(6) ☐ section 48(4)

Patent application number

Filing Date DD MM YYYY

7. SECTION 14(4)(C) REQUIREMENTS (see note 8)

Invention has been displayed at an international exhibition. Yes ☐ No ☐

8. SECTION 111 REQUIREMENTS (see note 9)

The invention relates to and/or used a micro-organism deposited for the purposes of disclosure in accordance with section 111 with a depository authority under the Budapest Treaty.

Yes ☐ No ☐

9. STATEMENT UNDER SECTION 26(1)(c)(ii)(C) (see note 10)

☐ The description of the invention for which the patent is sought is incorporated in the application by reference to, and is completely contained in, the earlier relevant application, as filed

10. CHECKLIST*

(A) The application consists of the following number of sheets

i.	Request		Sheets
ii.	Description		Sheets
iii.	Claim(s)		Sheets
iv.	Drawing(s)		Sheets
v.	Abstract (Note: Please indicate on the abstract the figure of the drawing, if any, which should accompany the abstract when published)		Sheets
Total number of sheets			Sheets

(B) The application as filed is accompanied by:

☐ Statement of inventorship & right to grant

☐ International exhibition certificate

11. DETAILS OF AGENT (see notes 11, 12 and 13)

Name

Firm

12. ADDRESS FOR SERVICE IN BRUNEI DARUSSALAM* (see note 11)

Unit/Hse No. Level No. PO Box

Building Name

Street Name

Postal Code

13. NAME, SIGNATURE AND DECLARATION (WHERE APPROPRIATE) OF APPLICANT OR AGENT* (see note 13)
(Note: Please cross the box below where appropriate.)

☐ I, the undersigned, do hereby declare that I have been duly authorised to act as representative, for the purposes of this application, on behalf of the applicant(s) named in paragraph 3 herein.

DD MM YYYY

_____
Name and Signature

NOTES:

1. This form when completed should be brought or sent to the Registry of Patents together with the rest of the application. Please note that the filing fee should be furnished within the period prescribed.

2. The relevant checkboxes as indicated in bold should be marked with a cross where applicable.

3. Enter the name and address of each applicant in the spaces provided in paragraph 3.
   Where the applicant is an individual
   - Names of individuals should be indicated in full and the surname or family name should be underlined.
   -The address of each individual should also be furnished in the space provided.
   - The checkbox for "For individual applicant" should be marked with a cross.

   Where the applicant is a body corporate
   - Bodies corporate should be designated by their corporate name and country of incorporation and, where appropriate, the state of incorporation within that country should be entered where provided.
   - The address of the body corporate should also be furnished in the space provided.
   - The checkbox for "For corporate applicant" should be marked with a cross.

   Where the applicant is a partnership
   - The details of all partners must be provided. The name of each partner should be indicated in full and the surname or family name should be underlined.
   - The address of each partner should also be furnished in the space provided.
   - The checkbox for "For others" should be marked with a cross and the name and address of the partnership should be indicated in the box provided.

4. In the field for "Country", please refer to the standard list of country codes made available by the Registry of Patents and enter the country code corresponding to the country in question.

5. The declaration of priority under section 17(2) in paragraph 4 should state the date of the previous filing, the country in which it was made, and the file number, if available. Where the application relied upon is an International Application or a regional patent application e.g. European patent application, one of the countries designated in that application [being one falling under section 17 of the Patents Order] should be identified and the country should be entered in the space provided.

6. Where the applicant or applicants is/are the sole inventor or the joint inventors, paragraph 5 should be completed by marking with a cross the 'YES' checkbox in the declaration (A) and the 'NO' checkbox in the alternative statement (B). Where this is not the case, the 'NO' checkbox in declaration (A) should be marked with a cross and a statement will be required to be filed on Patents Form 8.

7. When an application is made by virtue of section 20(3), 26(6) or 48(4), the appropriate section should be identified in paragraph 6 and the file number of the earlier application or any patent granted thereon identified.

8. Where the applicant wishes an earlier disclosure of the invention by him at an International Exhibition to be disregarded in accordance with section 14(4)(c), then the 'YES' checkbox at paragraph 7 should be marked with a cross. Otherwise, the 'NO' checkbox should be marked with a cross.

9. Where in disclosing the invention the application refers to one or more micro-organisms deposited with a depository authority under the Budapest Treaty, then the 'YES' checkbox at paragraph 8 should be marked with a cross. Otherwise, the 'NO' checkbox should be marked with a cross. Attention is also drawn to the Fourth Schedule of the Patents Rules.

10. Where the applicant makes a statement under section 26(1)(c)(ii)(C), no description should be filed under paragraph 10 of this form.

11. Where an agent is appointed, the fields for "DETAILS OF AGENT" and "ADDRESS FOR SERVICE IN BRUNEI DARUSSALAM" should be completed and they should be the same as those found in the corresponding Patents Form 46. In the event where no agent is appointed, the field for "ADDRESS FOR SERVICE IN BRUNEI DARUSSALAM" should be completed, leaving the field for "DETAILS OF AGENT" blank.

12. In the event where an individual is appointed as an agent, the sub-field "Name" under "DETAILS OF AGENT" must be completed by entering the full name of the individual. The sub-field "Firm" may be left blank. In the event where a partnership/body corporate is appointed as an agent, the sub-field "Firm" under "DETAILS OF AGENT" must be completed by entering the name of the partnership/body corporate. The sub-field "Name" may be left blank.

13. Attention is drawn to sections 101 and 102 of the Patents Order and rules 96 and 110 of the Patents Rules.

14. Applicants resident in Brunei Darussalam are reminded that if the Registry of Patents considers that an application contains information the publication of which might be prejudicial to the defence of Brunei Darussalam or the safety of the public, it may prohibit or restrict its publication or communication. Any person resident in Brunei Darussalam and wishing to apply for patent protection in other countries must first obtain permission from the Brunei Darussalam Registry of Patents unless they have already applied for a patent for the same invention in Brunei Darussalam. In the latter case, no application should be made overseas until at least 2 months after the application has been filed in Brunei Darussalam and unless no directions had been issued under section 32 by the Registrar or such directions have been revoked. Attention is drawn to sections 32 and 33 of the Patents Order.

15. If the space provided in the patents form is not enough, the additional information should be entered in the relevant continuation sheet. Please note that the continuation sheets need not be filed with the Registry of Patents if they are not used.

REGISTRY OF PATENTS
BRUNEI DARUSSALAM

Patents Order, 2011
Patents Rules, 2012

CONTINUATION SHEET 1

Continuation sheet to: (Note: Only one checkbox may be crossed.)

☐ paragraph 3 of Patents Form 1

☐ paragraph 3 of Patents Form 44

☐ paragraph 6 of Patents Form 42

☐ paragraph 3 of Patents Form 54

Name

Address

State Country

☐ For corporate applicant ☐ For individual applicant

State of incorporation State of residency

Country of incorporation Country of residency

☐ For others (please specify in the box provided below)

Name

Address

State Country

☐ For corporate applicant ☐ For individual applicant

State of incorporation State of residency

Country of incorporation Country of residency

☐ For others (please specify in the box provided below)

☐ Further applicants are to be indicated on another continuation sheet 1

REGISTRY OF PATENTS
BRUNEI DARUSSALAM

Patents Order, 2011
Patents Rules, 2012

CONTINUATION SHEET 6

Continuation sheet to paragraph 4 of Patents Form 1

Country/country designated | Filing date (DD MM YYYY)

File number

☐ This information is provided to meet the requirements under section 26(1)(c)(ii)(B) (Statement under section 26(1)(c)(ii)(C) is to be made in paragraph 9)

Country/country designated | Filing date (DD MM YYYY)

File number

☐ This information is provided to meet the requirements under section 26(1)(c)(ii)(B) (Statement under section 26(1)(c)(ii)(C) is to be made in paragraph 9)

Country/country designated | Filing date (DD MM YYYY)

File number

☐ This information is provided to meet the requirements under section 26(1)(c)(ii)(B) (Statement under section 26(1)(c)(ii)(C) is to be made in paragraph 9)

Country/country designated | Filing date (DD MM YYYY)

File number

☐ This information is provided to meet the requirements under section 26(1)(c)(ii)(B) (Statement under section 26(1)(c)(ii)(C) is to be made in paragraph 9)

Country/country designated | Filing date (DD MM YYYY)

File number

☐ This information is provided to meet the requirements under section 26(1)(c)(ii)(B) (Statement under section 26(1)(c)(ii)(C) is to be made in paragraph 9)

☐ Further details are to be indicated on another continuation sheet 6

PATENTS FORM 46

REGISTRY OF PATENTS
BRUNEI DARUSSALAM

Rule 96

Patents Order, 2011
Patents Rules, 2012

DECLARATION OF AUTHORISATION WHERE AN AGENT IS APPOINTED OR WHERE ONE AGENT IS SUBSTITUTED FOR ANOTHER

NOTES:
1. * denotes mandatory fields.
2. Checkboxes as indicated in bold should be marked with a cross where applicable.
3. Where an individual is appointed as an agent, the sub-fields "Name", "Address" and "Address for service in Brunei Darussalam" in paragraph 5 must be completed. The sub-field "Firm" must be left blank. Where a partnership/body corporate is appointed as an agent, the sub-fields "Firm", "Address" and "Address for service in Brunei Darussalam" in paragraph 5 must be completed. The sub-field "Name" must be left blank. Where both the "Name" and "Firm" have been entered, the Registry shall treat the details entered in the sub-field "Firm" as the agent detail intended.
4. In the country field, please refer to the standard list of country codes made available by the Registry of Patents and enter the country code corresponding to the country in question.
5. Enter in full in paragraph 4, name(s) and address(es) of applicant(s), proprietor(s) or other person(s) who has/have appointed the Agent to act on his/their behalf.
6. The area of matter in relation to which the appointment was made should be marked with a cross in paragraph 6.
7. Attention is drawn to sections 101 and 102 of the Patents Order, rules 96 and 110 of the Patents Rules.
8. If the space provided in the patents form is not enough, the additional information should be entered in the continuation sheet. Please note that the continuation sheet need not be filed with the Registry of Patents if it is not used.
9. If this patents form is intended to be filed for more than one patent application/patent, the words "See attached schedule" should be entered in the field for "PATENT APPLICATION NUMBER". The relevant application numbers should be entered in the fields provided in the attached schedule.
10. Please note that any fee paid is not refundable and this includes cases where the applications do not proceed to grant.

1. YOUR REFERENCE*

2. PATENT APPLICATION NUMBER

3. PATENT NUMBER

4. DETAILS OF APPLICANT(S)/PROPRIETOR(S)/OTHER PERSON(S) WHO HAS/HAVE APPOINTED THE AGENT TO ACT ON HIS/THEIR BEHALF* (see note 5)

Total number of person(s)

Name

Address

State

Country

☐ Further persons are to be indicated on continuation sheet 5

5. DETAILS OF AGENT APPOINTED FOR FIRST TIME OR IN SUBSTITUTION FOR ANOTHER* (see note 3)

Name

Firm

Address

Address for service in Brunei Darussalam

Unit/Hse No. Level No. PO Box

Building Name

Street Name

Postal Code

6. AREA OF MATTER ON WHICH THE APPOINTED AGENT IS ACTING ON* (see note 6)
(Note: Only one checkbox may be crossed.)

☐ For all matters relating to this patent application/patent, except those matters expressly excluded

☐ For renewals only

☐ Others (please specify in the box provided below)

7. SIGNATURE OF AGENT APPOINTED FOR FIRST TIME OR IN SUBSTITUTION FOR ANOTHER* (see note 7)

I declare that I have been authorised by the person(s) in paragraph 4 to act on his/their behalf in the matter stated in paragraph 6.

DD MM YYYY

Name and Signature

REGISTRY OF PATENTS
BRUNEI DARUSSALAM

Patents Order, 2011
Patents Rules, 2012

CONTINUATION SHEET 5

Continuation sheet to paragraph [ ] of Patents Form [ ]

PATENT APPLICATION NUMBER (if any) [ ]

Name [ ]

Address [ ]

State [ ] Country [ ]

Name [ ]

Address [ ]

State [ ] Country [ ]

Name [ ]

Address [ ]

State [ ] Country [ ]

Name [ ]

Address [ ]

State [ ] Country [ ]

☐ Further persons are to be indicated on another continuation sheet 5

REGISTRY OF PATENTS
BRUNEI DARUSSALAM

Patents Order, 2011
Patents Rules, 2012

ATTACHED SCHEDULE

☐ Patents Form 28 ☐ Patents Form 29 ☐ Patents Form 46

PATENT APPLICATION NUMBER

☐ Further patent application numbers are to be indicated on another attached schedule

PATENTS FORM 12 **Rules 39**

REGISTRY OF PATENTS
BRUNEI DARUSSALAM

Patents Order, 2011
Patents Rules, 2012

REQUEST FOR A SEARCH AND EXAMINATION REPORT

NOTES:
1. * denotes mandatory fields.
2. Checkboxes as indicated in bold should be marked with a cross where applicable.
3. This form should be completed by the applicant(s) for the patent, who should enter his/their name(s) in paragraph 3.
4. The relevant checkbox in paragraph 4 should be marked with a cross to indicate which subsection of section 29 is applicable.
5. Where an agent is appointed, the fields for "DETAILS OF AGENT" should be completed and they (including the address for service) should be the same as those found in Patents Form 46 filed earlier. In the event where no agent is appointed, the address for service should be the same as that furnished earlier.
6. Where an individual is appointed as an agent, the sub-field "Name" under "DETAILS OF AGENT" must be completed by entering the full name of the individual. The sub-field "Firm" must be left blank. Where a partnership/body corporate is appointed as an agent, the sub-field "Firm" under "DETAILS OF AGENT" must be completed by entering the name of the partnership/body corporate. The sub-field "Name" must be left blank. Where both "Name" and "Firm" have been entered, the Registry shall treat the details entered in the sub-field "Firm" as the agent detail intended.
7. Attention is drawn to sections 101 and 102 of the Patents Order, rules 96 and 110 of the Patents Rules.
8. If the space provided in the patents form is not enough, the additional information should be entered in the continuation sheet. Please note that the continuation sheet need not be filed with the Registry of Patents if it is not used.
9. Please note that any fee paid is not refundable and this includes cases where the applications do not proceed to grant.

1. YOUR REFERENCE*

2. PATENT APPLICATION NUMBER*

3. NAME OF APPLICANT(S) FOR THE PATENT APPLICATION* (see note 3)

(A) Name

(B) Name

☐ Further applicants are to be indicated on continuation sheet 4

(Note: Details of applicant(s) must correspond to those found in the current register of patents. If they do not, corresponding Patents Forms and fees must be filed to update the register.)

4. SEARCH AND EXAMINATION REQUEST* (see note 4)
(Note: Only one checkbox may be crossed.)

☐ Request for the preparation of a search and examination report under section 29(1)(b)

☐ Request for the preparation of a search and examination report under section 29(5)(b)

5. DETAILS OF AGENT (if any) (see notes 5, 6 and 7)

Name

Firm

(Note: These details should be identical to those furnished in the Patents Form 46 filed earlier or at the same time this form is filed.)

6. NAME, SIGNATURE AND DECLARATION (WHERE APPROPRIATE) OF APPLICANT OR AGENT* (see note 7)
(Note: Please cross the box below where appropriate.)

☐ I, the undersigned, do hereby declare that I have been duly authorised to submit this form, on behalf of the applicant(s) named in paragraph 3 of this form.

DD MM YYYY

☐

_____
Name and Signature

REGISTRY OF PATENTS
BRUNEI DARUSSALAM

Patents Order, 2011
Patents Rules, 2012

CONTINUATION SHEET 4

Continuation sheet to paragraph [ ] of Patents Form [ ]

PATENT APPLICATION NUMBER (if any) [ ]

Name [ ]

Name [ ]

Name [ ]

Name [ ]

Name [ ]

Name [ ]

Name [ ]

Name [ ]

☐ Further persons are to be indicated on another continuation sheet 4

PATENTS FORM 11

REGISTRY OF PATENTS
BRUNEI DARUSSALAM

Rules 38 and 47(2)

Patents Order, 2011
Patents Rules, 2012

REQUEST FOR A SEARCH REPORT OR SUPPLEMENTARY SEARCH REPORT

NOTES:
1. * denotes mandatory fields.
2. Checkboxes as indicated in bold should be marked with a cross where applicable.
3. This form should be completed by the applicant(s) for the patent, who should enter his/their name(s) in paragraph 3.
4. The relevant checkbox in paragraph 4 should be marked with a cross according to whether the request is made for a search under section 29(1)(a) or a further search in respect of a second or subsequent invention under rule 47(2).
5. If the request is filed for a supplementary search report, the invention in relation to which the further search is requested should be identified in the space provided in paragraph 4. Reference should be made to the claims in which that invention is specified. If this is not done, the further search will be made in relation to the second invention specified in the search report previously conducted under section 29(2).
6. Where an agent is appointed, the fields for "DETAILS OF AGENT" should be completed and they (including the address for service) should be the same as those found in Patents Form 46 filed earlier. In the event where no agent is appointed, the address for service should be the same as that furnished earlier.
7. Where an individual is appointed as an agent, the sub-field "Name" under "DETAILS OF AGENT" must be completed by entering the full name of the individual. The sub-field "Firm" must be left blank. Where a partnership/body corporate is appointed as an agent, the sub-field "Firm" under "DETAILS OF AGENT" must be completed by entering the name of the partnership/body corporate. The sub-field "Name" must be left blank. Where both the "Name" and "Firm" have been entered, the Registry shall treat the details entered in the sub-field "Firm" as the agent detail intended.
8. Attention is drawn to sections 101 and 102 of the Patents Order, rules 96 and 110 of the Patents Rules.
9. If the space provided in the patents form is not enough, the additional information should be entered in the continuation sheet. Please note that the continuation sheet need not be filed with the Registry of Patents if it is not used.
10. Please note that any fee paid is not refundable and this includes cases where the applications do not proceed to grant.

1. YOUR REFERENCE*

2. PATENT APPLICATION NUMBER*

3. NAME OF APPLICANT(S) FOR THE PATENT APPLICATION* (see note 3)

(A) Name

(B) Name

☐ Further applicants are to be indicated on continuation sheet 4

(Note: Details of applicant(s) must correspond to those found in the current register of patents. If they do not, corresponding Patents Forms and fees must be filed to update the register.)

4. SEARCH REQUEST/SUPPLEMENTARY SEARCH REQUEST* (see notes 4 and 5)
(Note: Only one checkbox may be crossed.)

☐ Request for the preparation of a search report in accordance with section 29(2)

☐ Request that in addition to the search carried out by the examiner in relation to the first invention specified in the claims of the Patent Application above, a search shall also be carried out in relation to the following other invention specified in claims(s) of the specification as stated below:

5. DETAILS OF AGENT (if any) (see notes 6, 7 and 8)

Name

Firm

(Note: These details should be identical to those furnished in the Patents Form 46 filed earlier or at the same time this form is filed.)

6. NAME, SIGNATURE AND DECLARATION (WHERE APPROPRIATE) OF APPLICANT OR AGENT* (see note 8)
(Note: Please cross the box below where appropriate.)

☐ I, the undersigned, do hereby declare that I have been duly authorised to submit this form, on behalf of the applicant(s) named in paragraph 3 of this form.

DD MM YYYY

_____
Name and Signature

REGISTRY OF PATENTS
BRUNEI DARUSSALAM

Patents Order, 2011
Patents Rules, 2012

CONTINUATION SHEET 4

Continuation sheet to paragraph ☐ of Patents Form ☐

PATENT APPLICATION NUMBER (if any) ☐

Name ☐

Name ☐

Name ☐

Name ☐

Name ☐

Name ☐

Name ☐

Name ☐

☐ Further persons are to be indicated on another continuation sheet 4

PATENTS FORM 16 **Rule 43**

REGISTRY OF PATENTS
BRUNEI DARUSSALAM

Patents Order, 2011
Patents Rules, 2012

REQUEST FOR AN EXAMINATION REPORT

NOTES:
1. * denotes mandatory fields.
2. Checkboxes as indicated in bold should be marked with a cross where applicable.
3. This form should be completed by the applicant(s) for the patent, who should enter his/their name(s) in paragraph 3.
4. The relevant checkbox in paragraph 4 should be marked with a cross to indicate which subsection of section 29 is applicable.
5. Where an agent is appointed, the fields for "DETAILS OF AGENT" should be completed and they (including the address for service) should be the same as those found in Patents Form 46 filed earlier. In the event where no agent is appointed, the address for service should be the same as that furnished earlier.
6. Where an individual is appointed as an agent, the sub-field "Name" under "DETAILS OF AGENT" must be completed by entering the full name of the individual. The sub-field "Firm" must be left blank. Where a partnership/body corporate is appointed as an agent, the sub-field "Firm" under "DETAILS OF AGENT" must be completed by entering the name of the partnership/body corporate. The sub-field "Name" must be left blank. Where both the "Name" and "Firm" have been entered, the Registry shall treat the details entered in the sub-field "Firm" as the agent intended.
7. Attention is drawn to sections 101 and 102 of the Patents Order, rules 96 and 110 of the Patents Rules.
8. If the space provided in the patents form is not enough, the additional information should be entered in the continuation sheet. Please note that the continuation sheet need not be filed with the Registry of Patents if it is not used.
9. Please note that any fee paid is not refundable and this includes cases where the applications do not proceed to grant.

1. YOUR REFERENCE*

2. PATENT APPLICATION NUMBER*

3. NAME OF APPLICANT(S) FOR THE PATENT APPLICATION* (see note 3)

(A) Name

(B) Name

☐ Further applicants are to be indicated on continuation sheet 4

(Note: Details of applicant(s) must correspond to those found in the current register of patents. If they do not, corresponding Patents Forms and fees must be filed to update the register.)

4. EXAMINATION REQUEST* (see note 4)
(Note: Only one checkbox may be crossed)

☐ Request for an examination report under section 29(3)

☐ Request for an examination report under section 29(6)(a)

☐ Request for an examination report under section 29(10)

5. DETAILS OF AGENT (if any) (see notes 5, 6 and 7)

Name

Firm

(Note: These details should be identical to those furnished in the Patents Form 46 filed earlier or at the same time this form is filed.)

6. NAME, SIGNATURE AND DECLARATION (WHERE APPROPRIATE) OF APPLICANT OR AGENT* (see note 7)
(Note: Please cross the box below where appropriate.)

☐ I, the undersigned, do hereby declare that I have been duly authorised to submit this form, on behalf of the applicant(s) named in paragraph 3 of this form.

DD MM YYYY

_____
Name and Signature

REGISTRY OF PATENTS
BRUNEI DARUSSALAM

Patents Order, 2011
Patents Rules, 2012

CONTINUATION SHEET 4

Continuation sheet to paragraph		of Patents Form	

PATENT APPLICATION NUMBER (if any)

Name

Name

Name

Name

Name

Name

Name

Name

☐ Further persons are to be indicated on another continuation sheet 4

NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY (BRAZIL)

AS

DESIGNATED (OR ELECTED) OFFICE

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Form FQ009 (Request for Priority Examination) . . . . . Annex BR.V
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List of abbreviations:

Office: National Institute of Industrial Property (Brazil)

IPL: Industrial Property Law No. 9279/96

IN: Normative Instruction Nos. 30/13 and 31/13 of 4 December 2013
Normative Instruction No. 2 of 26 June 2020

Res.: Resolution No. 77/13 of 18 March 2013
Resolution No. 179/17 of 21 February 2017

Ord.: Ordinance No. 247/20 of 22 June 2020
Ordinance No. 404/20 of 21 December 2020
Ordinance No. 405/20 of 21 December 2020
Ordinance No. 22/21 of 29 March 2021
Ordinance No. 23/21 of 29 March 2021

SUMMARY **Designated (or elected) Office** SUMMARY

BR NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY (BRAZIL) BR

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Portuguese
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), 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: Brazilian real (BRL) For patent:[2] Filing fee:[3] BRL 175 (online); 260 (on paper)[5] First annual fee:[4] BRL 295 For utility model:[2] Filing fee:[3] BRL 175 (online); 260 (on paper)[5] First annual fee:[4] BRL 200
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

1 A translation of at least the claims must be furnished within the time limit applicable under PCT Article 22 or 39(1). The missing parts must be furnished within a time limit fixed in the invitation.

2 This fee is reduced by 60% where the international application is filed by a natural person, a small or medium-sized enterprise, a cooperative, an academic institution, a non-profit-making entity or a public institution. For further details, refer to Official Resolution of the National Institute of Industrial Property (Brazil) No. 251/19 of 2 October 2019 and Official Ordinance No. 23 of 29 March 2021.

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

4 This fee is due within three months from the expiration of 24 months from the international filing date; where PCT Article 39(1) applies, it is due within three months from the date of entry into the national phase if that three-month time limit expires later. This fee is doubled if it is not paid within the prescribed timit limit.

5 Documents for entry into the national phase filed on paper are only accepted if received by mail. For further details, refer to the Official Ordinance of the National Institute of Industrial Property (Brazil) No. 22/21 of 29 March 2021.

SUMMARY Designated (or elected) Office SUMMARY

BR NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY (BRAZIL) BR

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Instrument of assignment where the name of the applicant has changed after the international filing date and the change has not been reflected in a notification from the International Bureau (PCT/IB/306)[6] Translation into Portuguese of the priority document's filing certificate or statement permitting the application to be identified[7] Appointment of an agent if the applicant is not resident in Brazil[6]
Who can act as agent?	Any natural or legal person resident in Brazil
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No

[6] Must be furnished or made within 60 days from the expiration of the time limit applicable under PCT Article 22 or 39(1).
[7] Only if the validity of the priority claim is relevant to the determination of whether the invention concerned is patentable.

THE PROCEDURE IN THE NATIONAL PHASE

Res. 77/13

BR.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a form for the transmittal of documents for entering the national phase ("Form FQ003", see Annex BR.II)[1], which should preferably be used. It is strongly recommended to use the Office's electronic system "e-Patentes"[2].

BR.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.

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

Res. 179/17

BR.04 **INSTRUMENT OF ASSIGNMENT.** Where the priority of an earlier application is claimed and the applicant in that application is not identical with the applicant of the international application, a document containing proof of the applicant's entitlement to claim priority of the earlier application should be furnished in Portuguese within 2 months from the date of receipt of the request for national phase entry, unless the corresponding declaration has been made in accordance with PCT Rule 4.17.

IPL Art. 217
Res. 77/13

BR.05 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model is given in Annex BR.III.

IPL Art. 84 and 85
Res. 77/13

BR.06 **ANNUAL FEES.** They are payable within three months from the second and each subsequent anniversary of the international filing date. If the three-month period ends before the expiration of the time limit applicable for entering the national phase, the payment of the first annual fee may be made within three months after the expiration of that time limit. Payment can still be made during six months after the expiration of the three-month period. The amounts of the annual fees are indicated in Annex BR.I.

IPL Art. 33

BR.07 **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. The request for examination is subject to the payment of a fee using the Office's electronic payment system[2]. The amount of the fee is indicated in Annex BR.I.

Ord. 247/20

An applicant may request prioritized examination of an application through the Office's electronic system[2] where:

(i) the applicant is over sixty years of age;[3]

(ii) the applicant is handicapped;[3]

(iii) the applicant has a serious illness;[3]

(iv) grant of the patent is a condition for obtaining funding;

(v) claims in the application may be infringed;

(vi) a third party is being accused of infringing the application;

(vii) claims in the application may infringe a granted patent;

[1] An electronic version of Form FQ003 is available on the Office's website at: https://www.gov.br/inpi/pt-br/assuntos/patentes/Como-proteger-patente-no-exterior/FormulrioFQ003papel_DIRPA_05032021.pdf

[2] The Office's electronic system is available at: https://gru.inpi.gov.br/peticionamentoeletronico/. Further details are available at: https://www.gov.br/inpi/pt-br/servicos/patentes/guia-basico

[3] There is no additional fee.

(viii) the applicant is an individual micro-entrepreneur (MEI), a microenterprise (ME) or a small business (EPP);

(ix) the applicant is a scientific, technological and innovation institution (ICTs);

(x) the applicant is a startup;

(xi) the claimed matter concerns green technologies;

(xii) the claimed matter concerns technology for health treatment;

(xiii) the claimed matter concerns technology for COVID-19 treatment;

(xiv) the claimed matter concerns technology requested by the Ministry of Health;

(xv) the claimed matter concerns technology of public interest of national emergency; or

(xvi) the claimed matter has the protection initially required in Brazil.

The amount of the fee is indicated as "fee for prioritized strategic examination" in Annex BR.I.

Ord. 404/20

The applicant of a patent application granted by any Patent Office responsible for examining patent applications with which the INPI has a PPH cooperation instrument signed and in force may request prioritized examination of a patent application in the same family through the Office's electronic system[4]. The amount of the fee is indicated as "fee for prioritized collaborative examination in Annex BR.I.

Res. 77/13

BR.08 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within 36 months from the international filing date.

IPL Art. 38

BR.09 **FEE FOR GRANT.** A fee for issue of the patent must be paid within 60 days after the publication in the Gazette of the Office (*Revista da Propriedade Industrial*) of the decision to grant the patent. The fee may also be paid within 30 additional days, subject to a surcharge. The amounts of the fees are indicated in Annex BR.I.

PCT Art. 28 41
PCT Rules 52.1 78.1

BR.10 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The following amendments may be made in the national phase:

Res. 77/13

(i) within the time limit applicable under PCT Rule 52.1 or 78.1: amendments to the description, claims and drawing(s), provided that the scope of the subject matter of the application is not broadened thereby;

IPL Art. 32 35

(ii) until a request for examination (see paragraph BR.07) is filed: changes to the text for the purposes of clarifying or restricting the application or correcting obvious typographical errors;

(iii) during the examination procedure: corrections for remedying any defect pointed out by the Office and amendments to the description, claims and drawings, provided that the scope of the subject matter of the application is not broadened thereby.

Any amendment must be accompanied by the General Procedural Request Form available through the Office's electronic system[4] and the payment of the general procedural fee, the amount of which is indicated in Annex BR.I.

[4] See footnote 2.

PCT Art. 25
PCT Rule 51
Res. 77/13

BR.11 **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, an appeal against this decision may be lodged within 60 days from the date of the publication of the decision in the Gazette of the Office (*Revista da Propriedade Industrial*). The appeal is subject to the payment of an appeal fee (for the amount, see Annex BR.I). The President of the Office will then decide on the appeal.

PCT Rule 49.6
Res. 77/13

BR.12 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant, unintentionally or in spite of due care required by the circumstances having been taken, failed to perform the acts referred to in Article 22 within the applicable time limit. The applicant may request reinstatement of rights at the time of entry into the national phase by checking the box on "Form FQ003", item 10 (see Annex BR.II or footnote 1). The request shall be submitted within two months from the removal of the cause of the failure to observe the time limit or 12 months from the date of expiration of the applicable time limit, whichever time limit expires earlier. The amount of the fee is indicated in Annex BR.I.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

BR.13 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** The Office does not excuse the failure to comply with a time limit, neither during the international phase nor during the national phase, unless otherwise specified in this Chapter, although, in specific cases considered as force majeure cases, the delay may be excused.

PCT Art. 4(3)
43
PCT Rule 49*bis*.1 (a), (b)
76.5
IN 30/13

BR.14 **UTILITY MODEL.** Subject to what is said in paragraph BR.16, if the applicant wishes to obtain a utility model instead of a patent in Brazil, on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

BR.15 The requirements for the national phase are basically the same as for patents, except that the fees for utility models must be paid.

BR.16 **CONVERSION.** An international application for a patent may be converted into a utility model application at any time after the applicant has performed the acts for entering the national phase indicated in the Summary and before the publication of the decision to grant a patent. The request for conversion must be made in writing with reference to the national application number and be accompanied by the General Procedural Request Form[5] and the payment of the general procedural fee, the amount of which is indicated in Annex BR.I.

Ord. 405/20

BR.17 **NUCLEOTIDE AND AMINO ACID SEQUENCE LISTINGS.** Where the international application contains a disclosure of one or more nucleotide and/or amino acid sequences, which are essential for the description of the invention, the applicant shall submit these sequences in a sequence listing, in order to comply with the requirement of sufficient disclosure (Industrial Property Law No. 9279/96, Art. 24). The sequence listing shall be submitted through the Office's electronic system[6], in an electronic file of the sequence listing generated in text format (txt or XML). The representation of nucleotide and/or amino sequence listings must comply with WIPO's ST.25 standard.

[5] See footnote 1.

[6] See footnote 2.

FEES[1]

(Currency: Brazilian real)

	Online	*On paper*[2]
Filing fee:[1]		
— for patent	175	260
— for utility model	175	260
Fee for requesting examination:[1]		
— for patent application with no more than 10 claims	590	
— for each claim in excess of 10	100	
— for each claim in excess of 15	200	
— for each claim in excess of 30	500	
— for utility model	380	
Fee for requesting examination via PCT, INPI/BR as ISA/IPEA:[1]		
— for patent application with no more than 10 claims	390	
— for each claim in excess of 10	100	
— for each claim in excess of 15	200	
— for each claim in excess of 30	500	
— for utility model	295	
Fee for reinstatement of rights:[1]	90	135
Fee for prioritized collaborative examination:[1]	1,775	
Fee for prioritized strategic examination:[1]	890	
Appeal fee:[1]	1,065	
Other petitions:[1]	90	

Annual fees:[1, 3]	*Patent*	*Utility Model*	*Certificate of Addition*
— for the 1st and the 2nd years, per year	295	200	105
— for the 3rd to the 6th year, per year	780	405	235
— for the 7th to the 10th year, per year	1,220	805	365
— for the 11th to the 15th year, per year	1,645	1,210	475
— for the 16th to the 20th year, per year	2,005		605

How can payment of fees be effected?

The payment of fees must be effected in Brazilian reais through any agency of the Banco do Brasil in Brazil by using the Office's online payment system[4].

[1] These fees are reduced by 60% where the international application is filed by a natural person, a small or medium-sized enterprise, a cooperative, an academic institution, a non-profit-making entity or a public institution. For further details, see Official Resolution of the National Institute of Industrial Property (Brazil) No. 251/19 of 2 October 2019 and Official Ordinance No. 23 of 29 March 2021.

[2] Documents for entry into the national phase filed on paper are only accepted if received by mail (refer to Official Ordinance of the National Institute of Industrial Property (Brazil) No. 22/21 of 29 March 2021.

[3] These fees are doubled if they are not paid within the applicable time limit (see Summary, footnote 4).

[4] The Office's electronic system is available at: https://gru.inpi.gov.br/peticionamentoeletronico/. Further details are available at: https://www.gov.br/inpi/pt-br/servicos/patentes/guia-basico

< Uso exclusivo do INPI >

Espaço reservado para o protocolo	Espaço reservado para a etiqueta	Espaço reservado para o código QR

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 1/3
Título do Documento: PCT Entrada na Fase Nacional		Código: FQ003	Versão: 3
		Procedimento: DIRPA-PQ005	

Ao Instituto Nacional da Propriedade Industrial:
O requerente solicita entrada na fase nacional para o pedido abaixo especificado

1. Depositante (71):

1.1 Nome:

1.2 Qualificação:

1.3 CNPJ/CPF:

1.4 Endereço Completo:

1.5 CEP:

1.6 Telefone: 1.7 Fax:

1.8 E-mail:

☐ continua em folha anexa

2 Natureza: ☐ **Invenção** ☐ **Modelo de Utilidade**

3. PCT(86): Depósito Nº: Data de Depósito:

4. Título da Invenção ou Modelo de Utilidade (54):

☐ continua em folha anexa

5. Prioridade Unionista (30):
O depositante reivindica a(s) seguinte(s) prioridade(s):

País ou Organização do depósito	Número do depósito (se disponível)	Data de depósito

☐ continua em folha anexa

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 2/3
Título do Documento: PCT Entrada na Fase Nacional		Código: FQ003	Versão: 3
		Procedimento: DIRPA-PQ005	

6. Inventor (72):

6.1 Nome:

6.2 Qualificação:

6.3 CNPJ/CPF:

6.4 Endereço Completo:

6.5 CEP:

6.6 Telefone: 6.7 Fax:

6.8 E-mail:

☐ continua em folha anexa

7. Há declaração de divulgação anterior não prejudicial ☐

(art. 12 da LPI – período de graça).
(Informe no item 11.15 os documentos anexados, se houver).

8. Procurador (74):

8.1 Nome:

8.2 CNPJ/CPF: 8.3 API/OAB:

8.4 Endereço Completo:

8.5 CEP:

8.6 Telefone: 8.7 Fax:

8.8 E-mail:

9. Há listagem de sequências biológicas ☐

(Informe no item 11 os documentos anexados, se houver).

10. Há solicitação de restabelecimento de direito para entrada na fase nacional ☐

(Informe no item 11 os documentos anexados, se houver).

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
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DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 3/3
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		Procedimento: DIRPA-PQ005	

11. Documentos Anexados:

(Assinale e indique também o número de folhas):
(Deverá ser indicado o número total de somente uma das vias de cada documento)

		Documentos anexados	folhas
☐	11.1	Guia de Recolhimento da União (GRU) (uma para cada serviço, se for o caso).	
☐	11.2	Procuração.	
☐	11.3	Documentos de Prioridade.	
☐	11.4	Relatório descritivo.	
☐	11.5	Reivindicação(ões).	
☐	11.6	Desenho(s) (se houver).	
☐	11.7	Resumo.	
☐	11.8	Documentos de Cessão dos Direitos ao Depósito do Pedido Internacional.	
☐	11.9	Listagem de sequências em arquivo eletrônico: nº de CDs ou DVDs (original e cópia).	
☐	11.10	Código de controle alfanumérico no formato de código de barras referente à listagem de sequências.	
☐	11.11	Listagem de sequências em formato impresso.	
☐	11.12	Declaração relativa à Listagem de sequências.	
☐	11.13	Solicitação de restabelecimento de direito para entrada na fase nacional motivada por falta involuntária alheia à vontade do depositante, sem caráter deliberado ou intencional cuja ocorrência decorre de razões que não dependem da vontade do depositante.	
☐	11.14	Solicitação de restabelecimento de direito para entrada na fase nacional motivada por precauções exigidas pelas circunstâncias, presentes nos esforços cuidadosos, sérios e constantes que devem ser tomados pelo depositante em relação aos atos a serem praticados.	
☐	11.15	Outros (especificar):	
		Total de folhas anexadas (referente ao campo 11)	

12. Total de folhas deste pedido (1 via): fls.

13. Declaro, sob as penas da Lei, que todas as informações acima prestadas são completas e verdadeiras.

_____ _____
Local e Data **Assinatura e Carimbo**

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: **Procedimento**	**DIRPA**	Página: **1/8**
Título do Documento: **Preenchimento do Formulário PCT Entrada na Fase Nacional**		Código: **PQ005**	Versão: **03**
		Procedimento: **Não aplicável**	

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Elaborado/Revisado por		Aprovado para uso:	
DIRPA/CQUAL	25/09/2012 Data		// Data

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Procedimento	DIRPA	Página: 2/8
Título do Documento: **Preenchimento do Formulário PCT Entrada na Fase Nacional**		Código: PQ005	Versão: 03
		Procedimento: Não aplicável	

1. OBJETIVO

Este procedimento trata do preenchimento do formulário DIRPA FQ003 – PCT Entrada na Fase Nacional.

2. CAMPO DE APLICAÇÃO

Este procedimento se aplica a todos os usuários que solicitarem a entrada na fase nacional de um pedido internacional depositado via PCT – Tratado de Cooperação em Matéria de Patentes.

Este formulário também pode ser utilizado para requerimento do restabelecimento de direitos para entrada na fase nacional.

3. DOCUMENTOS DE REFERÊNCIA

Resolução PR Nº 77/2013

NBR ISO 9001:2008 – Sistema de Gestão da Qualidade – Requisitos

CQUAL PQ001 – Elaboração de Documentos do SGQ

4. DEFINIÇÕES E SIGLAS

API – Agente da Propriedade Industrial

OAB – Ordem dos Advogados do Brasil

5. PROCEDIMENTO E INSTRUÇÃO

Antes de preencher o Formulário, atentar para as seguintes informações:

- No caso de depositante não residente no país, constituir, obrigatoriamente, Procurador residente no Brasil.
- Gerar e pagar a Guia de Recolhimento da União (GRU) correspondente ao serviço solicitado, conforme instruções disponibilizadas na página do INPI na Internet, www.inpi.gov.br.

- O depositante deve apresentar a respectiva GRU referente à entrada na fase nacional (código de serviço 200) e, se for o caso, a GRU referente ao requerimento de restabelecimento de direitos para entrada na nacional do PCT (código de serviço 271).
- Preencher o formulário sem rasuras ou emendas, se manuscrito, usar tinta preta, indelével e letra de forma legível.
- A quadrícula de Uso exclusivo do INPI "Espaço reservado para o código QR" somente é aplicável aos pedidos depositados pela via eletrônica.
- Imprimir o formulário, mantendo todas as suas características, tais como o padrão de três (03) folhas, em papel A4 e tinta preta.
- Entregar o formulário na Recepção do INPI no Rio de Janeiro, nas Divisões Regionais ou Representações, no mínimo de duas (02) e no máximo de três (03) vias, duas para o INPI e outra para ser devolvida ao depositante. O formulário pode ser apresentado através de envio postal, com aviso de recebimento, endereçado à Diretoria de Patentes – DIRPA.
- O Relatório Descritivo, Reivindicações, Resumo, Desenhos (se houver) e Listagem de Seqüência em formato impresso (se houver) devem ser entregues no mínimo de duas (02) e no máximo de três (03) vias, duas para o INPI e outra para ser devolvida ao depositante na Recepção do INPI no Rio de Janeiro, nas Divisões Regionais ou Representações, ou através de envio postal, com aviso de recebimento, endereçado à Diretoria de Patentes – DIRPA.

Preenchimento dos Campos

Campo 1 – Depositante

Preencher com o nome completo do depositante, qualificar com a profissão ou a natureza jurídica, indicar o CNPJ ou CPF, se aplicável, endereço completo, CEP, telefone e fax, indicando o código de área, e e-mail. Caso haja mais de um depositante, assinale "continua em folha anexa" e preencha, todos os dados, conforme explicitado para o primeiro depositante.

Campo 2 – Natureza

Assinale a natureza (invenção ou modelo de utilidade), do pedido que está sendo depositado.

Campo 3 – PCT

Informe o número completo e a data de depósito do pedido internacional PCT no formato dd/mm/aaaa.

Campo 4 – Título

Escrever o título completo, que deverá ser igual ao do Relatório Descritivo.

Campo 5 – Prioridade Unionista

Caso esteja sendo reivindicada prioridade de depósito anterior, informe o nome ou sigla do país ou organização, o número e a data da prioridade. Se precisar de mais espaço, forneça os dados em folha anexa.

Campo 6 – Inventor

Preencher com o nome completo do inventor, qualificar com a profissão ou a natureza jurídica, indicar o CNPJ ou CPF, se aplicável, endereço completo, CEP, telefone e fax, indicando o código de área, e e-mail. Caso haja mais de um inventor, assinale "continua em folha anexa" e preencha todos os dados, conforme explicitado para o primeiro inventor.

Campo 7 – Declaração de divulgação anterior não prejudicial.

No caso de divulgação não prejudicial de que trata o art. 12 da LPI, assinale a quadrícula. Quaisquer informação adicional, ou comprovantes a serem anexados, tais como os dados relativos à divulgação ocorrida dentro do prazo de 12 (doze) meses anteriores à data de prioridade ou data de depósito do pedido internacional PCT, quando não houver reivindicação de prioridade, deverão ser listados no item 11.15 (Outros documentos anexados).

Campo 8 – Procurador.

No caso de haver sido nomeado um procurador, forneça aqui os seus dados. Não residentes precisam constituir e manter um procurador residente no Brasil.

Campo 9 – Listagem de Sequências Biológicas (documentos anexados).

Caso o pedido de patente contenha listagem de seqüências biológicas, assinalar a quadrícula e informar, nos itens 11.9 a 11.12 do Campo 11 "Documentos Anexados" os documentos que estão sendo apresentados junto com este formulário. O código de controle alfanumérico do Arquivo Eletrônico em formato de código de barras gerado pelo programa deve ser impresso e apresentado juntamente com este formulário. Caso o pedido contenha a listagem de seqüências biológicas no formato impresso, deve ser informado o número total de folhas de uma das vias.

Campo 10 – Restabelecimento de direitos para entrada na fase nacional.

Assinalar a quadrícula caso o pedido de patente contenha requerimento para restabelecimento de direitos para entrada na fase nacional e informar as razões itens 11.13, 11.14 ou ambos, do Campo 11 "Documentos Anexados", desde que se enquadram nas alegações apresentadas no corpo da petição de entrada na fase nacional.

Campo 11 – Documentos Anexados.

Assinalar quais os documentos que estão sendo apresentados junto com este formulário. Indicar o número de folhas de cada um dos documentos. O número de folhas deverá incluir somente o de uma das vias de cada documento. Caso sejam apresentados anexos ou outros documentos que não os especificados, assinalar o item 11.15 "Outros".

Campo 12 – Total de folhas deste pedido.

Indicar o número total de folhas apresentadas (somente uma das vias de cada documento).

Campo 13 – Data e assinatura.

Datar e assinar, carimbando ou escrevendo de forma legível seus dados, incluindo, se for o caso o número de API.

6. RESPONSABILIDADE

O preenchimento deste formulário é da responsabilidade do interessado ou daquele que firmar a assinatura neste documento.

7. REGISTROS

GRU – Guia de Recolhimento da União

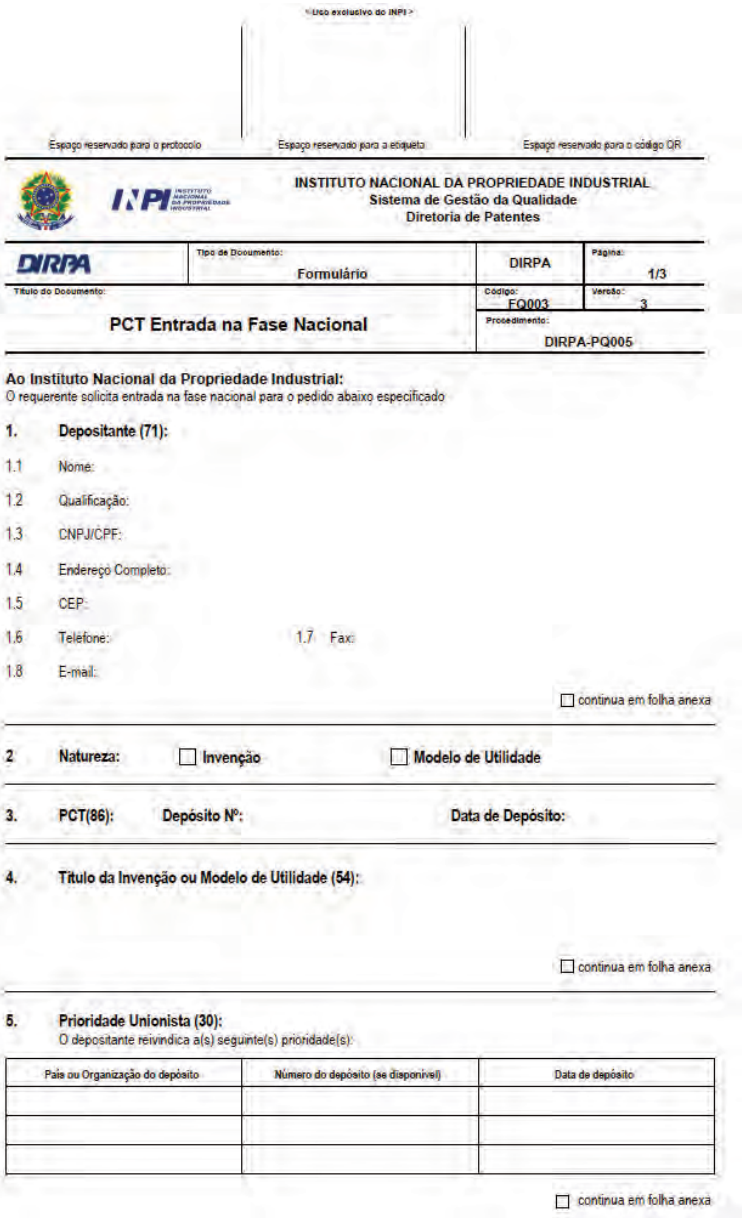
Formulário DIRPA FQ003

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: **Procedimento**	DIRPA	Página: **6/8**
Título do Documento: **Preenchimento do Formulário PCT Entrada na Fase Nacional**		Código: **PQ005**	Versão: **03**
		Procedimento: **Não aplicável**	

8. ANEXOS

Modelo do Formulário DIRPA FQ003



< Uso exclusivo do INPI >

Espaço reservado para o protocolo | Espaço reservado para a etiqueta | Espaço reservado para o código QR

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 1/3
Título do Documento: **PCT Entrada na Fase Nacional**		Código: FQ003	Versão: 3
		Procedimento: DIRPA-PQ005	

Ao Instituto Nacional da Propriedade Industrial:
O requerente solicita entrada na fase nacional para o pedido abaixo especificado

1. Depositante (71):

1.1 Nome:

1.2 Qualificação:

1.3 CNPJ/CPF:

1.4 Endereço Completo:

1.5 CEP:

1.6 Telefone: 1.7 Fax:

1.8 E-mail:

☐ continua em folha anexa

2 Natureza: ☐ **Invenção** ☐ **Modelo de Utilidade**

3. PCT(86): Depósito Nº: Data de Depósito:

4. Título da Invenção ou Modelo de Utilidade (54):

☐ continua em folha anexa

5. Prioridade Unionista (30):
O depositante reivindica a(s) seguinte(s) prioridade(s):

País ou Organização do depósito	Número do depósito (se disponível)	Data de depósito

☐ continua em folha anexa

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: **Procedimento**	DIRPA	Página: 7/8
Título do Documento: **Preenchimento do Formulário PCT Entrada na Fase Nacional**		Código: PQ005	Versão: 03
		Procedimento: Não aplicável	

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 2/3
Título do Documento: **PCT Entrada na Fase Nacional**		Código: FQ003	Versão: 3
		Procedimento: DIRPA-PQ005	

6. Inventor (72):

6.1 Nome:

6.2 Qualificação:

6.3 CNPJ/CPF:

6.4 Endereço Completo:

6.5 CEP:

6.6 Telefone: 6.7 Fax:

6.8 E-mail:

☐ continua em folha anexa

7. Há declaração de divulgação anterior não prejudicial ☐

(art. 12 da LPI – período de graça).
(Informe no item 11.15 os documentos anexados, se houver).

8. Procurador (74):

8.1 Nome:

8.2 CNPJ/CPF: 8.3 API/OAB:

8.4 Endereço Completo:

8.5 CEP:

8.6 Telefone: 8.7 Fax:

8.8 E-mail:

9. Há listagem de sequências biológicas ☐

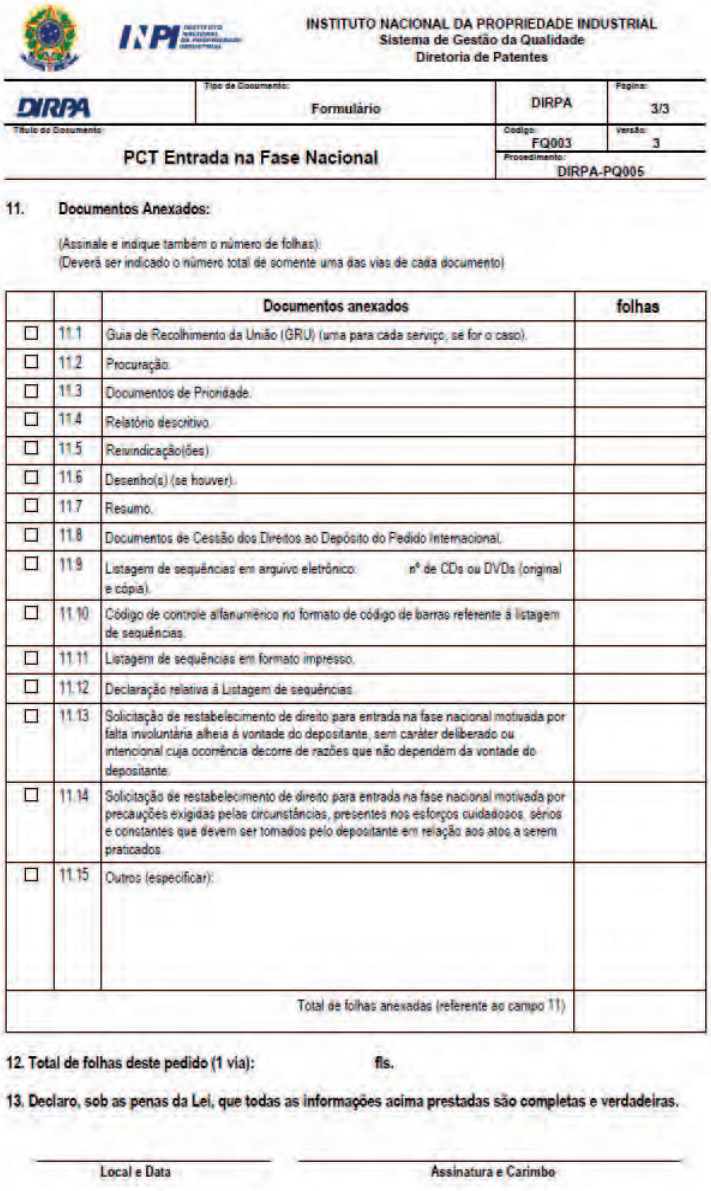
(Informe no item 11 os documentos anexados, se houver).

10. Há solicitação de restabelecimento de direito para entrada na fase nacional ☐

(Informe no item 11 os documentos anexados, se houver).

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: **Procedimento**	**DIRPA**	Página: **8/8**
Título do Documento: **Preenchimento do Formulário PCT Entrada na Fase Nacional**		Código: **PQ005**	Versão: **03**
		Procedimento: **Não aplicável**	



INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 3/3
Título do Documento: PCT Entrada na Fase Nacional		Código: FQ003	Versão: 3
		Procedimento: DIRPA-PQ005	

11. Documentos Anexados:

(Assinale e indique também o número de folhas)
(Deverá ser indicado o número total de somente uma das vias de cada documento)

		Documentos anexados	folhas
☐	11.1	Guia de Recolhimento da União (GRU) (uma para cada serviço, se for o caso).	
☐	11.2	Procuração.	
☐	11.3	Documentos de Prioridade.	
☐	11.4	Relatório descritivo.	
☐	11.5	Reivindicação(ões)	
☐	11.6	Desenho(s) (se houver).	
☐	11.7	Resumo.	
☐	11.8	Documentos de Cessão dos Direitos ao Depósito do Pedido Internacional.	
☐	11.9	Listagem de sequências em arquivo eletrônico: nº de CDs ou DVDs (original e cópia).	
☐	11.10	Código de controle alfanumérico no formato de código de barras referente à listagem de sequências.	
☐	11.11	Listagem de sequências em formato impresso.	
☐	11.12	Declaração relativa à Listagem de sequências.	
☐	11.13	Solicitação de restabelecimento de direito para entrada na fase nacional motivada por falta involuntária alheia à vontade do depositante, sem caráter deliberado ou intencional cuja ocorrência decorre de razões que não dependem da vontade do depositante.	
☐	11.14	Solicitação de restabelecimento de direito para entrada na fase nacional motivada por precauções exigidas pelas circunstâncias, presentes nos esforços cuidadosos, sérios e constantes que devem ser tomados pelo depositante em relação aos atos a serem praticados	
☐	11.15	Outros (especificar):	
		Total de folhas anexadas (referente ao campo 11)	

12. Total de folhas deste pedido (1 via): fls.

13. Declaro, sob as penas da Lei, que todas as informações acima prestadas são completas e verdadeiras.

Local e Data **Assinatura e Carimbo**

POWER OF ATTORNEY

The undersigned

Do(es) hereby grant(s) full and unlimited powers to

with address at

Federative Republic of Brazil, to represent the grantor(s), jointly or individually, independent of any special order, before the competent federal, state and municipal governmental organs and authorities of Brazil, for the purpose of obtaining and maintaining the protection of industrial property rights and to act in the active and passive defense of the interests of the grantor(s), entitling them for these purposes to apply for patents of invention, utility models, make declarations, and further oppose, protest, appeal, answer, request reconsiderations, make representations with respect to oppositions and appeals, request copies and inspection of documents, comply with official actions, present written or oral defenses, withdraw, answer, transact, effect payments of taxes and fees, receive, file and withdraw documents, provide proof of working, fulfil all types of formalities, request recordal and endorsement of assignments, transfers, changes of name or headquarters or address, license agreements for patents, request cancellations, compulsory licenses, declarations of forfeiture, represent the grantor(s) before the Courts with powers ad judicia, including special powers to receive judicial summons, but only in proceedings referring to industrial property cases prosecuted by the grantee(s) based on the present power of attorney, and to do all whatsoever shall be necessary in the interest of the same, including the rights to substitute these powers, wholly or partially; all acts previously done by the grantee(s) on behalf of the grantor(s) being hereby expressly confirmed.

Date: .....

Signature: .....

PROCURAÇÃO

O(s) abaixo assinado(s)

pela presente, concede(m) amplos e ilimitados poderes a

com endereço à

República Federativa do Brasil, para em conjunto, ou separadamente, independentemente de qualquer ordem especial, representar o(s) outorgante(s) perante as autoridades e órgãos governamentais federais, estaduais e municipais competentes do Brasil, a fim de obter a manter a proteção de direitos relativos a propriedade industrial e agir na defesa ativa e passiva dos interesses do(s) outorgante(s), podendo para estes efeitos requerer patentes de invenção ou modelos de utilidade, fazer declarações e, ainda, opor, protestar, impugnar, recorrer, pedir reconsiderações, manifestar-se sobre oposições et recursos, pedir vistas, cumprir esigências, apresentar defesas escritas ou orais, desistir, replicar, transigir, efectuar pagamentos de taxas, retribuições e impostos, receber, juntar e retirar documentos, promover provas de uso, preencher quaisquer tipos de formalidades, solicitar anotações e averbações de cessões, transferências alterações de nome ou de sede ou domicílio, contratos de exploração de patentes, requerer cancelamentos, licenças obrigatórias, declarações de caducidade, representar o(s) outorgante(s) no foro em geral com poderes ad judicia, incluindo-se poderes especiais para receber citações judiciais, unicamente em ações referentes a assuntos de propriedade industrial processados pelos outorgados com base na presente procuração, enfim praticar quaisquer outros atos a bem dos interesses do(s) mesmo(s) inclusive substabelecer os presentes poderes, no todo ou em parte, ficando expressamente ratificados todos os atos anteriormente praticados pelos outorgados em nome do(s) outorgante(s).

Data: .....

Assinatura: .....

< Uso exclusivo do INPI >

Espaço reservado para o protocolo	Espaço reservado para a etiqueta	Espaço reservado para o código QR

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 1/3
Título do Documento: Petição Relacionada com Pedido		Código: FQ002	Versão: 2
		Procedimento: DIRPA-PQ007	

Ao Instituto Nacional da Propriedade Industrial:

1. Interessado:

1.1 Nome:
1.2 Qualificação:
1.3 CNPJ/CPF:
1.4 Endereço Completo:
1.5 CEP:
1.6 Telefone: 1.7 Fax:
1.8 E-mail:

☐ continua em folha anexa

2. Natureza: ☐ Invenção ☐ Modelo de Utilidade ☐ Certificado de Adição

2.1 Número: 2.2 Data de Depósito:

3. Título da Invenção, do Modelo de Utilidade ou Certificado de Adição (54):

☐ continua em folha anexa

4. Listagem de sequências biológicas: ☐

(Informe nos itens 6.17 a 6.20 os documentos anexados, se houver).

5. Procurador (74):

5.1 Nome:
5.2 CNPJ/CPF: 5.3 API/OAB:
5.4 Endereço Completo:
5.5 CEP:
5.6 Telefone: 5.7 FAX:
5.8 E-mail:

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 2/3
Título do Documento: **Petição Relacionada com Pedido**		Código: FQ002	Versão: 2
		Procedimento: DIRPA-PQ007	

6. Apresenta / Requer :

(Assinale o(s) itens que se aplica(m) ao seu caso):
(deverá ser indicado o número total de somente uma das vias de cada documento).

	O que se requer / apresenta		Folhas
☐	6.1	Modificação no Relatório Descritivo.	
☐	6.2	Modificações nas Reivindicações.	
☐	6.3	Modificações nos Desenhos.	
☐	6.4	Modificações no Resumo.	
☐	6.5	Esclarecimentos / razões.	
☐	6.6	Cumprimento ou Contestação de Exigência RPI, _____, de _____	
☐	6.7	Desarquivamento, arquivado na RPI, _____, de _____	
☐	6.8	Documento de Prioridade.	
☐	6.9	Documento de Cessão	
☐	6.10	Exame do Pedido com_____Reivindicações.	
☐	6.11	Expedição da carta Patente / Certificado de Adição.	
☐	6.12	Guia(s) de Recolhimento (uma para cada serviço).	
☐	6.13	Manifestação sobre Ciência RPI, _____, de _____	
☐	6.14	Procuração	
☐	6.15	Destituição de procurador e/ou novo procurador.	
☐	6.16	Publicação Antecipada.	
☐	6.17	Listagem de sequências em arquivo eletrônico:_____ nº de CDs ou DVDs (original e cópia).	
☐	6.18	Código de controle alfanumérico no formato de código de barras referente à listagem de sequências .	
☐	6.19	Listagem de sequências em formato impresso.	
☐	6.20	Declaração relativa à Listagem de sequências.	
☐	6.21	Cópia Oficial do Pedido Depositado.	
☐	6.22	Caducidade da Patente / Certificado de Adição.	
☐	6.23	Contestação de Caducidade / Nulidade.	
☐	6.24	Nulidade da Patente / Certificado de Adição.	
☐	6.25	Recurso contra o Indeferimento.	
☐	6.26	Recurso contra o Arquivamento.	
☐	6.27	Recurso (outros).	
☐	6.28	Renúncia da Patente.	
☐	6.29	Restauração de Pedido / Patente.	
☐	6.30	Retirada do Pedido.	

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 3/3
Título do Documento: Petição Relacionada com Pedido		Código: FQ002	Versão: 2
		Procedimento: DIRPA-PQ007	

6. Apresenta / Requer : (continuação)

		O que se requer / apresenta	Folhas
☐	6.31	Subsídio ao Exame Técnico.	
☐	6.32	Aditamento.	
☐	6.33	Tradução.	
☐	6.34	Oferta de Licença.	
☐	6.35	Outros documentos (especificar).	

7. Total de folhas anexadas: fls.

8. Declaro, sob as penas da Lei que todas as informações acima prestadas são completas e verdadeiras.

_____ _____

Local e Data **Assinatura e Carimbo**

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: **Procedimento**	**DIRPA**	Página: **1/7**
Título do Documento: **Preenchimento do Formulário de Petição Relacionada com Pedido**		Código: **PQ007**	Versão: **02**
		Procedimento: **Não aplicável**	

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Elaborado/Revisado por		Aprovado para uso:	
DIRPA/CQUAL	25/09/2012 Data		// Data

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Procedimento	DIRPA	Página: 2/7
Título do Documento: **Preenchimento do Formulário de Petição Relacionada com Pedido**		Código: PQ007	Versão: 02
		Procedimento: Não aplicável	

1. OBJETIVO

Este procedimento trata do preenchimento do formulário DIRPA FQ002 – Petição Relacionada com Pedido.

2. CAMPO DE APLICAÇÃO

Este procedimento se aplica a todos os usuários que solicitarem providências quanto à apresentação de documentos referentes a pedido de patente em andamento ou à patente ou certificado já concedidos. Este formulário não pode ser utilizado para solicitar entrada na Fase Nacional de PCT (FQ003).

3. DOCUMENTOS DE REFERÊNCIA

Lei da Propriedade Industrial – Lei Nº 9279/96 (LPI)

Instrução Normativa PR Nº 17/2013

NBR ISO 9001:2008 – Sistema de Gestão da Qualidade – Requisitos

CQUAL PQ001 – Elaboração de Documentos do SGQ

4. DEFINIÇÕES E SIGLAS

API – Agente da Propriedade Industrial

GRU – Guia de Recolhimento da União

OAB – Ordem dos Advogados do Brasil

5. PROCEDIMENTO E INSTRUÇÃO

Antes de preencher o Formulário, atentar para as seguintes informações:

- No caso de depositante não residente no país, deve constituir, obrigatoriamente, Procurador residente no Brasil.
- Gerar e pagar a GRU correspondente ao serviço solicitado, conforme instruções disponibilizadas na página do INPI na Internet, www.inpi.gov.br.
- O interessado pode requerer em uma mesma petição vários atos ou providências utilizando, contudo, uma guia de recolhimento para cada serviço especificado. Por exemplo, no caso do interessado requerer publicação antecipada e exame de seu pedido em uma única petição, deverá apresentar duas guias, uma comprovando o pagamento da publicação antecipada e outra do pedido de exame.
- A apresentação, pelo próprio depositante, de documentos que não requeiram providências específicas, se apresentadas simultaneamente,

está sujeita ao pagamento de uma única retribuição (como exemplo, os itens 6.1 a 6.4, 6.8, 6.9, 6.16, 6.17 a 6.20).

- Preencher o formulário sem rasuras ou emendas, se manuscrito, usar tinta preta, indelével e letra de forma legível.
- A quadrícula de Uso exclusivo do INPI "Espaço reservado para o código QR" somente é aplicável aos pedidos depositados pela via eletrônica.
- Imprimir o formulário, mantendo todas as suas características, tais como o padrão de três (03) folhas, em papel A4 e tinta preta.
- Entregar o formulário na Recepção do INPI no Rio de Janeiro, nas Divisões Regionais ou Representações, duas (02) vias, uma para o INPI e outra para ser devolvida ao interessado. O formulário pode ser apresentado através de envio postal, com aviso de recebimento, endereçado à Diretoria de Patentes – DIRPA.
- O Relatório Descritivo, Reivindicações, Resumo, Desenhos (se houver) e Listagem de Sequência em formato impresso (se houver) devem ser entregues duas (02) vias, na Recepção do INPI no Rio de Janeiro, nas Divisões Regionais ou Representações, ou através de envio postal, com aviso de recebimento, endereçado à Diretoria de Patentes – DIRPA.

Campo 1 – Interessado

Preencher com o nome completo do interessado, qualificar com a profissão ou a natureza jurídica, indicar o CNPJ ou CPF, se aplicável, endereço completo, CEP, telefone e fax, indicando o código de área, e e-mail. Caso haja mais de um interessado, assinale "continua em folha anexa" e preencha, todos os dados, conforme explicitado para o primeiro interessado.

Campo 2 – Natureza

Assinale a natureza (invenção, modelo de utilidade ou certificado de adição), do pedido relacionado com a petição. Indicando o número (do Pedido ou do Certificado de Adição ou da Patente) e a data de depósito.

Campo 3 – Título

Escrever o título completo, que deverá ser igual ao do Relatório Descritivo. Caso seja necessário, assinale "continua em folha anexa" e preencha.

Campo 4 – Listagem de Sequências Biológicas

Caso o pedido de patente contenha listagem de sequências biológicas, assinalar a quadrícula e informar, nos itens 6.17 a 6.20 do Campo 6 "O que se requer / apresenta" os documentos que estão sendo apresentados junto com este formulário. O código de controle alfanumérico do Arquivo Eletrônico em formato de código de barras gerado pelo programa deve ser impresso e

apresentado juntamente com este formulário. Caso o pedido contenha a listagem de sequências biológicas no formato impresso, deve ser informado o número total de folhas de uma das vias.

Campo 5 – Procurador

No caso de haver sido nomeado um procurador, preencher com o nome completo, indicar o CNPJ ou CPF, se aplicável, número de API ou OAB, endereço completo, CEP, telefone e fax, indicando o código de área, e e-mail.

Campo 6 – O que se requer / apresenta

Assinalar o que deseja na coluna respectiva, indicando o número de folhas apresentadas. Caso esteja apresentando modificações (três vias ou mais) indique o número de folhas de somente uma das vias de cada documento, anexando as demais em separado. Caso se aplique, assinale e anexe também a Guia de Recolhimento relacionada com o serviço. Caso sejam apresentados anexos ou outros documentos que não os especificados, assinalar o item 6.35 "Outros documentos" e especifique.

Campo 7 – Total de folhas deste pedido.

Indicar o número total de folhas apresentadas (somente uma das vias de cada documento).

Campo 8 – Data e assinatura.

Datar e assinar, carimbando ou escrevendo de forma legível seus dados, incluindo, se for o caso o número de API.

6. RESPONSABILIDADE

O preenchimento deste formulário é da responsabilidade do interessado ou daquele que firmar a assinatura neste documento.

7. REGISTROS

GRU – Guia de Recolhimento da União

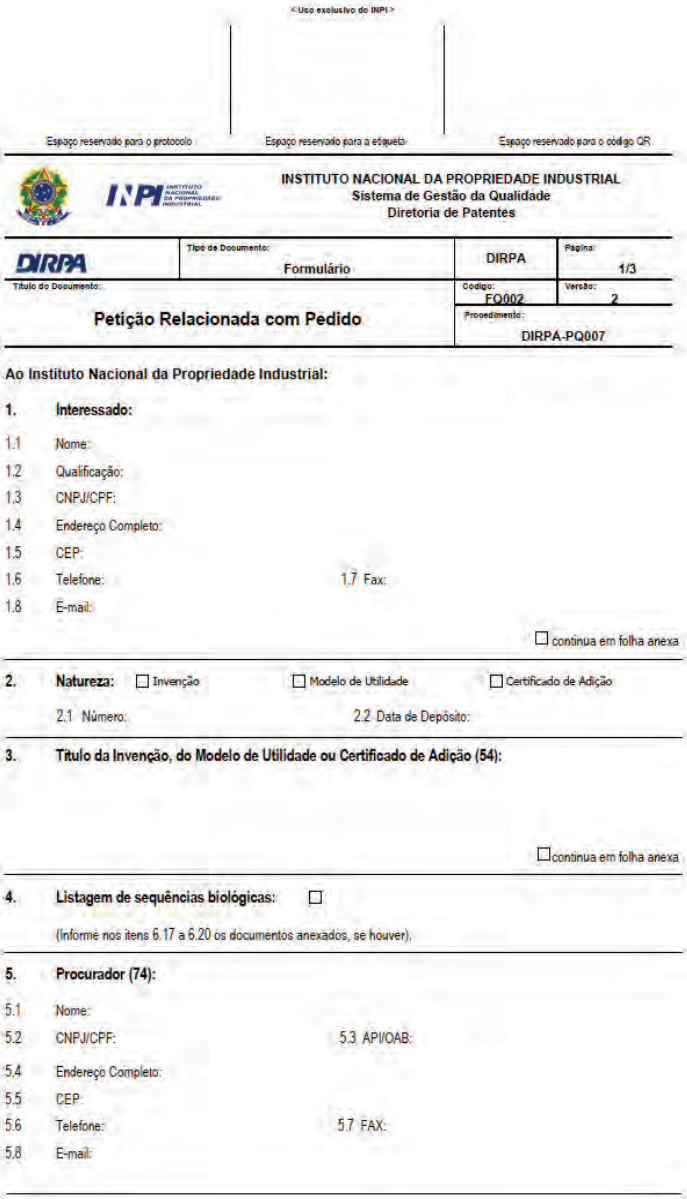
Formulário DIRPA FQ002

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: **Procedimento**	DIRPA	Página: **5/7**
Título do Documento: **Preenchimento do Formulário de Petição Relacionada com Pedido**		Código: **PQ007**	Versão: **02**
		Procedimento: **Não aplicável**	

8. ANEXOS

Modelo do Formulário DIRPA FQ002



<Uso exclusivo do INPI>

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INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 1/3
Título do Documento: **Petição Relacionada com Pedido**		Código: FQ002	Versão: 2
		Procedimento: DIRPA-PQ007	

Ao Instituto Nacional da Propriedade Industrial:

1. Interessado:

1.1 Nome:
1.2 Qualificação:
1.3 CNPJ/CPF:
1.4 Endereço Completo:
1.5 CEP:
1.6 Telefone: 1.7 Fax:
1.8 E-mail:

☐ continua em folha anexa

2. Natureza: ☐ Invenção ☐ Modelo de Utilidade ☐ Certificado de Adição

2.1 Número: 2.2 Data de Depósito:

3. Título da Invenção, do Modelo de Utilidade ou Certificado de Adição (54):

☐ continua em folha anexa

4. Listagem de sequências biológicas: ☐

(Informe nos itens 6.17 a 6.20 os documentos anexados, se houver).

5. Procurador (74):

5.1 Nome:
5.2 CNPJ/CPF: 5.3 API/OAB:
5.4 Endereço Completo:
5.5 CEP:
5.6 Telefone: 5.7 FAX:
5.8 E-mail:

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: **Procedimento**	**DIRPA**	Página: **6/7**
Título do Documento: **Preenchimento do Formulário de Petição Relacionada com Pedido**		Código: **PQ007**	Versão: **02**
		Procedimento: **Não aplicável**	

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 2/3
Título do Documento: **Petição Relacionada com Pedido**		Código: FQ002	Versão: 2
		Procedimento: DIRPA-PQ007	

6. Apresenta / Requer :

(Assinale o(s) itens que se aplica(m) ao seu caso).
(deverá ser indicado o número total de somente uma das vias de cada documento).

		O que se requer / apresenta	Folhas
☐	6.1	Modificação no Relatório Descritivo.	
☐	6.2	Modificações nas Reivindicações.	
☐	6.3	Modificações nos Desenhos.	
☐	6.4	Modificações no Resumo.	
☐	6.5	Esclarecimentos / razões.	
☐	6.6	Cumprimento ou Contestação de Exigência RPI, _____ de _____.	
☐	6.7	Desarquivamento, arquivado na RPI, _____ de _____.	
☐	6.8	Documento de Prioridade.	
☐	6.9	Documento de Cessão.	
☐	6.10	Exame do Pedido com_____Reivindicações.	
☐	6.11	Expedição da carta Patente / Certificado de Adição.	
☐	6.12	Guia(s) de Recolhimento (uma para cada serviço).	
☐	6.13	Manifestação sobre Ciência RPI, _____ de _____.	
☐	6.14	Procuração.	
☐	6.15	Destituição de procurador e/ou novo procurador.	
☐	6.16	Publicação Antecipada.	
☐	6.17	Listagem de sequências em arquivo eletrônico;_____ nº de CDs ou DVDs (original e cópia).	
☐	6.18	Código de controle alfanumérico no formato de código de barras referente à listagem de sequências .	
☐	6.19	Listagem de sequências em formato impresso.	
☐	6.20	Declaração relativa à Listagem de sequências.	
☐	6.21	Cópia Oficial do Pedido Depositado.	
☐	6.22	Caducidade da Patente / Certificado de Adição.	
☐	6.23	Contestação de Caducidade / Nulidade.	
☐	6.24	Nulidade da Patente / Certificado de Adição.	
☐	6.25	Recurso contra o Indeferimento.	
☐	6.26	Recurso contra o Arquivamento.	
☐	6.27	Recurso (outros).	
☐	6.28	Renúncia da Patente.	
☐	6.29	Restauração de Pedido / Patente.	
☐	6.30	Retirada do Pedido.	

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: **Procedimento**	**DIRPA**	Página: **7/7**
Título do Documento: **Preenchimento do Formulário de Petição Relacionada com Pedido**		Código: **PQ007**	Versão: **02**
		Procedimento: **Não aplicável**	

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 3/3
Título do Documento: **Petição Relacionada com Pedido**		Código: FQ002	Versão: 2
		Procedimento: DIRPA-PQ007	

6. Apresenta / Requer : (continuação)

		O que se requer / apresenta	Folhas
☐	6.31	Subsídio ao Exame Técnico.	
☐	6.32	Aditamento.	
☐	6.33	Tradução.	
☐	6.34	Oferta de Licença.	
☐	6.35	Outros documentos (especificar)	

7. Total de folhas anexadas: fls.

8. Declaro, sob as penas da Lei que todas as informações acima prestadas são completas e verdadeiras.

Local e Data _____ Assinatura e Carimbo _____

Espaço reservado para o protocolo	Espaço reservado para a etiqueta	Espaço reservado para o código QR

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: **Formulário**	**DIRPA**	Página: **1/3**
Título do Documento: **Requerimento de Exame Prioritário**		Código: **FQ009**	Versão: **3**
		Procedimento: **DIRPA PQ 011**	

Ao Instituto Nacional da Propriedade Industrial:

1. Interessado:

1.1 Nome:

1.2 Qualificação:

1.3 CNPJ / CPF:

1.4 Endereço Completo:

1.5 CEP:

1.6 Telefone: ( ) 1.7 Fax: ( )

1.8 E-mail:

☐ continua em folha anexa

2. Referência:

2.1 Natureza: ☐ Invenção ☐ Modelo de Utilidade

2.2 Nº do Pedido: 2.3 Data:

3. Motivo do Requerimento:

☐ 3.1 O depositante tem idade igual ou superior a 60 (sessenta) anos.

☐ 3.2 O objeto do pedido de patente está sendo reproduzido por terceiros sem a autorização do depositante.

☐ 3.3 A concessão da patente é condição para obtenção de recursos financeiros de agências de fomento ou instituições de créditos oficiais nacionais, liberados sob forma de subvenção econômica, financiamento ou participação societária, ou originários de fundos mútuos de investimento, para exploração do respectivo produto ou processo.

☐ 3.4 O interessado está sendo acusado pelo depositante de reproduzir o objeto do pedido de patente sem sua autorização.

☐ 3.5 O objeto do pedido de patente é diretamente relacionado ao diagnóstico, profilaxia e/ou tratamento da Síndrome da Imunodeficiência Adquirida (AIDS), Câncer e/ou de doenças negligenciadas, conforme disposto na Resolução que regulamenta o exame prioritário de pedidos de patente na área da Saúde.

☐ 3.6 O depositante é pessoa portadora de deficiência, física ou mental, ou de doença grave.

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: **Formulário**	**DIRPA**	Página: **2/3**
Título do Documento: **Requerimento de Exame Prioritário**		Código: **FQ009**	Versão: **3**
		Procedimento: **DIRPA PQ 011**	

☐ 3.7 O interessado é o titular de pedido de patente ou de patente ou detém tecnologia objeto do pedido de patente.

☐ 3.8 O depositante é uma Microempresa ou uma Empresa de Pequeno Porte.

☐ 3.9 (Campo Reservado).

4. Procurador (74):

4.1 Nome:

4.2 CNPJ / CPF: 4.3 API / OAB:

4.4 Endereço Completo:

4.5 CEP:

4.6 Telefone ( ) 4.7 FAX: ( )

4.8 E-mail:

☐ continua em folha anexa

5. Documentos Anexados:
(Assinale e indique também o número de folhas):
(Deverá ser indicado o número total de somente uma das vias de cada documento)

		Documentos anexados	Folhas
☐	5.1	Cópia do Documento de Identidade ou Certidão de Nascimento.	
☐	5.2	Provas de que o objeto do pedido está sendo reproduzido por terceiros sem autorização.	
☐	5.3	Cópia de Notificação Extrajudicial e/ou comprovação de recebimento.	
☐	5.4	Cópia da solicitação de recursos financeiros a Agências de Fomento ou Instituições de Crédito.	
☐	5.5	Cópia do documento de condicionamento de recurso financeiro.	
☐	5.6	Comprovação de interposição de petição de subsídio ao exame técnico.	
☐	5.7	Cópia do laudo pericial, emitido por Serviço Médico Oficial.	
☐	5.8	Provas de que terceiros estão sendo acusados de reproduzir o objeto sem autorização	
☐	5.9	Provas de que terceiros detém a tecnologia objeto do pedido.	
☐	5.10	Cópia do pedido de patente ou da patente de terceiros.	
☐	5.11	Comprovação de que o titular do pedido de patente se enquadra na natureza de ME ou EPP.	
☐	5.12	(Campo Reservado).	

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: **Formulário**	**DIRPA**	Página: **3/3**
Título do Documento: **Requerimento de Exame Prioritário**		Código: **FQ009**	Versão: **3**
		Procedimento: **DIRPA PQ 011**	

☐	5.13	Anuência dos demais depositantes.	
☐	5.14	Procuração.	
☐	5.15	Outros (especificar).	

6. Total de folhas anexadas: fls.

7. Declaro, sob as penas da Lei, que todas as informações acima prestadas são completas e verdadeiras.

Local e Data **Assinatura e Carimbo**

	INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL Sistema de Gestão da Qualidade **Diretoria de Patentes**	
DIRPA	Tipo de Documento: **Procedimento**	Página: DIRPA 1/ 7
Título do Documento: **Preenchimento do Formulário de Requerimento de Exame Prioritário**	Código: DIRPA-P011 Procedimento: Não aplicável	Versão: 3

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INPI INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL	INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL Sistema de Gestão da Qualidade **Diretoria de Patentes**		
DIRPA	Tipo de Documento: **Procedimento**	DIRPA	Página: 2/ 7
Título do Documento: **Preenchimento do Formulário de Requerimento de Exame Prioritário**		Código: **DIRPA-P011** Procedimento: **Não aplicável**	Versão: **3**

1. OBJETIVO

Este procedimento trata do preenchimento do formulário DIRPA FQ009 – Requerimento de Exame Prioritário.

2. CAMPO DE APLICAÇÃO

Este procedimento se aplica a todos os usuários que solicitarem o exame técnico prioritário de pedido de patente conforme a Resoluções PR Nº 80/2013, 151/2015 e 160/2016.

3. DOCUMENTOS DE REFERÊNCIA

Lei da Propriedade Industrial – Lei Nº 9279/96 (LPI)

Resolução PR Nº 80/2013

Resolução PR Nº 151/2015

Resolução PR Nº 160/2016

NBR ISO 9001:2008 – Sistema de Gestão da Qualidade – Requisitos

CQUAL PQ001 – Elaboração de Documentos do SGQ

4. DEFINIÇÕES E SIGLAS

API – Agente da Propriedade Industrial

OAB – Ordem dos Advogados do Brasil

5. PROCEDIMENTO E INSTRUÇÃO

Antes de preencher o Formulário, atentar para as seguintes informações:

- O requerimento de exame prioritário de pedido de patente é isento do pagamento de retribuição.
- Se o requerimento não for praticado pelo próprio interessado, deverão estar acompanhados do instrumento de procuração, nos termos do § 1º do art. 216 da Lei nº 9.279, de 14 de maio de 1996.
- Se depositante não residente no país, deve constituir, obrigatoriamente, Procurador residente no Brasil.
- Preencher o formulário sem rasuras ou emendas, se manuscrito, usar tinta preta, indelével e letra de forma legível.

- A quadrícula de Uso exclusivo do INPI "Espaço reservado para o código QR" somente é aplicável aos pedidos depositados pela via eletrônica.
- Imprimir o formulário, mantendo todas as suas características, tais como o padrão de duas (02) folhas, em papel A4 e tinta preta.
- Entregar o formulário em duas (02) vias na Recepção do INPI no Rio de Janeiro, nas Divisões Regionais ou Representações, uma das quais será retida, sendo a outra devolvida ao interessado . O formulário pode ser apresentado através de envio postal, com aviso de recebimento, endereçado à Diretoria de Patentes – DIRPA.

Campo 1 – Interessado

Preencher com o nome completo do interessado, qualificar com a profissão ou a natureza jurídica, indicar o CNPJ ou CPF, se aplicável, endereço completo, CEP, telefone e fax, indicando o código de área, e e-mail. Caso haja mais de um interessado, assinale "continua em folha anexa" e preencha, todos os dados, conforme explicitado para o primeiro interessado.

Campo 2 – Referência

Assinale a natureza do pedido (invenção ou modelo de utilidade), que está sendo requisitado o exame prioritário. Indicando o número do pedido e a data de depósito.

Campo 3 – Motivo do Requerimento

Assinale o motivo do requerimento do exame prioritário:

- Se o interessado for o depositante deverá ser assinalado o item 3.1, 3.2, 3.3 ou 3.6;
- Se o interessado for um terceiro deverá ser assinalado o item 3.4;
- Se o interessado for titular de pedido de patente ou de patente ou detém tecnologia objeto do pedido de patente deverá ser assinalado o item 3.7, conforme a Resolução do PR nº 151/2015.
- O item 3.5 só deverá ser assinalado se o pedido de patente estiver relacionado à área de saúde, conforme a Resolução PR Nº 80/2013.
- O item 3.8 deverá ser assinalado se o pedido de patente tiver sido depositado por uma Microempresa ou Empresa de Pequeno Porte, conforme a Resolução PR Nº 160/2016.
- O item 3.9 está reservado e não deve ser assinalado; e

As resoluções citadas estão disponibilizadas na página do INPI na Internet, www.inpi.gov.br/menu-servicos/patente/legislacao-patente-1 ou no http://www.inpi.gov.br/menu-servicos/patente/acelere-seu-exame

Campo 4 – Procurador

No caso de haver sido nomeado um procurador, preencher com o nome completo, indicar o CNPJ ou CPF, se aplicável, número de API ou OAB, endereço completo, CEP, telefone e fax, indicando o código de área, e e-mail.

Campo 5 – Documentos Anexados.

Assinalar os documentos que estão sendo apresentados junto com este formulário. Indicar o número de folhas de cada um dos documentos. O número de folhas deverá incluir somente o de uma das vias de cada documento. Caso sejam apresentados anexos ou outros documentos que não os especificados, assinalar o item 5.13 "Outros".

Campo 6 – Total de folhas deste pedido.

Indicar o número total de folhas apresentadas de somente uma das vias de cada documento.

Campo 7 – Data e assinatura.

Datar e assinar, carimbando ou escrevendo de forma legível seus dados, incluindo, se for o caso o número de API.

6. RESPONSABILIDADE

O preenchimento deste formulário é da responsabilidade do interessado ou daquele que firmar a assinatura neste documento.

7. REGISTROS

GRU – Guia de Recolhimento da União

Formulário DIRPA FQ009

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL Sistema de Gestão da Qualidade **Diretoria de Patentes**		
Tipo de Documento:		Página:
DIRPA	**Procedimento**	DIRPA 5/ 7
Título do Documento:		**Código:** DIRPA-P011 **Versão:** 3
Preenchimento do Formulário de Requerimento de Exame Prioritário		**Procedimento:** Não aplicável

8. ANEXOS

Espaço reservado para o protocolo	Espaço reservado para a etiqueta	Espaço reservado para o código QR

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL Sistema de Gestão da Qualidade Diretoria de Patentes			
DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 1/3
Título do Documento: Requerimento de Exame Prioritário		Código: FQ009	Versão: 3
		Procedimento: DIRPA PQ 011	

Ao Instituto Nacional da Propriedade Industrial:

1. Interessado:

1.1 Nome:
1.2 Qualificação:
1.3 CNPJ / CPF:
1.4 Endereço Completo:
1.5 CEP:
1.6 Telefone: ( ) 1.7 Fax: ( )
1.8 E-mail:

☐ continua em folha anexa

2. Referência:

2.1 Natureza: ☐ Invenção ☐ Modelo de Utilidade
2.2 Nº do Pedido: 2.3 Data:

3. Motivo do Requerimento:

☐ 3.1 O depositante tem idade igual ou superior a 60 (sessenta) anos.

☐ 3.2 O objeto do pedido de patente está sendo reproduzido por terceiros sem a autorização do depositante.

☐ 3.3 A concessão da patente é condição para obtenção de recursos financeiros de agências de fomento ou instituições de créditos oficiais nacionais, liberados sob forma de subvenção econômica, financiamento ou participação societária, ou originários de fundos mútuos de investimento, para exploração do respectivo produto ou processo.

☐ 3.4 O interessado está sendo acusado pelo depositante de reproduzir o objeto do pedido de patente sem sua autorização.

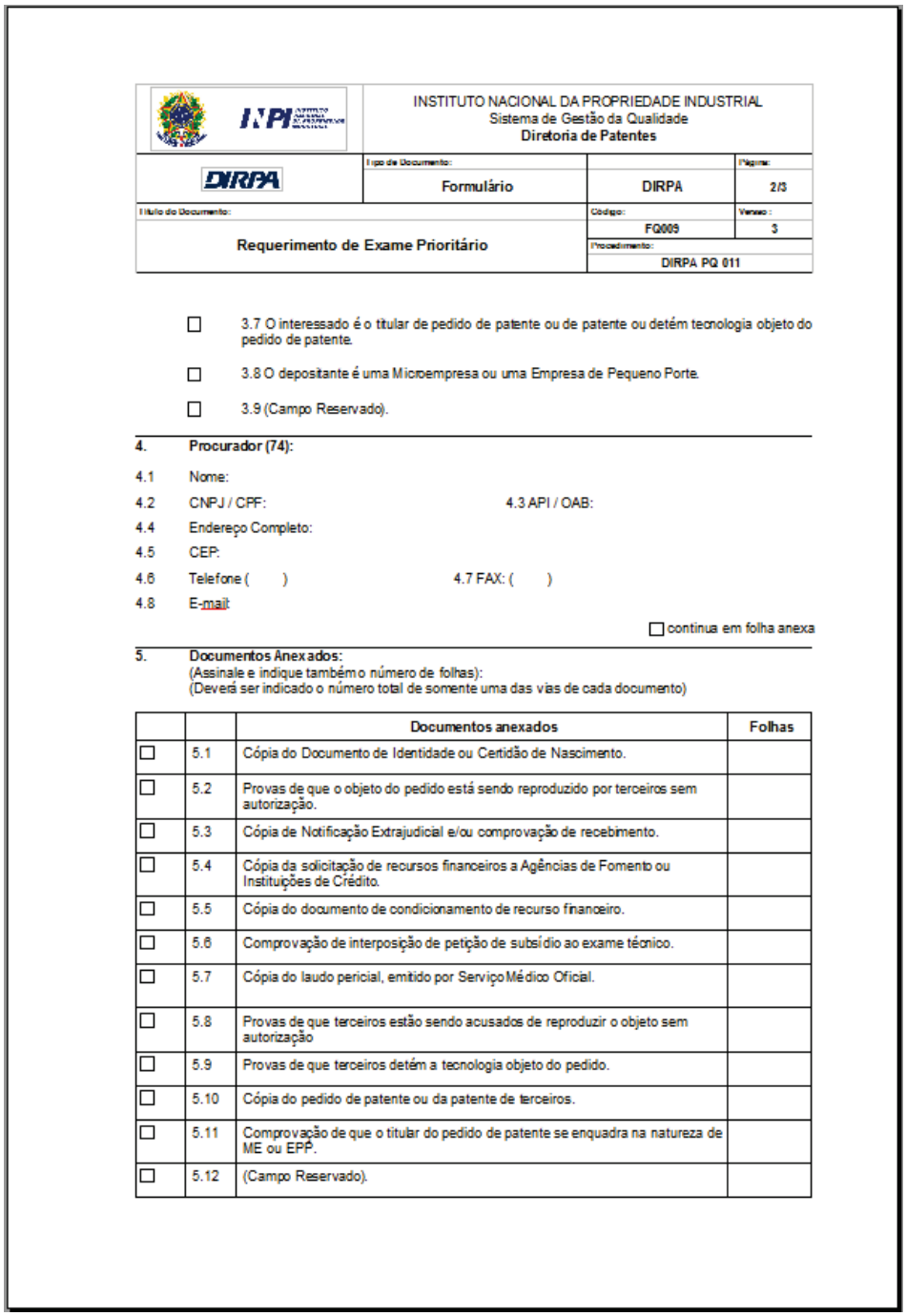
☐ 3.5 O objeto do pedido de patente é diretamente relacionado ao diagnóstico, profilaxia e/ou tratamento da Síndrome da Imunodeficiência Adquirida (AIDS), Câncer e/ou de doenças negligenciadas, conforme disposto na Resolução que regulamenta o exame prioritário de pedidos de patente na área da Saúde.

☐ 3.6 O depositante é pessoa portadora de deficiência, física ou mental, ou de doença grave.

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

Tipo de Documento:		Página:
DIRPA	**Procedimento**	DIRPA **6/ 7**

Título do Documento:	Código:	Versão:
Preenchimento do Formulário de Requerimento de Exame Prioritário	**DIRPA-P011**	**3**
	Procedimento: **Não aplicável**	



INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:		Página:
DIRPA	Formulário	DIRPA	2/3
Título do Documento:		Código:	Versão:
Requerimento de Exame Prioritário		FQ009	3
		Procedimento: DIRPA PQ 011	

☐ 3.7 O interessado é o titular de pedido de patente ou de patente ou detém tecnologia objeto do pedido de patente.

☐ 3.8 O depositante é uma Microempresa ou uma Empresa de Pequeno Porte.

☐ 3.9 (Campo Reservado).

4. Procurador (74):

4.1 Nome:

4.2 CNPJ / CPF: 4.3 API / OAB:

4.4 Endereço Completo:

4.5 CEP:

4.6 Telefone ( ) 4.7 FAX: ( )

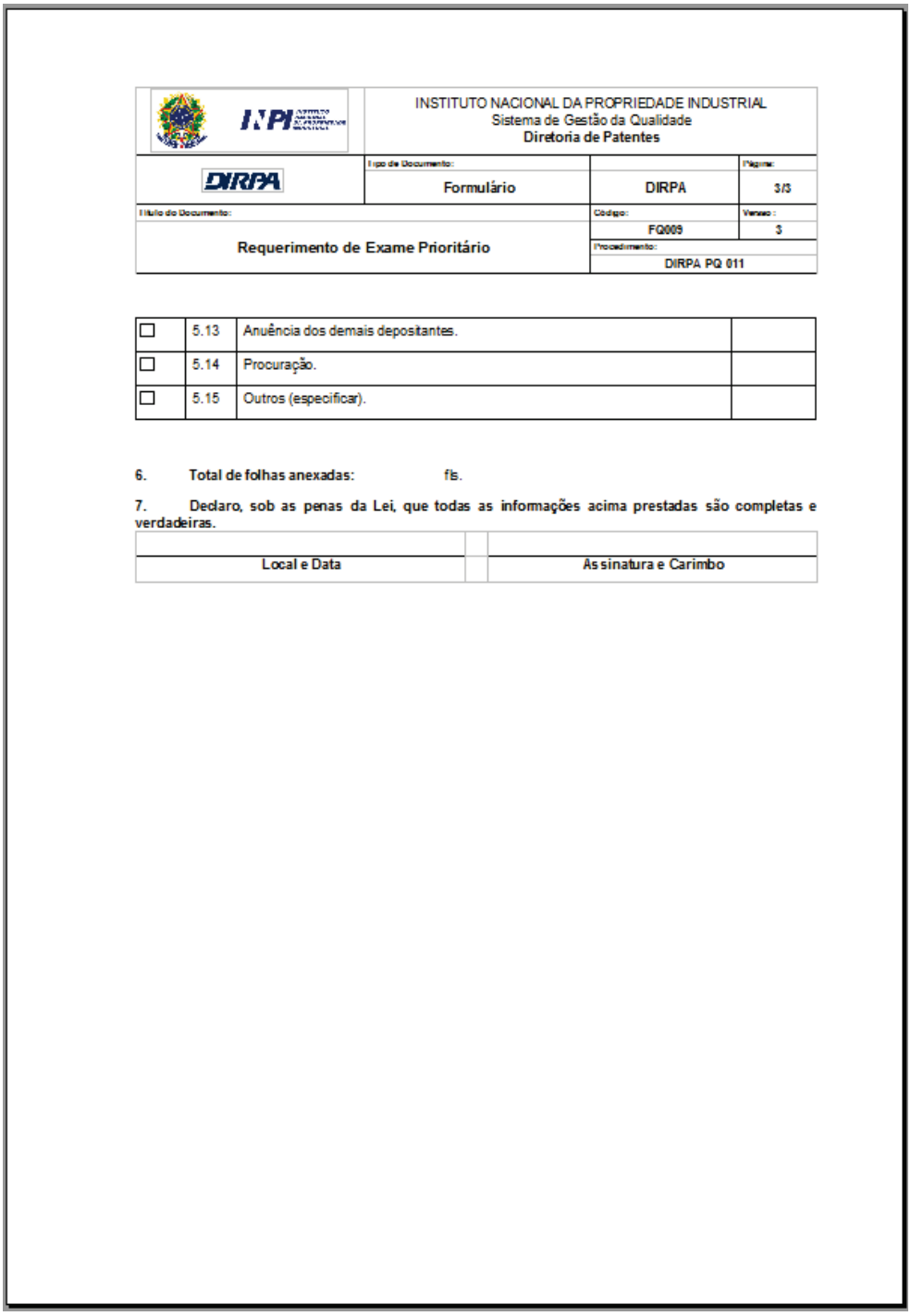
4.8 E-mail:

☐ continua em folha anexa

5. Documentos Anexados:
(Assinale e indique também o número de folhas):
(Deverá ser indicado o número total de somente uma das vias de cada documento)

		Documentos anexados	Folhas
☐	5.1	Cópia do Documento de Identidade ou Certidão de Nascimento.	
☐	5.2	Provas de que o objeto do pedido está sendo reproduzido por terceiros sem autorização.	
☐	5.3	Cópia de Notificação Extrajudicial e/ou comprovação de recebimento.	
☐	5.4	Cópia da solicitação de recursos financeiros a Agências de Fomento ou Instituições de Crédito.	
☐	5.5	Cópia do documento de condicionamento de recurso financeiro.	
☐	5.6	Comprovação de interposição de petição de subsídio ao exame técnico.	
☐	5.7	Cópia do laudo pericial, emitido por Serviço Médico Oficial.	
☐	5.8	Provas de que terceiros estão sendo acusados de reproduzir o objeto sem autorização	
☐	5.9	Provas de que terceiros detém a tecnologia objeto do pedido.	
☐	5.10	Cópia do pedido de patente ou da patente de terceiros.	
☐	5.11	Comprovação de que o titular do pedido de patente se enquadra na natureza de ME ou EPP.	
☐	5.12	(Campo Reservado).	

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL Sistema de Gestão da Qualidade **Diretoria de Patentes**		
DIRPA	Tipo de Documento: **Procedimento**	Página: DIRPA 7/ 7
Título do Documento: **Preenchimento do Formulário de Requerimento de Exame Prioritário**	Código: DIRPA-P011 Procedimento: Não aplicável	Versão: 3



INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: Formulário	DIRPA	Página: 3/3
Título do Documento: Requerimento de Exame Prioritário		Código: FQ009	Versão: 3
		Procedimento: DIRPA PQ 011	

☐	5.13	Anuência dos demais depositantes.	
☐	5.14	Procuração.	
☐	5.15	Outros (especificar).	

6. Total de folhas anexadas: fls.

7. Declaro, sob as penas da Lei, que todas as informações acima prestadas são completas e verdadeiras.

Local e Data		Assinatura e Carimbo

< Uso exclusivo do INPI >

Espaço reservado para o protocolo	Espaço reservado para a etiqueta	Espaço reservado para o código QR

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:	DIRPA	Página:
DIRPA / Patentes Verdes	Formulário		1/2

Título do Documento:	Código:	Versão:
Solicitação para Programa de Patentes Verdes	FQ013	02
	Procedimento: DIRPA-PQ003	

Ao Instituto Nacional da Propriedade Industrial:

1. Depositante (71):

1.1 Nome:

1.2 Qualificação:

1.3 CNPJ/CPF:

1.4 Endereço Completo:

1.5 CEP:

1.6 Telefone: 1.7 Fax:

1.8 E-mail:

☐ continua em folha anexa

2. Título da Invenção (54):

☐ continua em folha anexa

3. Referência :

3.1 Nº Pedido: 3.2 Data de Depósito:

4. Área tecnológica da invenção :

☐ Energia Alternativa

☐ Transporte

☐ Conservação de Energia

☐ Gerenciamento de Resíduos

☐ Agricultura

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:		Página:
DIRPA / PATENTES VERDES	**Formulário**	**DIRPA**	**2/2**

Título do Documento:

Solicitação para Programa de Patentes Verdes

Código:	Versão:
FQ013	**02**

Procedimento: **DIRPA-PQ003**

5. Procurador (74) :

5.1 Nome:

5.2 CNPJ/CPF: 5.3 API/OAB:

5.4 Endereço Completo:

5.5 CEP:

5.6 Telefone: 5.7 Fax:

5.8 E-mail:

---

6. Documentos Anexados :

(Assinale o(s) itens que se aplica(m) ao seu caso):
(deverá ser indicado o número total de folhas somente em uma das vias de cada documento)

		O que se requer / apresenta	folhas
☐	6.1	Modificações no Relatório Descritivo	
☐	6.2	Modificações nas Reivindicações	
☐	6.3	Modificações nos Desenhos	
☐	6.4	Modificações no Resumo	
☐	6.5	Documentos de Prioridade	
☐	6.6	Exame do Pedido com Reivindicações	
☐	6.7	Guia(s) de Recolhimento (uma para cada serviço)	
☐	6.8	Procuração	
☐	6.9	Publicação Antecipada	
☐	6.10	Outros	

7. Total de folhas anexadas: fls.

8. Declaro, sob as penas da Lei, que todas as informações acima prestadas são completas e verdadeiras.

_____ _____

Local e Data **Assinatura e Carimbo**

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

DIRPA	Tipo de Documento: **Procedimento**	**DIRPA**	Página: **1/6**
Título do Documento: **Preenchimento do Formulário Solicitação para Programa de Patentes Verdes**		Código: **PQ003**	Versão: **02**
		Procedimento: **Não aplicável**	

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INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
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DIRPA	Tipo de Documento: **Procedimento**	**DIRPA**	Página: **2/6**
Título do Documento: **Preenchimento do Formulário Solicitação para Programa de Patentes Verdes**		Código: **PQ003**	Versão: **02**
		Procedimento: **Não aplicável**	

1. OBJETIVO

Este procedimento trata do preenchimento do formulário DIRPA FQ013 – Solicitação para Programa de Patentes Verdes.

2. CAMPO DE APLICAÇÃO

Este procedimento se aplica a todos os usuários que peticionem a Solicitação para Programa de Patentes Verdes ao INPI.

3. DOCUMENTOS DE REFERÊNCIA

Resolução INPI Nº 75/2013

NBR ISO 9001:2008 – Sistema de Gestão da Qualidade - Requisitos

CQUAL PQ. 001 – Elaboração de Documentos do SGQ

4. DEFINIÇÕES E SIGLAS

API – Agente da Propriedade Industrial

OAB – Ordem dos Advogados do Brasil

5. PROCEDIMENTO E INSTRUÇÃO

Antes de preencher o Formulário, atentar para as seguintes informações:

- No caso de Interessado não residente no país, constituir, obrigatoriamente, Procurador residente no Brasil.
- Pagar a GRU, correspondente ao serviço solicitado, conforme instruções disponibilizadas na página do INPI na Internet, www.inpi.gov.br.
- Apresentar as Guias comprovando os pagamentos referentes ao pedido de Exame Prioritário Estratégico (Solicitação para Programa de Patente Verde, correspondente ao código de serviço 279), ao Pedido de Exame de Invenção (código de serviço 203) e, caso o pedido ainda não tenha sido publicado, também a da Publicação Antecipada (código de serviço 202).
- Preencher o formulário sem rasuras ou emendas, se manuscrito, usar tinta preta, indelével e letra de forma legível.

- A quadrícula de Uso exclusivo do INPI "Espaço reservado para o código QR" somente é aplicável aos pedidos depositados pela via eletrônica.
- Imprimir o formulário, mantendo o padrão de duas (02) folhas, em papel branco A4 e tinta preta.
- Entregar o formulário em duas (02) vias, uma para o INPI e outra para devolver ao interessado, na Recepção do INPI no Rio de Janeiro, nas Divisões Regionais ou Representações.

Campo 1 – Depositante

Preencher com o nome completo do interessado (depositante ou titular), qualificar com a profissão ou a natureza jurídica, indicar o CNPJ ou CPF, endereço completo, CEP, telefone, fax e e-mail.

Se existir mais de 01 (um) interessado, assinalar o campo "continua em folha anexa" e preencher todos os dados, conforme explicitado para o primeiro interessado.

Campo 2 – Título da Invenção

Escrever o título completo do pedido, que deverá ser igual ao do Relatório Descritivo.

Campo 3 – Referência

Indicar o Número e a Data de Depósito do Pedido.

Campo 4 – Área Tecnológica da Invenção

Assinalar a área tecnológica do objeto do pedido de patente, conforme listagem apresentada das tecnologias verdes.

Campo 5 – Procurador

Indicar os dados, no caso de haver procurador nomeado.

Campo 6 – Documentos Anexados

Se existir, assinalar e informar o número total de folhas anexadas.

Campo 7 – Total de folhas anexadas

Indicar o número total de folhas apresentadas de somente uma das vias de cada documento.

Campo 8 – Declaração

Informar local, data e assinar e carimbar (opcional) o documento.

6. RESPONSABILIDADE

O preenchimento deste formulário é da responsabilidade do interessado ou daquele que firmar a assinatura neste documento.

7. REGISTROS

GRU – Guia de Recolhimento da União

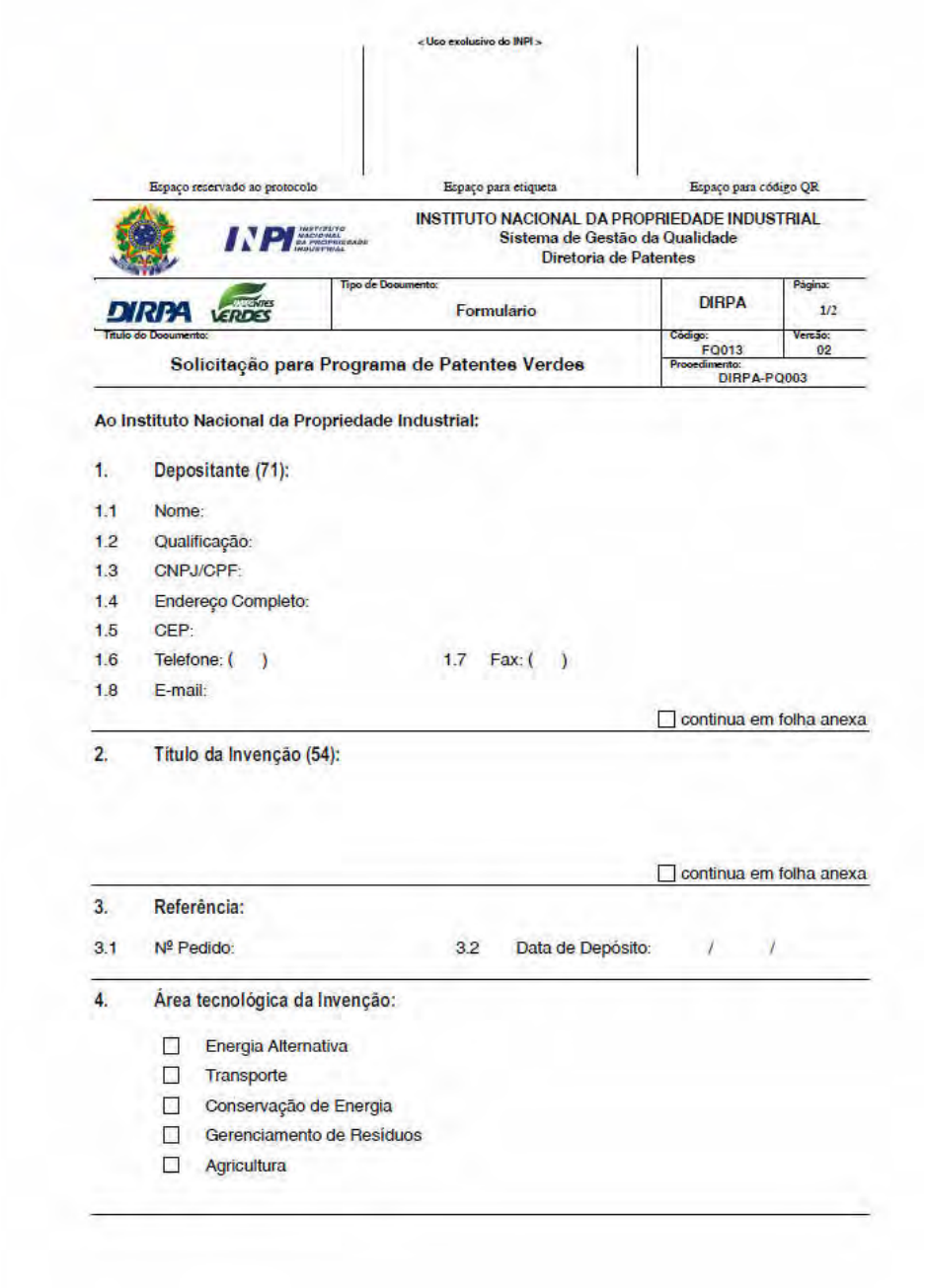
Formulário DIRPA-FQ013

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:		Página:
DIRPA	**Procedimento**	**DIRPA**	**5/6**
Título do Documento:		**Código:**	**Versão:**
Preenchimento do Formulário Solicitação para Programa de Patentes Verdes		**PQ003**	**02**
		Procedimento:	
		Não aplicável	

8. ANEXOS

Modelo do Formulário DIRPA-FQ013



< Uso exclusivo do INPI >

Espaço reservado ao protocolo | Espaço para etiqueta | Espaço para código QR

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:		Página:
DIRPA	Formulário	DIRPA	1/2
Título do Documento:		Código: FQ013	Versão: 02
Solicitação para Programa de Patentes Verdes		Procedimento: DIRPA-PQ003	

Ao Instituto Nacional da Propriedade Industrial:

1. Depositante (71):

1.1 Nome:
1.2 Qualificação:
1.3 CNPJ/CPF:
1.4 Endereço Completo:
1.5 CEP:
1.6 Telefone: ( ) 1.7 Fax: ( )
1.8 E-mail:

☐ continua em folha anexa

2. Título da Invenção (54):

☐ continua em folha anexa

3. Referência:

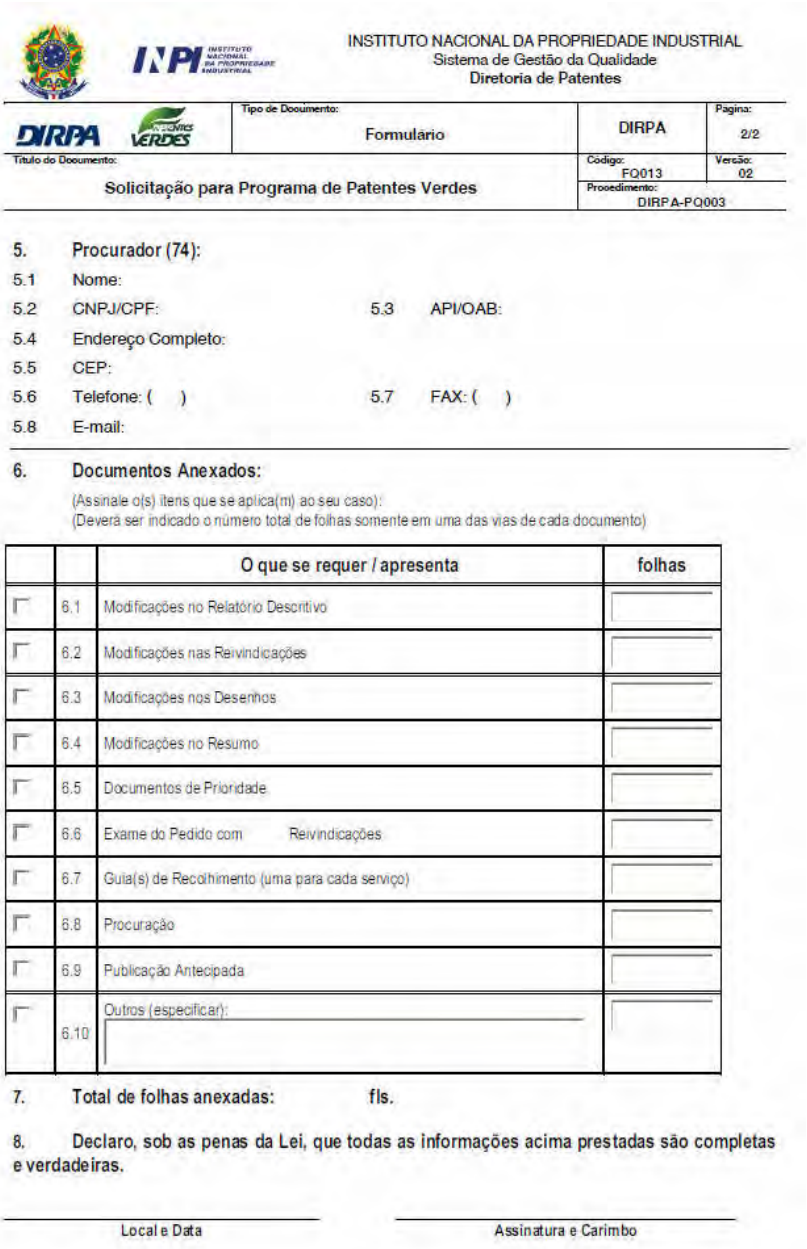
3.1 Nº Pedido: 3.2 Data de Depósito: / /

4. Área tecnológica da Invenção:

☐ Energia Alternativa
☐ Transporte
☐ Conservação de Energia
☐ Gerenciamento de Resíduos
☐ Agricultura

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:		Página:
DIRPA	**Procedimento**	**DIRPA**	**6/6**
Título do Documento:		**Código:** **PQ003**	**Versão:** **02**
Preenchimento do Formulário Solicitação para Programa de Patentes Verdes		**Procedimento:** **Não aplicável**	



INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:		Pagina:
DIRPA PATENTES VERDES	Formulário	DIRPA	2/2
Título do Documento:		Código: FQ013	Versão: 02
Solicitação para Programa de Patentes Verdes		Procedimento: DIRPA-PQ003	

5. Procurador (74):
5.1 Nome:
5.2 CNPJ/CPF: 5.3 API/OAB:
5.4 Endereço Completo:
5.5 CEP:
5.6 Telefone: ( ) 5.7 FAX: ( )
5.8 E-mail:

6. Documentos Anexados:
(Assinale o(s) itens que se aplica(m) ao seu caso):
(Deverá ser indicado o número total de folhas somente em uma das vias de cada documento)

		O que se requer / apresenta	folhas
☐	6.1	Modificações no Relatório Descritivo	
☐	6.2	Modificações nas Reivindicações	
☐	6.3	Modificações nos Desenhos	
☐	6.4	Modificações no Resumo	
☐	6.5	Documentos de Prioridade	
☐	6.6	Exame do Pedido com Reivindicações	
☐	6.7	Guia(s) de Recolhimento (uma para cada serviço)	
☐	6.8	Procuração	
☐	6.9	Publicação Antecipada	
☐	6.10	Outros (especificar):	

7. Total de folhas anexadas: fls.

8. Declaro, sob as penas da Lei, que todas as informações acima prestadas são completas e verdadeiras.

Local e Data

Assinatura e Carimbo

Espaço reservado para o protocolo	Espaço reservado para a etiqueta	Espaço reservado para o código QR

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:		Página:
DIRPA PPH	**Formulário**	**DIRPA**	**1/3**
Título do Documento:		**Código:**	**Versão:**
Requerimento de Participação no Projeto Patent Prosecution Highway — PPH		**F015**	**1**
		Procedimento:	
		DIRPA-P043	

Ao Instituto Nacional da Propriedade Industrial:

1. Depositante (71):

1.1 Nome:

1.2 Qualificação:

1.3 CNPJ/CPF:

1.4 Endereço Completo:

1.5 CEP:

1.6 Telefone: 1.7 Fax:

1.8 E-mail:

continua em folha anexa

2. Referência:

2.1 Nº Pedido: 2.2 Data de Depósito:

3. Procurador (74):

3.1 Nome:

3.2 CNPJ/CPF: 3.3 API/OAB:

3.4 Endereço Completo:

3.5 CEP:

3.6 Telefone: 3.7 FAX:

3.8 E-mail:

continua em folha anexa

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:		Página:
DIRPA PPH	**Formulário**	**DIRPA**	**2/3**

Título do Documento:	Código:	Versão:
Requerimento de Participação no Projeto Patent Prosecution Highway — PPH	**F015**	**1**
	Procedimento: **DIRPA-P043**	

4. Documentos Anexados:

(Assinale o(s) itens que se aplica(m) ao seu caso e indique também o número de folhas):
(Deverá ser indicado o número total de folhas de somente uma das vias de cada documento)

		O que se requer / apresenta	**folhas**
	4.1	Cópias dos exames efetuados pelo Escritório de Primeiro Exame (*Office of Earlier Examination* — OEE).	
	4.2	Tradução dos exames efetuados pelo OEE.	
	4.3	Cópia do quadro reivindicatório considerado patenteável no OEE.	
	4.4	Cópia das referências do estado da técnica citadas nos exames do OEE.	
	4.5	Tradução para o português, inglês ou para o espanhol das referências do estado da técnica citadas nos exames do OEE.	
	4.6	Tabela de correspondência entre as reivindicações consideradas patenteáveis pelo OEE e as apresentadas ao INPI.	
	4.7	Comprovação de que o pedido se enquadra no setor tecnológico apto a participar do programa.	
	4.8	Anuência dos demais depositantes.	
	4.9	Modificações no Relatório Descritivo	
	4.10	Modificações nas Reivindicações	
	4.11	Modificações nos Desenhos	
	4.12	Modificações no Resumo	
	4.13	Procuração	
	4.14	Guia(s) de Recolhimento (uma para cada serviço)	
	4.15	Outros (especificar)	

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:		Página:
DIRPA PPH	**Formulário**	**DIRPA**	**3/3**

Título do Documento:	Código:	Versão:
Requerimento de Participação no Projeto Patent Prosecution Highway — PPH	**F015**	**1**
	Procedimento: **DIRPA-P043**	

5. Declarações referentes ao Projeto PPH :

	5.1	Declaro que as cópias das ações do OEE são fiéis dos originais, reproduzindo-lhes a forma e o conteúdo.
	5.2	Declaro que as traduções das ações do OEE para o português, inglês ou espanhol são fiéis dos originais, reproduzindo-lhes o conteúdo.
	5.3	Declaro que o pedido de patente não está em litígio judicial no Brasil.
	5.4	Declaro que o pedido de patente foi dividido em razão do OEE alegar falta de unidade de invenção no pedido suficientemente correspondente.
	5.5	Declaro que as reivindicações constantes no pedido correspondem à mera tradução das reivindicações deferidas pelo OEE.
	5.6	Declaro que o pedido suficientemente correspondente utilizado para requerer a participação no PPH não se enquadra como "Plant patent application", "reexamination application", "reissue application" nem "industrial design application".

6. Total de folhas anexadas: fls.

7. Declaro, sob as penas da Lei, que todas as informações acima prestadas são completas e verdadeiras.

Local e Data Assinatura e Carimbo

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:		Página:
DIRPA PPH	**Procedimento**	**DIRPA**	**1/5**

Título do Documento:	Código:	Versão:
Preenchimento do Formulário de Requerimento de Participação no Projeto PPH	**DIRPA-P043**	**01**
	Procedimento: **Não aplicável**	

SUMÁRIO

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2. CAMPO DE APLICAÇÃO 2
3. DOCUMENTOS DE REFERÊNCIA 2
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5. PROCEDIMENTO 2
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Campo 5 – Declarações referentes ao Projeto PPH. 4
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INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:		Página:
DIRPA PPH	**Procedimento**	**DIRPA**	**2/5**
Título do Documento:		Código: **DIRPA-P043**	Versão: **01**
Preenchimento do Formulário de Requerimento de Participação no Projeto PPH		Procedimento: **Não aplicável**	

1. OBJETIVO

Este procedimento trata do preenchimento do formulário DIRPA FQ015 — Requerimento de participação no Projeto *Patent Prosecution Highway* — PPH.

2. CAMPO DE APLICAÇÃO

Este procedimento se aplica para os usuários que requererem o exame técnico prioritário de pedidos de patente conforme a Resolução INPI Nº 154/2015.

3. DOCUMENTOS DE REFERÊNCIA

Lei da Propriedade Industrial – Lei Nº. 9279/96 — LPI;

Resolução PR Nº. 154/2015;

NBR ISO 9001:2008 – Sistema de Gestão da Qualidade – Requisitos;

CQUAL P001 – Elaboração de Documentos do SGQ.

4. DEFINIÇÕES E SIGLAS

LPI — Lei da Propriedade Industrial – Lei Nº. 9279/96;

DIRPA — Diretoria de Patentes;

PPH — *Patent Prosecution Highway*;

CNPJ — Cadastro Nacional de Pessoas Jurídicas;

CPF — Cadastro de Pessoas Físicas;

CEP — Código de Endereçamento Postal;

API — Agente da Propriedade Industrial;

OAB — Ordem dos Advogados do Brasil;

5. PROCEDIMENTO

Antes de preencher o Formulário, atentar para as seguintes informações:

- Pagar a taxa de retribuição referente ao requerimento de participação no "Exame colaborativo prioritário" (código de serviço 277) na tabela de retribuições dos serviços relativos a patentes prestados pelo INPI.

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Sistema de Gestão da Qualidade
Diretoria de Patentes

	Tipo de Documento:		Página:
DIRPA PPH	**Procedimento**	**DIRPA**	**3/5**
Título do Documento:		Código:	Versão:
Preenchimento do Formulário de Requerimento de Participação no Projeto PPH		**DIRPA-P043**	**01**
		Procedimento: **Não aplicável**	

- Se o requerimento não for praticado pelo próprio interessado, deverão estar acompanhados do instrumento de procuração, nos termos do § 1º do art. 216 da Lei nº 9.279, de 14 de maio de 1996.
- Se depositante não residente no país, deve constituir, obrigatoriamente, Procurador residente no Brasil, nos termos do art. 216 da LPI.
- Preencher o formulário sem rasuras ou emendas, se manuscrito, usar tinta preta, indelével e letra de forma legível.
- A quadrícula de Uso exclusivo do INPI "Espaço reservado para o código QR" somente é aplicável aos pedidos depositados pela via eletrônica.
- Imprimir o formulário, mantendo todas as suas características, tais como o padrão de duas (02) folhas, em papel A4 e tinta preta.
- Entregar o formulário em duas (02) vias na Recepção do INPI no Rio de Janeiro, nas Divisões Regionais ou Representações, uma das quais será retida, sendo a outra devolvida ao interessado . O formulário pode ser apresentado através de envio postal, com aviso de recebimento, endereçado à Diretoria de Patentes – DIRPA.

Campo 1 – Depositante.

Preencher o Campo 1 do formulário com o nome completo do depositante, qualificar com a profissão ou a natureza jurídica, indicar o CNPJ ou CPF, se aplicável, endereço completo, CEP, telefone e fax, indicando o código de área, e e-mail. Caso haja mais de um depositante, assinale "continua em folha anexa" e preencha todos os dados, conforme explicitado para o primeiro interessado.

Campo 2 – Referência.

No campo 2, assinale o número do pedido e a data de depósito.

Campo 3 – Procurador.

Preencha o Campo 3 do formulário, na hipótese de haver sido nomeado um procurador. Indique o nome completo, o CNPJ ou CPF, se aplicável, número de API ou OAB, endereço completo, CEP, telefone e fax, indicando o código de área, e e-mail.

Campo 4 – Documentos Anexados.

No Campo 4 do formulário, assinale quais os documentos que estão sendo apresentados junto com este formulário. Indicar o número de folhas de cada um dos documentos. O número de folhas deverá incluir somente o de uma das vias de cada documento. Caso sejam apresentados anexos ou outros documentos que não os especificados, assinalar o item 4.15 "Outros" e especifique qual tipo de documento. Casos sejam solicitados outros serviços, é necessário anexar a Guia de Recolhimento para cada serviço solicitado.

Campo 5 – Declarações referentes ao Projeto PPH.

No campo 5, assinale as declarações aplicáveis ao requerimento de participação no Projeto Piloto PPH.

Campo 6 – total de Folhas Anexadas.

No campo 6 do formulário, indique o número total de folhas apresentadas de somente uma das vias de cada documento.

Campo 7 – Declaração de veracidade, data e assinatura.

No campo 7 do formulário, informe o local e data do preenchimento do formulário.

6. RESPONSABILIDADE

O preenchimento deste formulário é da responsabilidade do depositante ou daquele que firmar a assinatura neste documento.

7. REGISTROS

GRU – Guia de Recolhimento da União;

Formulário DIRPA FQ015.

8. ANEXOS

Formulário de Requerimento de Participação no Projeto Patent Prosecution Highway — PPH.

9. HISTÓRICO DE REVISÕES

Versão nº	Item	Descrição das Revisões

COMPANIES AND INTELLECTUAL PROPERTY AUTHORITY (CIPA) (BOTSWANA)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex BW.I
Request for entry into the national phase . . . . . Annex BW.II

List of abbreviations:

Office: Companies and Intellectual Property Authority (CIPA) (Botswana)

IP Act: Industrial Property Act, 2010

SUMMARY Designated (or elected) Office SUMMARY

BW COMPANIES AND INTELLECTUAL PROPERTY AUTHORITY (CIPA) (BOTSWANA) BW

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:[1]	English
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), 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: Botswana pula (BWP)

For patent:			
Application fee:[1]	BWP	150[2]	300[3]
Annual fee for the first year:	BWP	30[2]	60[3]
For utility model certificate:			
Application fee:[1]	BWP	90[2]	180[3]
Annual fee for the first year:	BWP	50[2]	100[3]

Exemptions, reductions or refunds of the national fee:	Reductions of the national fee are indicated under "National fee" above.

[*Continued on next page*]

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

[2] Applicable in case of filing by individuals and small entities whose number of employees does not exceed 100 persons.

[3] Applicable in case of filing by companies other than small entities.

SUMMARY **Designated (or elected) Office** SUMMARY

BW COMPANIES AND INTELLECTUAL PROPERTY AUTHORITY (CIPA) (BOTSWANA) BW

[*Continued*]

Special requirements of the Office (PCT Rule 51*bis*):	Appointment of an agent if the applicant is not a resident of Botswana[4] Name and address of the inventor if they have not been furnished in the "Request" part of the international application[5, 6] Evidence of entitlement to file where the applicant is not the inventor[5, 6] Document evidencing a change of name or person of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)[6]
Who can act as agent?	Any attorney or lawyer registered in Botswana
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

[4] 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.

[5] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[6] 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 two months from the date of the invitation.

THE PROCEDURE IN THE NATIONAL PHASE

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

BW.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

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

IP Act Sec. 22 23

BW.04 **EXAMINATION.** All applications shall be examined prior to grant of a patent. Substantive examination of the patent application will be carried out by the African Regional Intellectual Property Organization (ARIPO).

IP Act Sec. 130

BW.05 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney if the applicant is not a resident of Botswana. If a power of attorney is not filed at the time of entry into the national phase, it may be filed within one month from the date of filing of the application. The Registrar may, upon request by the applicant, extend the time for filing the power of attorney.

IP Act Sec. 28

BW.06 **ANNUAL FEES.** Annual fees are payable for the first and each subsequent year following the international filing date. Annual fees are due on the eve of each anniversary of the international filing date. Payment of annual fees may still be made within 6 months from the due date, subject to the payment of a surcharge. The amounts of the annual fees and the surcharge fee for late payment are indicated in Annex BW.I.

IP Act Sec. 13

BW.07 **AMENDMENT OF THE APPLICATION.** The applicant may, at any time before the patent is granted, make amendments to his application, provided that the amendment does not go beyond the original disclosure. Any amendment shall be subject to the payment of a fee (see Annex BW.I).

BW.08 **FEE FOR GRANT.** A fee for grant must be paid (see Annex BW.I).

IP Act Sec. 18, 44

BW.09 **CONVERSION.** An international application for a patent may be converted into a utility model, and vice-versa, after the applicant has complied with the requirements for entry into the national phase. Conversion may be requested at any time before the grant or refusal of a patent. The conversion is subject to the payment of a fee indicated in Annex BW.I.

IP Act Sec. 28

BW.10 **PATENT TERM.** The patent term expires at the end of 20 years from the filing date

IP Act Sec. 17(8)

BW.11 **RESTORATION OF THE RIGHT OF PRIORITY.** A request for the restoration of the right of priority may be filed with the Office where the applicant, in spite of all due care required by the circumstances, failed to timely file the international application within the priority period (see National Phase, paragraphs 6.006 - 6.011).

FEES

(Currency: Botswana pula)

	Patent	Utility model
Application fee[1]	300	180
Annual fees:[1]		
— for the 1st year	60	100
— for the 2nd year	240	120
— for the 3rd year	300	140
— for the 4th year	340	160
— for the 5th year	400	180
— for the 6th year	440	200
— for the 7th year	480	220
— for the 8th year	540	
— for the 9th year	580	
— for the 10th year	640	
— for the 11th year	680	
— for the 12th year	720	
— for the 13th year	780	
— for the 14th year	820	
— for the 15th year	880	
— for the 16th year	920	
— for the 17th year	960	
— for the 18th year	1,020	
— for the 19th year	1,060	
— for the 20th year	1,120	
Surcharge for late payment of annual fees[1]	100	100
Grant and publication fee[1]	300	300
Fee for amendment of application[1]	40	40
Fee for conversion of an application for a patent into an application for a utility model and *vice-versa*[1]	140	140

How can payment of fees be effected?

The payment of fees to the Office must be effected in Botswana pula. All payments must indicate the application number, the name of the applicant and the type of fee being paid.

[1] Fees are reduced by 50% if the applicant is an individual or a small entity whose number of employees does not exceed 100 persons.

C.720

FIRST SCHEDULE – FORMS

FORM 1
APPLICATION FOR A PATENT OR UTILITY MODEL CERTIFICATE
(regulation 3)

MARKS, PATENTS AND DESIGNS OFFICE

INDUSTRIAL PROPERTY ACT, 2010

APPLICATION FOR A PATENT OR UTILITY MODEL CERTIFICATE To: The Registrar [Address]	For Official Use Date of Receipt by Registrar's Office: APPLICATION No.: (Office's Stamp) FILING DATE: Applicant's or Representative's File Reference:

THE APPLICANT(S) REQUEST(S) THE GRANT OF A

☐ PATENT ☐ UTILITY MODEL CERTIFICATE

IN RESPECT OF THE FOLLOWING PARTICULARS:

I. TITLE OF INVENTION:

II. APPLICANT(S)*

Additional information is contained in supplementary box ☐

Name:

Address:

Nationality:

Country of residence or
principal place of business:
Tel. No.: Telegraphic Address: Telex No.: Fax No.:

* The data concerning each applicant must appear in this box or, if the space is insufficient, in the supplementary box.

(Form 1, first page)

C.721

Form 1 (cont'd)

III. AGENT

The following agent has been appointed by the applicant(s) in the power of attorney

☐ accompanying this Form ☐ to be filed within one month from the filing of this Form

Name:

Address:

Tel. No.: Telegraphic Address: Telex No.: Fax No.:

IV. INVENTOR

☐ The inventor is the applicant

Additional information is contained in supplementary box ☐

If inventor is not the applicant:

Name:

Address:

The statement justifying the applicant's right accompanies this Form ☐

V. DIVISIONAL APPLICATION

This application is a divisional application ☐. The benefit of the ☐ filing date ☐ priority date of the initial application is claimed in as much as the subject matter of the present application is contained in the initial application identified below.

Initial Application No.:

Date of filing of initial application:

(Form 1, second page)

C.722

Form . 1 (cont'd)

VI. DISCLOSURES TO BE DISREGARDED FOR PRIOR ART PURPOSES

Disclosure occurred not more than six months before the filing date or priority date of the present application

☐ by reason or in consequence of acts of the applicant or his predecessor in title.

☐ of an abuse committed by a third party with regard to the rights of the applicant or his predecessor in title.

☐ Additional information is contained in a statement accompanying this Form.

VII. PRIORITY DECLARATION (if any)

The priority of (an) earlier application(s) is claimed as follows ☐

The priority of more than one earlier application is claimed; the data are indicated in the supplementary box ☐

Country (if the earlier application is a regional or international application, indicate the office with which and the countries for which it was filed):

Filing Date:

Application No.:

Symbol of the International Patent Classification:

☐ not yet allocated

The certified copy of the earlier application ☐ accompanies this Form.
☐ will be furnished upon request by the Registrar, as prescribed by Rule 20(5).

The English translation of the earlier application ☐ accompanies this Form.
☐ will be furnished upon request, as prescribed by Rule 20(6).

(Form. 1, third page)

C.723

Form 1 (cont'd)

VIII. SUPPLEMENTARY BOX*

* Use this box if any of the boxes is not large enough to contain information to be furnished. Indicate the boxes continued in this box by their roman numerals and title (e.g., "II. APPLICANT(S) (continued)").

(Form 1, fourth page)

C.724

Form 1 (cont'd)

IX. CHECKLIST (TO BE FILLED IN BY THE APPLICANT(S))

A. This application contains the following:

1. request ..... sheet(s)
2. description ..... sheet(s)
3. claim(s) ..... sheet(s)
4. abstract ..... sheet(s)
5. drawing(s) ..... sheet(s)

Total ☐ sheets

B. This Form, as filed, is accompanied by the items ticked below:

☐ separate signed power of attorney

☐ statement justifying the applicant's right

☐ statement that certain disclosures be disregarded

☐ priority document(s) (certified copy of earlier application(s))

☐ English translation of earlier application(s) on which priority declaration is based

☐ application fee

☐ other document(s) (specify)

C. Figure number ..... of the drawings (if any) is suggested to accompany the abstract for publication

X. SIGNATURE(S)*

..... (Applicant(s)/Agent) ..... (Date)

..... (Applicant(s)/Agent) ..... (Date)

* Type name(s) under signature.

TO BE FILLED IN BY THE REGISTRAR

1. Date of receipt of corrections or later filed documents completing the application:

2. Date fees received:

(Form 1, fifth and last page)

NATIONAL CENTER OF INTELLECTUAL PROPERTY (BELARUS)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex BY.I
National processing request form for patents . . . . . Annex BY.II
National processing request form for utility models . . . . . Annex BY.III

List of abbreviations:

Office: National Center of Intellectual Property (Belarus)

BPL: Belarus Law on Patents for Inventions, Utility Models and Industrial Designs (as revised on 18 December 2017, effective from 7 July 2018)

BDEDR: Regulations on Application Drafting Procedure for an Invention Patent, Application Examination and Decision Making upon Results of the Examination (effective from 3 February 2011)

BTC: Belarus Taxation Code (as revised on 9 January 2017)

SUMMARY Designated (or elected) Office SUMMARY

BY NATIONAL CENTER OF INTELLECTUAL PROPERTY (BELARUS) BY

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:[1]	Russian or Belarussian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Request,[2] description, claims (if amended, both as originally filed and as amended together with any statement under PCT Article 19), any text matter of drawings Under PCT Article 39(1): Request,[2] description, claims, any text matter of drawings (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?	A copy is required only if the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) or 40(2).
National fee:[3, 4]	Currency: Belarusian rouble (BYN)
	For patent:
	Filing fee:[5] BYN 71.05
	Claim fee for each independent claim in excess of one: BYN 30.45
	Examination fee: BYN 345.10
	Claim examination fee for each independent claim in excess of one: BYN 203
	Annual fee for the third year: BYN 71.05
	For utility model:
	Filing fee:[5] BYN 142.10
	Claim fee for each independent claim in excess of one: BYN 71.05

[Continued on next page]

1 Must be furnished within two months from the expiration of the time limit applicable under PCT Article 22 or 39(1).

2 Not required if the form for entry into the national phase is used.

3 For residents of Belarus, the payment of fees shall be effected in Belarusian rouble in accordance with the rate of the base value.

4 For non-residents of Belarus the payment of fees shall be effected in US dollar, euro, Swiss franc or Russian rouble, unless otherwise provided for by international agreements with the Republic of Belarus, in accordance with the rate of the base value and the exchange rate established by the National Bank of the Republic of Belarus applicable on the date of payment.

5 If not already paid within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to pay within a time limit of two months from the date of entry into the national phase.

SUMMARY Designated (or elected) Office SUMMARY

BY NATIONAL CENTER OF INTELLECTUAL PROPERTY (BELARUS) BY

[Continued]

Exemptions, reductions or refunds of the national fee:	The examination fee is reduced by 50% where an international search report or an international preliminary examination report has been established
Special requirements of the Office (PCT Rule 51*bis*):	Instrument of assignment of the priority right where the applicants are not identical[6] Translation of the international application to be furnished in two copies[7] Verification of translation[7]
Who can act as agent?	Any patent attorney registered to practice before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies the "unintentional" criterion to such requests

[6] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.
[7] Must be furnished within two months from the expiration of the time limit applicable under PCT Article 22 or 39(1).

THE PROCEDURE IN THE NATIONAL PHASE

BPL Art. 13, 14
BDEDR Sec. 306.1

BY.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available special forms for entering the national phase (see Annex BY.II and BY.III). These forms should preferably be used.

BDEDR Sec. 308

BY.02 **TRANSLATION (VERIFICATION).** The required verification of the translation of the international application into Russian or Belarusian consists of a simple statement signed by the applicant or by his agent.

BY.03 **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).

BPL Art. 12
BDEDR Sec. 18

BY.04 **REPRESENTATION.** Any patent attorney registered to practice before the Office may represent the applicant. The patent attorney may be appointed before entry into the national phase or during the application proceedings.

BPL Art. 31
BTC Art. 262, Sec 1.1, 1.2

BY.05 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex BY.I.

BDEDR Sec. 283

BY.06 **CLAIMS FEE.** The claims fee must be computed on the basis of the number of claims valid at the beginning of the national phase (i.e., where amendments have been filed, the claims as amended under PCT Article 19 or 34(2) or the claims as submitted by the applicant under PCT Article 28 or 41 upon entering the national phase). Where the applicant fails to pay the correct amount of the claims fee upon entering the national phase, the Office will invite him to pay the missing amount within two months from the date on which he has received the invitation.

BPL Art. 21
BDEDR Sec. 317

BY.07 **REQUEST FOR EXAMINATION**. A patent will be granted only after examination as to substance which must be requested by the applicant or by any interested party. There is no special form for the request.

BPL Art. 21
BDEDR Sec. 318

BY.08 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within three years from the international filing date. That period may not be extended or reinstated. If the request for examination is not received within that said period, the decision to refuse the grant of a patent is made.

BPL Art. 31
BDEDR Sec. 321
BTC Art. 262, Sec. 1.1.5
Art. 263, Sec. 2

BY.09 **FEE FOR REQUESTING EXAMINATION.** The request for examination is only effective if a fee for requesting examination has been paid. The amount of the said fee is indicated in Annex BY.I. It is reduced by 50% where an international search report or an international preliminary examination report has been established.

BPL Art. 31
BTC Art. 264, Sec. 6.8

BY.10 **FEE FOR GRANT.** A fee for grant must be paid within two months after receipt by the applicant of the decision to grant the patent. The amount of the fee is indicated in Annex BY.I. The fee for grant must be paid on the expiry of a specified period, but not later than six months from the date of expiry. In the latter case, the fee is increased by 50%.

PCT Art. 28
41
BPL Art. 18
BDEDR Sec. 239

BY.11 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Subject to payment of the prescribed fee, the applicant has the right to amend the claims, the description and the drawing(s) of his own volition, provided that the scope of the subject matter of the application is not broadened thereby, until the final decision of the Office to grant or reject the patent. The amount of the fee for amendment is indicated in Annex BY.I.

BPL Art. 31(3)
BTC Art. 264, Sec. 6.9

BY.12 **MAINTENANCE FEES.** After a patent has been granted, maintenance fees must be paid for maintaining the patent in force. They are payable for the third and each subsequent year following the international filing date. The maintenance fee for each subsequent year must be paid within the current paid year of the patent's term. Payment can still be made, upon filing a request for extension of time together with a 50% surcharge for late payment, within six months calculated from the beginning of the next unpaid year of the patent's term. The amounts of maintenance fees are indicated in Annex BY.I.

PCT Art. 23(2)
40(2)
BDEDR Sec. 304

BY.13 **REQUEST FOR EARLIER START OF THE NATIONAL PHASE.** If the applicant wishes the processing and the examination of his application to start before the expiration of the time limit applicable under PCT Article 22(3) or 39(1)(b), he must submit an express request therefor to the Office and at the same time furnish a copy of the international application and comply with the acts prescribed for entering the national phase.

PCT Art. 24(2)
48(2)
BPL Art. 27
BTC Art. 262, Sec 1.8.10

BY.14 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Reinstatement may be requested where the applicant, due to legitimate reasons, has failed to comply with a time limit before the Office and non-compliance is prejudicial to his rights. A request for reinstatement of rights must be presented not later than one year from the expiration of the time limit which has not been complied with. Within the said period the omitted act must be performed, the fee for reinstatement of rights must be paid (see Annex BY.I) and the request must state the facts which justify the reinstatement.

BPL Art. 19, Sec. 5
Art. 21.3
BTC Art. 262, Sec 1.1.9

BY.15 **EXTENSION FEE.** The applicant may, against payment of an extension fee indicated in Annex BY.I, file a request for extension of a time limit for response fixed by the Examiner for a certain procedure before the Office. The request and extension fee must be filed within three months from the date on which the invitation to the applicant to take action was sent. The filing of the request and extension fee will extend the time limit for response by up to three months in case of preliminary examination and to 12 months in case of patent examination from the date of filing the extension request and depending on the amount of the extension fee paid.

PCT Rule 49.6
82*bis*
BDEDR Sec. 305
BTC Art. 262, Sec. 1.1.13

BY.16 **REINSTATEMENT OF RIGHTS.** In the case of failure to perform the acts referred to in PCT Article 22 within the applicable time limit, the applicant may obtain reinstatement of his rights by presenting a request to that effect and performing the omitted acts within 12 months from the date of expiration of the applicable time limit under PCT Article 22, and by paying a prescribed reinstatement fee (see Annex BY.I).

BPL Art. 35
BTC Art. 262, Sec. 1.1.15

BY.17 If a patent ceases through non-payment of maintenance fees and its term of validity has not yet expired, the patent may be restored upon request of the patent owner and payment of a patent restoration fee (see Annex BY.I) and the maintenance fee arrears.

PCT Art. 25
PCT Rule 51
BPL Art. 25

BY.18 **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, an appeal against this decision may be lodged with the Board of Appeal of the Office within one year from the date of receipt of the decision. The ruling of the Appeal Board may be appealed against to a court of justice within six months from the date of its receipt.

PCT Rule 49*bis*
BPL Art. 14

BY.19 **UTILITY MODEL.** If, upon entering the national phase in Belarus, the applicant wishes the international application to be treated as an application for the grant of a utility model, he must use a special form to that effect (see Annex BY.III).

BPL Art. 23

BY.20 If the international application is for a utility model, the requirements for the national phase are basically the same as for patents, except that the applicant is not required to make a request for substantive examination.

BPL Art. 1, 3
BTC Art. 262, Sec. 1.2.8

BY.21 **MAINTENANCE FEE FOR A UTILITY MODEL**. Maintenance fees for a utility model are payable for each year of the utility model's term, starting with the first year counted from the international filing date. The first maintenance fee must be paid jointly with the grant fee. After the expiration of five years, the term of a utility model may be extended by the Office, at the request of the owner of the utility model, for a period not exceeding five years. This request must be accompanied by a utility model renewal fee.

BPL Art. 26
BTC Art. 262, Sec. 1.2.7

BY.22 **CONVERSION**. The applicant may, prior to publication of the particulars of a patent application, but not later than the date on which he has received the decision to grant a patent, convert the said application into a utility model application by filing a request to that effect with the Office. The utility model application may be converted into a patent application at any time before the applicant has received the decision to grant a patent for utility model or, if the decision to refuse the grant of a patent for utility model is taken, before the expiration of the time limit for lodging an appeal against that decision. The converted application will have the priority date and the filing date of the initial application.

FEES

(Currency: Belarusian rouble[1, 2])

Patents

Filing fee	71.05
Claim fee for each independent claim in excess of one	30.45
Examination fee (reduced by 50% where an international search report or an international preliminary examination report has been established)	345.10
Claim examination fee for each independent claim in excess of one	203
Fee for amendment	30.45
Fee for grant	142.10
Maintenance fees:	
— for the 1st and the 2nd years, per year	—
— for the 3rd and the 4th years, per year	71.05
— for the 5th and the 6th years, per year	101.50
— for the 7th and the 8th years, per year	142.10
— for the 9th and the 10th years, per year	172.55
— for the 11th and the 12th years, per year	203
— for the 13th and the 14th years, per year	243.60
— for the 15th and the 16th years, per year	274.05
— for the 17th and the 18th years, per year	314.65
— for the 19th and the 20th years, per year	345.10
— for the 21st year to the 25th year, per year	466.90
Fee for reinstatement of rights (BPL Art. 27)	145
Fee for reinstatement of rights (PCT Rule 49.6)	274.05
Fee for extension of a time limit for response (per month):	
— up to three months	20.30
— from three to six months	40.60
— above six months	71.05
Fee for restoration of the right of priority	60.90
Surcharge for late payment of the annual fee	50% of the applicable annual fee

[1] For residents of Belarus, the payment of fees shall be effected in Belarusian rouble in accordance with the rate of the base value.

[2] For non-residents of Belarus the payment of fees shall be effected in US dollar, euro, Swiss franc or Russian rouble, unless otherwise provided for by international agreements with the Republic of Belarus, in accordance with the rate of the base value and the exchange rate established by the National Bank of the Republic of Belarus applicable on the date of payment.

Utility models

Filing fee	142.10
Claim fee for each independent claim in excess of one	71.05
Fee for grant	142.10
Renewal fee	274.05
Maintenance fees:	
— from the 1st year to the 3rd year, per year	60.90
— from the 4th year to the 6th year, per year	81.20
— from the 7th to the 10th year, per year	142.10
Conversion fee	71.05

How can payment of fees be effected?

The payment of fees shall be effected in Belarusian roubles[3] or in the equivalent amount in US dollars, euros, Swiss francs or Russian roubles[4]. 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 by transfer to one of the following accounts in:

Belarusian roubles:	BY04AKBB3603900000082
Euros:	BY84AKBB3603900000109
Russian roubles:	BY50AKBB3603900000066
Swiss francs:	BY49AKBB3603900000079
US dollars:	BY03AKBB3603900000095
Beneficiary's name:	National Center of Intellectual Property (Belarus)
Name of bank:	JSC "SB Belarusbank"
Address:	Minsk
BIC/SWIFT Code:	AKBBBY 2X
GCEOR (General Classifier of Enterprises and Organizations):	00040175
TIN (taxpayer's identification number):	190310695

Non-residents should refer to correspondent banks for payment of fees and duties.

The list of accounts of JSC "SB Belarusbank" correspondent banks is available at the Office's website (see: List of correspondent accounts "Nostro" at https://belarusbank.by/en/10582/10926).

[3] See footnote 1.
[4] See footnote 2.

<table>
<tr><td colspan="2">Дата поступления*:</td><td colspan="3">Регистрационный номер*:</td></tr>
<tr><td colspan="3">ЗАЯВЛЕНИЕ
о переводе международной заявки на национальную стадию рассмотрения</td><td colspan="2">В государственное учреждение «Национальный центр интеллектуальной собственности»</td></tr>
<tr><td>Номер международной заявки:</td><td>PCT/</td><td colspan="2">Дата подачи международной заявки:</td><td></td></tr>
<tr><td>Номер публикации международной заявки:</td><td>WO</td><td colspan="2">Дата публикации международной заявки:</td><td></td></tr>
<tr><td colspan="5">Название заявляемого изобретения (группы изобретений), которое должно совпадать с названием, приводимым в описании изобретения:</td></tr>
<tr><td colspan="5">Заявитель (заявители):
Фамилия, собственное имя, отчество (если таковое имеется) физического лица (физических лиц) и (или) полное наименование юридического лица (юридических лиц) в именительном падеже:</td></tr>
<tr><td colspan="3">Адрес места жительства (места пребывания) или места нахождения:

Номер телефона**:
Номер факса**:
Адрес электронной почты**:</td><td colspan="2">Код страны места жительства (места пребывания) или места нахождения по стандарту ВОИС ST.3 (если он установлен):</td></tr>
<tr><td colspan="5">☐ смотреть продолжение на дополнительном листе (листах)</td></tr>
<tr><td colspan="2">ОКПО***</td><td colspan="3">УНП***</td></tr>
<tr><td colspan="5">Наименование юридического лица, которому подчиняется или в состав (систему) которого входит юридическое лицо – заявитель (заявители) (при наличии)***:</td></tr>
<tr><td colspan="5">Ходатайствую (ходатайствуем):</td></tr>
<tr><td colspan="2" rowspan="2">☐ о более раннем начале рассмотрения международной заявки:</td><td colspan="3">☐ с даты получения документов, прилагаемых к настоящему заявлению</td></tr>
<tr><td colspan="3">☐ с _____ (указать дату)</td></tr>
<tr><td colspan="5">Адрес для переписки в соответствии с правилами адресования почтовых отправлений с указанием фамилии, собственного имени, отчества (если таковое имеется) или наименования адресата (заявителя (заявителей), патентного поверенного, общего представителя):

Номер телефона**: Номер факса**: Адрес электронной почты**:</td></tr>
<tr><td colspan="5">Представитель (фамилия, собственное имя, отчество (если таковое имеется) или наименование представителя, регистрационный номер патентного поверенного, если представителем назначен патентный поверенный)

является: ☐ патентным поверенным; ☐ общим представителем</td></tr>
</table>

Номер телефона**: Номер факса**: Адрес электронной почты**:				
Прошу (просим) начать рассмотрение международной заявки на основе:				
описания изобретения:	☐ первоначально поданного;	☐ измененного в соответствии со статьей 34(2)(b) Договора о патентной кооперации от 19 июня 1970 года (далее – PCT)		
формулы изобретения:	☐ первоначально поданной;	☐ измененной в соответствии со статьей 19 PCT;	☐ измененной в соответствии со статьей 34(2)(b) PCT	
чертежей:	☐ первоначально поданных;	☐ измененных в соответствии со статьей 34(2)(b) PCT		
изменений, внесенных при переводе международной заявки на национальную стадию рассмотрения:	☐ описания изобретения;	☐ формулы изобретения;	☐ чертежей	
Перечень прилагаемых документов:			Количество листов в одном экземпляре	Количество экземпляров
Автор (авторы): Фамилия, собственное имя, отчество (если таковое имеется):		Адрес места жительства (места пребывания), включая код страны по стандарту ВОИС ST.3 (если он установлен):		
☐ смотреть продолжение на дополнительном листе (листах)				
Подпись (подписи) заявителя (заявителей) или его (их) патентного поверенного с указанием фамилии и инициалов (от имени юридического лица (юридических лиц) заявление подписывается руководителем этого юридического лица (юридических лиц) или иным лицом (лицами), уполномоченным на это, с указанием фамилии, инициалов и должности подписывающего лица (лиц): Дата подписания _____				

* Заполняется государственным учреждением «Национальный центр интеллектуальной собственности».

** Если имеется.

*** Заполняется в случае, если заявителем (заявителями) является юридическое лицо (юридические лица) Республики Беларусь.

Дата поступления*:		Регистрационный номер*:	
ЗАЯВЛЕНИЕ **о переводе международной заявки** **на национальную стадию рассмотрения**		В государственное учреждение «Национальный центр интеллектуальной собственности»	
Номер международной заявки:	PCT/	Дата подачи международной заявки:	
Номер публикации международной заявки:	WO	Дата публикации международной заявки:	
Название заявляемой полезной модели (группы полезных моделей), которое должно совпадать с названием, приводимым в описании полезной модели:			
Заявитель (заявители): Фамилия, собственное имя и отчество (если таковое имеется) физического лица и (или) полное наименование юридического лица в соответствии с учредительными документами в именительном падеже:			
Адрес места жительства (места пребывания) или места нахождения: Номер телефона**: Номер факса**: Адрес электронной почты**: ☐ смотреть продолжение на дополнительном листе (листах)		Код страны места жительства (места пребывания) или места нахождения по стандарту ВОИС ST.3, если он установлен:	
ОКПО ***		УНП***	
Наименование юридического лица (юридических лиц), которому подчиняется или в состав (систему) которого входит юридическое лицо (юридические лица) – заявитель (заявители) (при наличии)***:			
Ходатайствую (ходатайствуем):			
☐ о более раннем начале рассмотрения международной заявки:	☐ с даты получения документов, прилагаемых к настоящему заявлению ☐ с _____ (указать конкретную дату)		
Адрес для переписки в соответствии с правилами адресования почтовых отправлений с указанием фамилии, собственного имени, отчества (если таковое имеется) или наименования адресата (заявителя (заявителей), патентного поверенного, общего представителя): Номер телефона**: Номер факса**: Адрес электронной почты**:			
Представитель (фамилия, собственное имя и отчество (если таковое имеется) или наименование представителя, регистрационный номер патентного поверенного, если представителем назначен патентный поверенный) является: ☐ патентным поверенным; ☐ общим представителем. Номер телефона**: Номер факса**: Адрес электронной почты**:			

Прошу (просим) начать рассмотрение международной заявки на основе:			
описания полезной модели: ☐	первоначальном поданного; ☐	измененного в соответствии со статьей 34(2)(b) Договора о патентной кооперации от 19 июня 1970 года (далее – PCT)	
формулы полезной модели: ☐	первоначальной поданной; ☐	измененной в соответствии со статьей 19 PCT; ☐	измененной в соответствии со статьей 34(2)(b) PCT
чертежей: ☐	первоначальных поданных; ☐	измененных в соответствии со статьей 34(2)(b) PCT	
изменений, сделанных при переводе международной заявки на национальную стадию рассмотрения: ☐	описания полезной модели; ☐	формулы полезной модели; ☐	чертежей

Перечень прилагаемых документов:	Количество листов в одном экземпляре	Количество экземпляров

Автор (авторы):

Фамилия, собственное имя и отчество (если таковое имеется):	Адрес места жительства (места пребывания), включая код страны по стандарту ВОИС ST.3 (если он установлен):

☐ смотреть продолжение на дополнительном листе (листах)

Подпись (подписи) заявителя (заявителей) или его (их) патентного поверенного с указанием фамилии и инициалов (от имени юридического лица (юридических лиц) заявление подписывается руководителем этого юридического лица (юридических лиц) или уполномоченным им лицом (лицами) с указанием фамилии, инициалов и должности подписывающего лица (лиц):

Дата подписания _____

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[*] Заполняется государственным учреждением «Национальный центр интеллектуальной собственности».

[**] Если имеется.

[***] Заполняется в случае, если заявителем (заявителями) является юридическое лицо (юридические лица) Республики Беларусь.

BELIZE INTELLECTUAL PROPERTY OFFICE

AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Belize Intellectual Property Office

PA: Patents Act (Cap. 253)

PR: Patents Regulations, 2002

SUMMARY Designated (or elected) Office SUMMARY

BZ BELIZE INTELLECTUAL PROPERTY OFFICE BZ

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date[1]
Translation of international application required into:	English
Required contents of the translation for entry into the national phase:[2]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), 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?	The applicant should only send a copy of the international application if he has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee:	Currency: Belize dollar (BZD) For patent: Filing fee:[2] BZD 300 Annual fees for the first three years: BZD 600 For utility model: Filing fee/Grant fee:[2] BZD 300
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[3]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4] Statement justifying the applicant's right to the patent if he is not the inventor[4]
Who can act as agent?	Any patent attorney entitled to practice before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

[1] May be extended upon written request of the applicant.

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

[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.

THE PROCEDURE IN THE NATIONAL PHASE

BZ.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).

PR Regulations 4
8

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

BZ.03 **POWER OF ATTORNEY.** An agent must be appointed by filing a notarized or apostilled power of attorney. A model is given in Annex BZ.II.

PA Sec. 28(2)

BZ.04 **ANNUAL FEES.** They are payable before the first and each subsequent anniversary of the international filing date. Where the applicant failed to pay by the due date, payment can still be made, together with a surcharge for late payment, within the six months following the due date. The amounts of the annual fees are indicated in Annex BZ.I.

PA Sec. 55(11)

BZ.05 **FEE FOR GRANT.** A fee for grant must be paid before the grant of the patent. The amount of the said fee is indicated in Annex BZ.I.

PCT Art. 28
41
PA Sec. 19

BZ.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Amendments may be made in the national phase up to the grant of the patent, provided that the scope of the subject matter of the application is not broadened thereby.

PCT Art. 25
PCT Rule 51
PA Sec. 62

BZ.07 **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, an appeal against this decision may be lodged to the Supreme Court by a notice of motion within two months from the date of the decision.

PCT Art. 24(2)
48(2)
PR Regulation 44
PA Sec. 59

BZ.08 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where the applicant failed to comply with a time limit during the international phase or before the Office, he may request extension of the time limit. Such request must be addressed to the Office together with an affidavit setting forth the relevant facts and is subject to the payment of a special fee (see Annex BZ.I). Extension of time limits may be requested until the date of expiration of the time limit. The extension may be granted by the Office for such period as the Office thinks suitable in the circumstances of the case.

When the Registrar of Intellectual Property is satisfied that the circumstances justify it, he is empowered, under the Belize Patents Act, upon the written request of any interested person, to extend the time limit for any act or any proceeding under the Belize Act and Regulations. The extension may be granted even though the corresponding time limit has expired. The notice of any extension to the parties concerned shall be given in writing by the Registrar.

FEES

(Currency: Belize dollar)

Patents

Filing fee	300
Fee for grant	300
Annual fees:	
— before the 1st anniversary of filing	100
— before the 2nd anniversary of filing	200
— before the 3rd anniversary of filing	300
— before the 4th anniversary of filing	400
— before the 5th anniversary of filing	500
— before the 6th anniversary of filing	600
— before the 7th anniversary of filing	700
— before the 8th anniversary of filing	800
— before the 9th anniversary of filing	900
— before the 10th anniversary of filing	1,000
— before the 11th anniversary of filing	1,100
— before the 12th anniversary of filing	1,200
— before the 13th anniversary of filing	1,300
— before the 14th anniversary of filing	1,400
— before the 15th anniversary of filing	1,500
— before the 16th anniversary of filing	1,600
— before the 17th anniversary of filing	1,700
— before the 18th anniversary of filing	1,800
— before the 19th anniversary of filing	1,900
Surcharge for late payment of annual fee	100
Fee for extension of time	50
Fee for recording an address for service of a patent, or a change of address for service of a patent or a licence	50
Fee for restoration of the right of priority	150

Utility models

Filing/Grant fee	300

How can payment of fees be effected?

Payment must be made in Belize dollars, but the equivalent amount in a foreign currency that is convertible in Belize may be accepted. 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 type of fee being paid. Fees may be paid by cheque, bank draft or money order to the Belize Intellectual Property Office (endorsed in the name of the Government of Belize) or by cash at the Office or by bank transfer (PR Regulations 4 and 8).

PATENTS ACT (CAP. 253)

FORM NO. 2B

POWER OF ATTORNEY

I (We)

(Name and address)

do hereby authorize

to represent me(us) as applicant(s)
in all proceedings related to the processing

of all my(our) patent applications

of international application No.

(check the applicable box)

before the Belize Intellectual Property Office and to make or receive payments on my(our) behalf.

Place: Date:

Signature:

CANADIAN INTELLECTUAL PROPERTY OFFICE

AS

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List of abbreviations:

Office: Canadian Intellectual Property Office

CPA: Canadian Patent Act

CPR: Canadian Patent Rules

SUMMARY Designated (or elected) Office SUMMARY

CA CANADIAN INTELLECTUAL PROPERTY OFFICE CA

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date[1] Under PCT Article 39(1)(a): 30 months from the priority date[1]			
Translation of international application required into:[2]	English or French			
Required contents of the translation for entry into the national phase:[2]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report) Under PCT Article 22 or 39(1): A translation of the request is only required if the application enters the national phase prior to the publication of the international application. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2)			
Is a copy of the international application required?	The applicant is only required to send a copy of the international application if the application enters the national phase prior to the publication of the international application. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).			
National fee:	Currency: Canadian dollar (CAD)			
	Basic national fee:[2]	CAD	408	(204)[3]
	Fee for reinstatement of rights (late entry into the national phase):	CAD	204	
	Additional fee for late payment under sub-section 154(4) of the Canadian Patent Rules:	CAD	150	

[Continued on next page]

[1] 12 months after the 30-month deadline (30 months from the priority date) provided the applicant pays the fee for reinstatement of rights and meets the other requirements outlined in subsection 154(3) of the Canadian Patent Rules for the reinstatement of rights (late entry into the national phase).

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

[3] The amount in parentheses is applicable only if the applicant is entitled to pay certain fees at the "small entity" level. In order to be entitled to pay the reduced fee, a signed "small entity" declaration compliant with subsection 44(3) of the Canadian Patent Rules must, within the applicable time limit set out in subsection 154(1)(c)(i), 154(2)(a), 154(3)(a)(iii)(A), 154(3)(b)(i)(A) and 154(3)(b)(ii)(A) of the Canadian Patent Rules, be made by the applicant or the agent on the applicant's behalf (the declaration shall preferably follow the form of the declaration set out in the *PCT Applicant's Guide*, National Phase, Annex CA.II).

SUMMARY Designated (or elected) Office SUMMARY

CA CANADIAN INTELLECTUAL PROPERTY OFFICE CA

[Continued]

National fee (*cont'd*):	Maintenance fee in respect of each one-year period due at the time of entry into the national phase where that entry is effected on or after the 2nd or possibly 3rd anniversary of the international filing date:[4]	CAD 100 (50)[5]
Exemptions, reductions or refunds of the national fee:	Some fees in the national phase are reduced for applicants who qualify as small entities.	
Special requirements of the Office (PCT Rule 51*bis*):	The name and postal address of each inventor. A statement that either (i) the applicant/applicants is/are entitled to apply for a patent, or (ii) the applicant is the sole inventor or, if there are joint applicants, the applicants are all inventors and the sole inventors. If the Commissioner reasonably doubts that the person who entered the national phase is the applicant of the international application or his/her legal representative, the Commissioner will require evidence to establish ownership rights in the international application.[6] Appointment of an agent if the applicant is not the inventor. Evidence of the consent of the appointment of the patent agent is required when the document appointing that agent is submitted by someone other than the patent agent being appointed.	
Who can act as agent?	An individual who holds a patent agent licence or a patent agent in training licence issued by the College of Patent Agents and Trademark Agents[7]	
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No[8]	

[4] Where PCT Article 22 or 39(1) applies, this fee is due within 24 months from the international filing date or within 30 months from the priority date if that time limit expires later or, provided the applicant pays the fee for reinstatement of rights for late entry into the national phase, within 12 months after the 30-month deadline.

[5] See footnote 3.

[6] An applicant may provide documentation with the request to enter the national phase establishing how the person who entered the national phase is the applicant of the international application or the legal representative. Such documentation may include: Form PCT/IB/306, a document effecting the transfer of rights, or a change of name document.

[7] An applicant may appoint all of the patent agents who work at the same firm to represent them in respect of their application.

[8] For further information, see also paragraph CA.21 of the CA national chapter.

THE PROCEDURE IN THE NATIONAL PHASE

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

CA.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application may be corrected by way of amendment of the PCT national phase application (see paragraph CA.13). Where a PCT national phase application contains errors in the translation that cannot be corrected by way of amendment it may be possible, time permitting, to withdraw the PCT national phase application and enter the national phase with a new PCT national phase application containing the correct translation.

CPR 15(1)

CA.03 **LANGUAGE OF PROCEEDINGS.** The language of correspondence is either English or French at the choice of the applicant, irrespective of the language of the international application or its translation.

CPR 44(2)

CA.04 **FEE REDUCTION FOR "SMALL ENTITY."** Applicants that qualify as a "small entity" under subsection 44(2) of the Canadian Patent Rules (see definition in Annex CA.III) are entitled to pay certain fees at a reduced rate. In order to be entitled to benefit from the "small entity" fee schedule, a signed "small entity" declaration must be submitted in accordance with subsection 44(3) of the Canadian Patent Rules within the applicable time limit. Paragraph 7 of the special form referred to in paragraph CA.01 (see Annex CA.II) indicates the kind of statement to be made in order to pay certain fees at the "small entity" level.

CA.05 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex CA.I.

CPR 65, 27(2)

CA.06 **COMPLIANCE REQUIREMENTS AFTER NATIONAL PHASE ENTRY.** Upon entry into the national phase in Canada, an applicant may be required by notice to submit any of the following: a part of the application that may be missing, information relating to inventorship and entitlement, an appointment of a patent agent or an appointment of an associate patent agent.

CPA 15.1
CPR 27, 28

CA.07 **APPOINTMENT OF AGENT.** An agent may be appointed by submitting to the Commissioner a notice in accordance with subsection 27(3) of the Canadian Patent Rules. Where the appointed agent does not reside in Canada, the agent must appoint, as associate agent, a patent agent who resides in Canada by submitting to the Commissioner a notice in accordance with subsection 28(3) of the Canadian Patent Rules.

If a person, other than a patent agent, submits to the Commissioner a document appointing a patent agent, other than an associate patent agent, the appointment is not effective until evidence of the consent to that appointment by the patent agent who is being appointed is submitted to the Office.

CPA 27.1
73(1)(c)
73(3)
CPR 68(1)
69, 154(1)
154(2)
154(3)

CA.08 **MAINTENANCE FEES.** Maintenance fee payments are due on or before each anniversary of the international filing date, starting with the second anniversary. Where the applicant fails to pay by the due date a late payment fee will also be due. A notice will be sent to the applicant indicating that the maintenance fee and the late fee must be paid before the later of six months from the maintenance fee due date or two months from the date of the notice. If the maintenance fee and the late fee are not paid within the late fee period the application will be deemed abandoned or, in the case of a patent, the term limited for the duration of the patent will be deemed to have expired.

An application that is deemed abandoned can be reinstated within 12 months of the date of abandonment upon payment of the maintenance fee and the late payment fee together with a request for reinstatement and the reinstatement fee. The deemed expiry of a patent can be reversed within 12 months after the end of the six months after the original maintenance fee due date upon payment of the maintenance fee and the late payment fee, together with a request to reverse the deemed expired and payment of the additional prescribed fee. In order to reinstate an abandoned application or reverse the deemed expiry of the patent (for a patent) the applicant or patentee must also demonstrate that the failure occurred in spite of due care required by the circumstances having been taken.

It is to be noted that, where the 30-month time limit under PCT Article 22 or 39(1) and subsections 154(1) and (2) of the Canadian Patent Rules applies, or where the 30 plus 12-month time limit under PCT Article 22 or 39(1) and subsection 154(3) applies, a maintenance fee which is or maintenance fees which are due at an earlier date can be paid without a surcharge up to the expiry of the 30-month time limit or the 30 plus 12-month time limit, respectively. The maintenance fees can be paid yearly or for any number of years in advance. The amount of the maintenance fees is indicated in Annex CA.I.

CPA 35(1)
CPR 79, 81(1)

CA.09 **REQUEST FOR EXAMINATION.** A patent will be granted only after examination as to patentability. A formal request to for examination must be submitted to the office. Examination may be requested by the applicant or by a third party. There is no special form for the request.

CPA 73(1)(d)
73(3)
CPR 81(1)

CA.10 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within four years from the international filing date where the filing date of the application is on or after 30 October 2019, or within five years of the international filing date where the filing date of the application is before 30 October 2019. If the request for examination is not received within that period, the applicant will be notified. The applicant has to make a request for examination and pay the late fee before two months from the date of the notice to avoid abandonment. If the application is deemed abandoned, it may be reinstated within 12 months of abandonment on payment of the fee for requesting examination together with the late fee, the request for reinstatement and the reinstatement fee. If the request for reinstatement is made after six months from the due date for requesting examination, the applicant must also demonstrate that the failure occurred in spite of due care required by the circumstances having been taken. The amounts of the fees are indicated in Annex CA.I.

CPR 80(1)

CA.11 **FEE FOR REQUESTING EXAMINATION.** The request for examination is effective only if the fee for requesting examination has been paid. The amount of the fee is indicated in Annex CA.I. The examination fee is reduced by 75% where the international search report has been established by the Canadian Intellectual Property Office.

CPR 86(1), 86(6)
86(10)
86(12)

CA.12 **FEE FOR GRANT.** A "final fee" and a fee for each page of specification and drawings in excess of 100 pages, other than pages of a sequence listing submitted in electronic form, must be paid within four months after the date of the notice of allowance of patent. The amounts of the fees are indicated in Annex CA.I.

CPA 38.2
CPR 99-102
PCT Art. 28
41

CA.13 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Amendments may be made in the national phase:

(i) up to allowance of the application either on the applicant's own volition or in response to an action by the examiner, provided that no new matter is introduced into the disclosure of the invention;

(ii) after allowance, but before payment of the final fee, amendments may be made if, from the specification and the drawings contained in the application for a patent on the day on which the notice of allowance was sent, it is obvious that something other than what appears in the specification and the drawings was intended and that nothing other than the proposed amendment could have been intended.

PCT Art. 25
PCT Rule 51

CA.14 **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, an appeal against this decision may be lodged with the Federal Court.

PCT Art. 24(1)
CPR 142

CA.15 **LOSS OF EFFECT IN DESIGNATED STATE.** The international application will cease to have effect in Canada in the circumstances listed under PCT Article 24(1).

PCT Art. 48(2)
58(8)
PCT Rule 82*bis*

CA.16 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

CPA 73
CPR 132-135

CA.17 **REINSTATEMENT FOLLOWING ABANDONMENT.** Reinstatement may be requested where the applicant failed to comply with requirements set out in a notice within a prescribed time. A request for reinstatement must be made within 12 months of the date of abandonment and the applicant must complete the omitted act (including payment of a late fee in some cases) and pay the reinstatement fee (indicated in Annex CA.I). In addition, reinstatement following failure to pay a maintenance fee and late fee, or request examination and pay the late fee may require the applicant to demonstrate that the failure occurred in spite of due care required by the circumstances having been taken as described in paragraphs CA.08 and CA.10 above.

CPR 154(3)

CA.18 **REINSTATEMENT FOLLOWING FAILURE TO MEET PCT ARTICLE 22 or 39(1) TIME LIMIT.** In the case of failure to comply with the time limit applicable under PCT Article 22 or 39(1) for entering the national phase, the applicant may comply by:

– meeting with the regular requirements to enter national phase (including paying the appropriate basic national entry fee and outstanding maintenance fees),

– submitting to the Commissioner a request that the rights of the applicant be reinstated with respect to that international application and a statement that the failure was unintentional (applicable only if the filing date of the application is on or after 30 October 2019),

– paying the fee for reinstatement of rights (indicated in Annex CA.I) within 12 months of the time limit.

CPA 78
CPR 3

CA.19 **EXTENSION OF TIME.** Subject to certain exceptions, including time limits for payment of application and patent maintenance fees and for requests for examination, extension of a time limit may be requested provided the time limit is prescribed by the Patent Rules or fixed by the Commissioner. An extension of time may be requested before the expiry of the time limit and on payment of a fee (the amount of which is indicated in Annex CA.I). The request must satisfy the Commissioner that the circumstances justify the extension.

CPR 154(4)

CA.20 **ATTEMPT TO PAY FEES.** Where an applicant attempts to enter the national phase within 12 month after 30 months from the priority date but does not pay all of the required fees, the fees will be deemed paid before the deadline (30 plus 12 months) under the following conditions:

Where an applicant attempts to enter the national phase late (i.e. any time between 30-42 months), and does not pay all of the required fees (i.e. basic entry fee, any required maintenance fees, fee for reinstatement of rights), but the applicant communicated the intention to pay some or all of the required fees, the fees will be deemed paid on the day the communication was received, if those fees are paid, together with the additional fee for late payment, after the deadline to enter national phase late (i.e. after 42 months) and not later than two months after the date the communication indicating the applicant's intention to pay the fees was received.

CPA 28.4(6)
CPR 77

CA.21 **RESTORATION OF THE RIGHT OF PRIORITY.** Requests for restoration of the right of priority can be made under subsection 28.4(6) of the Canadian Patent Act and section 77 of the Canadian Patent Rules, provided that the filing date of the pending application is on or after 30 October 2019.

FEES

(Currency: Canadian dollar)

Basic national fee:	
(a) small entity fee	204
(b) standard fee	408
Fee for reinstatement of rights (late entry into the national phase)	204
Additional fee for late payment under subsection 154(4) of the Patent Rules	150
On applying for an extension of time under Section 3 of the Patent Rules	204
Maintenance fees:	
on or before each of the 2nd, 3rd, and 4th anniversary of the international filing date:	
(a) small entity fee	50
(b) standard fee	100
on or before each of the 5th, 6th, 7th, 8th and 9th anniversary of the international filing date:	
(a) small entity fee	100
(b) standard fee	204
on or before each of the 10th, 11th, 12th, 13th and 14th anniversary of the international filing date:	
(a) small entity fee	125
(b) standard fee	255
on or before each of the 15th, 16th, 17th, 18th and 19th anniversary of the international filing date:	
(a) small entity fee	229.50
(b) standard fee	459
Late fee under subsection 27.1(2) of the Act	150
Fee for requesting examination of an application:	
(a) if the application has been the subject of international search by the Commissioner:	
(i) small entity fee	100
(ii) standard fee	204
(b) in any other case:	
(i) small entity fee	408
(ii) standard fee	816
Final fee:	
(a) small entity fee	153
(b) standard fee	306
plus for each page of specification and drawings other than pages of a sequence listing submitted in electronic form, in excess of 100 pages	6.12

A full list of fees, including other prescribed fees not mentioned above is available at http://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/wr00142.html.

How can payment of fees be effected?

The payment of fees must be effected in Canadian dollars. All payments must indicate the national application number if it is known (otherwise the international application number may be used), the name of the applicant and the category of fee being paid.

Fees may be paid by any of the following means: by credit card; by cheque/money order; by debit to a client deposit account held by the Office; by bank or wire transfer or by debit card (in person CIPO headquarters only). All fees, including those for bank or wire transfers, must be made payable to the Receiver General of Canada.

For bank or wire transfers, the following information is required to transfer funds to the Canadian Intellectual Property Office's account:

Banking institution:	Fédération des caisses Desjardins du Québec 1 Complexe Desjardins, South tower, 15th floor Montréal, Quebec Canada, H5B 1B3
SWIFT:	CCDQCAMM
Institution number:	815
Transit number:	98000
Beneficiary name:	033-25638 - ISED
Beneficiary account number:	MFI09704000815CAD0
Charges Field:	"OUR"
Field description:	Authorization number: 033-25638

Please note that in order to avoid processing delays, it is suggested that the following information be included with any bank transfer:

Contact information:	name and telephone number of contact person
Identification number:	deposit account number / your file number
Request:	replenishment / type of service

In order to help identify the services required, it is suggested that applicants e-mail (ic.cipofinance-opicfinance.ic@canada.ca) or fax (819-953-CIPO (2476), 819-953-OPIC (6742)) the Office with the date of the bank transfer and a copy of the receipt.

Please note that applicants are responsible for any transaction fees charged by their banking institution. If an applicant fails to take this into account, and transaction fees are deducted from the amount sent, the Office will need to contact the applicant in order to obtain the difference and obtain the exact amount required for the requested service. Fees are only considered to be paid when the full amount of the fee has been received by the Office. The deduction of transaction fees from the amount sent could result in the required fee not having been paid by the due date.

Recommended Form for request of Entry into National Phase under Article 22/Article 39 of the Patent Cooperation Treaty

The information in section 1 should be provided for entry into the national phase.

The information in sections 2 to 7 may be required for the completion of the PCT national phase application (after national entry in Canada). While providing this information at the time of national entry is optional, doing so may reduce the possibility of delays caused by notices being required to be sent by the office to obtain the information:

The declaration in section 8 is required at national entry if paying fees at the small entity level when entering the national phase.

IN THE MATTER OF PCT International Application

1. Contact Information and Identification of PCT Application

The applicant is _____(name or firm) whose complete address is_____.

[Repeat the line above and complete for each applicant]

The applicant requests commencement of national phase procedures consequent to the designation of Canada, and requests the grant of a patent for an invention, which is described and claimed in the accompanying international application no._____ filed _____ (date).

2. Common Representative

The joint applicants appoint _____ as their common representative.

3. Appointment of a Patent Agent _____,
whose complete address is _____ , is appointed as patent agent in respect of this application.

4. Appointment of an Associate Patent Agent

The patent agent appoints _____, whose complete address in Canada is _____ , as the associate patent agent.

5. Entitlement

Statement of entitlement to apply for a patent (include (a) or (b) as applicable).

(a) The applicant is the sole inventor of the subject matter of the invention for which an exclusive privilege or property is claimed or, if there are joint applicants, the applicants are all inventors and the sole inventors of that subject-matter.
(b) The applicant is or, if there are joint applicants, the applicants are entitled to apply for a patent.

6. Identification of Inventor(s)

The inventor is:

_____(last name, first name, initials), whose complete address is_____.

[Repeat the line above and complete for each inventor]

7. Sequence Listings in Electronic Form

The applicant is providing a replacement sequence listing in electronic form to replace a sequence listing initially filed in respect of the PCT application in the international phase in paper form only.

The applicant declares the replacement listing does not go beyond the disclosure in the application as filed.

8. Small Entity Declaration – For Payment of Fees at the Small Entity Level
If small entity entitlement is sought:

(a) The applicant(s) (*list applicant(s)*) declare(s) that they believe that in accordance with the Canadian Patent Rules, they are entitled to pay fees at the small entity level in respect of this application and in respect of any patent issued on the basis of this application.

_____
(signature)

Notes:

Section 1 – It is recommended that the names and addresses be presented in the following order with a clearly visible separation between the various elements: family name (in capital letters), given name(s), initials, or firm name, street name and number, city, province or state, postal code, telephone number, fax number and country.

Section 2 - Where there are joint applicants, a common representative may be appointed in this form. If a common representative is not appointed, one applicant will be deemed to be appointed as the common representative under paragraph 26(4)(b) of the Canadian Patent Rules.

Section 3 – The applicant is required to appoint a patent agent to prosecute the application for the applicant if the application is filed by a person other than the inventor, if there is more than one inventor and the application is not filed jointly by all of the inventors or if a transfer, in whole or in part, of the application has been recorded by the Commissioner under section 49 of the Canadian Patent Act.

Section 3 - If a person, other than a patent agent, submits to the Commissioner a document appointing a patent agent, other than an associate patent agent, the appointment is not effective until evidence of the consent to that appointment by the patent agent who is being appointed is submitted to the Commissioner.

Section 4 - If the patent agent appointed in section 3 does not reside in Canada, that agent must appoint an associate patent agent

Section 6 - This section may be omitted where i) the applicant is the inventor; ii) indications concerning the inventor, in accordance with Rule 4.6 of the regulations under the PCT, are contained in the Request Form (PCT/RO/101); (iii) a declaration as to the identity of the inventor, in accordance with Rule 4.17(i) of the regulations under the PCT, is contained in the Request Form or is submitted directly to the Office.

Section 7 – This section is not required if at the time of national entry the PCT application contains a sequence listing in electronic from forming part of the international application.

Section 8 - The request form must be signed for a small entity declaration to be valid under subsection 44(3) of the Patent Rules.

"SMALL ENTITY" CONDITION

The small entity condition is that

in respect of an international application, the applicant of the application on the national phase entry date is, on that date, an entity that has 50 employees or less or is a university, other than

(i) an entity that is controlled directly or indirectly by an entity, other than a university, that has more than 50 employees, or

(ii) an entity that has transferred or licensed, or has an obligation other than a contingent obligation to transfer or license, any right or interest in a claimed invention to an entity, other than a university, that has more than 50 employees.

SWISS FEDERAL INSTITUTE OF INTELLECTUAL PROPERTY

AS

DESIGNATED (OR ELECTED) OFFICE

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Declaration of inventorship . . . . . Annex CH.II
Power of attorney . . . . . Annex CH.III

List of abbreviations:

Office: Swiss Federal Institute of Intellectual Property

PatG: Federal Law on Patents for Inventions

PatV: Ordinance on Patents for Inventions

SUMMARY **Designated (or elected) Office** SUMMARY

CH SWISS FEDERAL INSTITUTE OF INTELLECTUAL PROPERTY CH

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	French, German or Italian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawints (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: Swiss franc (CHF) Filing fee:[2] CHF 200
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3, 4] Address for service in Switzerland or appointment of an agent if the applicant is not resident in Switzerland or Liechtenstein[5]

[Continued on next page]

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

2 Must be paid within three months from the date of filing.

3 Must be furnished within the time limit applicable under PCT Article 22 or 39(1); however, continuation of the procedure may be requested in case of failure to observe that time limit.

4 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

5 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.

SUMMARY Designated (or elected) Office SUMMARY

CH SWISS FEDERAL INSTITUTE OF INTELLECTUAL PROPERTY CH

[Continued]

Who can act as agent?	Where the applicant has neither a residence nor a principal place of business in Switzerland, an address for service in Switzerland must be indicated (article 13 of the Federal Law on Patents for Inventions (PatG) within the time limit set out in paragraph 1 of article 124 of the Ordinance on Patents for Inventions (PatV). If no address for service is indicated within that time limit, the Office will allow an extension of two months to do so. The application will be refused in case of non-observation of that time limit.
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

CH.01 **EFFECT OF A DESIGNATION OF SWITZERLAND OR LIECHTENSTEIN.** Under the Patent Treaty between Switzerland and Liechtenstein only a unitary patent for the two States can be granted; in an international application, therefore, the designation of either State automatically has the effect of the designation of both States, which cannot be designated independently from each other.

PatG Sec. 131(2)
PatV Art. 4(1)
4(3)
4(4)

CH.02 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is one of the official languages (French, German or Italian). If the international application has been filed in French or German, the language of proceedings is French or German, as the case may be; if not, the language of the translation which is furnished to the Office under PCT Article 22 or 39(1) is the language of proceedings. The language of proceedings cannot be changed. Written matter other than the text of the application is usually accepted in any of the official languages, but the Office reserves the right to request a translation into the language of proceedings.

CH.03 **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 is not complete, the Office will invite the applicant to furnish the missing part and will excuse the late furnishing.

PatG Sec. 138
PatV Art. 34
124(1)

CH.04 **NAME AND ADDRESS OF THE INVENTOR; DECLARATION OF INVENTORSHIP.** If the name and address of the inventor have not already been furnished in the "Request" part of the international application, the applicant must furnish the inventor's name and address and make a declaration of inventorship on the form reproduced in Annex CH.II. Certification is not required. The declaration of inventorship must be written in or translated into one of the official languages (French, German or Italian) or in English. For time limits, see the Summary.

PatG Sec. 13
PatV Art. 124

CH.05 **ADDRESS FOR SERVICE.** Where the applicant has neither a residence nor a principal place of business in Switzerland, an address for service in Switzerland must be indicated (article 13 of the Federal Law on Patents for Inventions (PatG) within the time limit set out in paragraph 1 of article 124 of the Ordinance on Patents for Inventions (PatV). If no address for service is indicated within that time limit, the Office will allow an extension of three months to do so. The application will be refused in case of non-observation of that time limit.

PatV Art. 124(3)

CH.06 **APPOINTMENT OF AN AGENT.** A list of agents is available on the website of the Swiss Federal Institute of Intellectual Property at: https://www.ige.ch/en/service/patent-attorneys/patent-attorney-register.html

CH.07 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex CH.I.

PatG Sec. 41
PatV Art. 31(a)

CH.08 **CLAIMS FEE.** The claims fee is due before the start of substantive examination, on invitation and within a time limit fixed by the Office. The ten first claims made in a patent application are exempted of any fees; a claims fee is due for each supplementary claim. For the amount of the claims fee, see Annex CH.I.

PatG Sec. 41
PatV Art. 18

CH.09 **ANNUAL FEES.** They are payable for the fourth and each subsequent year following the international filing date. The payment of the first annual fees is due on the last day of the month in which falls the fourth anniversary (48 months) of the international filing date. Thereafter, payment must be made within six months from the last day of the month in which falls the anniversary of the international filing date; a supplement for late payment must be paid if the fee is paid during the last three months. For the amounts, see Annex CH.I.

PatG Sec. 41
PatV Art. 61a

CH.10 **EXAMINATION FEE.** This fee must be paid for each international application. It is due before the start of the examination as to substance, on invitation and within the time limit fixed by the Office. Where a request to postpone the examination as to substance has been made before the invitation or is made within the time limit for payment, that time limit is extended until the expiration of the postponement.

PCT Art. 28
PatG Sec. 58(2)
59a(1)

CH.11 **AMENDMENT OF THE APPLICATION.** The applicant may amend the description, claims and drawings of the international application.

PatG Sec. 58(2)

CH.12 The subject matter of the amended application shall not exceed the scope of the application as originally filed.

PCT Art. 25
PCT Rule 51

CH.13 **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, an administrative appeal against this decision may be lodged with the Appeal Commission for Intellectual Property within 30 days from the date of receipt of the decision.

PCT Art. 24(2)
48(2)

CH.14 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

CH.15 Continuation of the procedure may be requested where the applicant has failed to comply with a time limit prescribed by law or fixed by the Office. The request for continuation of the procedure must be presented within two months from the time when the applicant became aware of the failure to meet the time limit, but not later than six months from the expiration of the time limit which has not been observed. Additionally, the omitted act must be completed and the fee for continuation of the procedure must be paid within the same time limit. Continuation of the procedure is excluded in some cases provided for under PatG Section 46a and PatV Article 14, in particular for time limits for payment of the transmittal fee, the search fee and the international fee as well as for the time limit for election of States. Contrary to a request for reinstatement (see paragraph CH.16), the applicant is not required to prove that he was prevented, through no fault of his own, from complying with the time limit.

PatG Sec. 47
PatV Art. 15

CH.16 Reinstatement may be requested where the applicant, through no fault of his own, has failed to comply with a time limit during the international phase or before the Office. Reinstatement is excluded, however, where the missed time limit is the time limit for requesting reinstatement. The request for reinstatement must be presented within two months after removal of the cause of non-compliance with the time limit but not later than one year from the expiration of the time limit which has not been observed. Within these two months, the omitted act must be completed, the reinstatement fee (see Annex CH.I) must be paid and a statement of the facts on which the request is based must be furnished.

FEES

(Currency: Swiss franc)

Filing fee	200
Claims fee for each claim in excess of 10	50
Examination fee	500
Fee for accelerated examination procedure	200
Annual fees:	
— for the 4th year	100
— for the 5th year	120
— for the 6th year	140
— for the 7th year	160
— for the 8th year	180
— for the 9th year	220
— for the 10th year	260
— for the 11th year	300
— for the 12th year	340
— for the 13th year	400
— for the 14th year	460
— for the 15th year	520
— for the 16th year	600
— for the 17th year	680
— for the 18th year	760
— for the 19th year	860
— for the 20th year	960
Supplement for late payment of an annual fee	50
Fee for continuation of the procedure	100
Reinstatement fee	500
Fee for restoration of the right of priority	500

How can payment of fees be effected?

The payment of fees must be effected in Swiss francs. 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.

According to the regulations on fees of the Swiss Federal Institute of Intellectual Property, payment may be effected:

(a) by debiting a current account opened with the Institute,
(b) by payment or transfer to the postal check account of the Institute (No. 30-4000-1, code SWIFT POFICHBE, IBAN CH6809000000300040001),
(c) by cash payment.

IGE | IPI

Eidgenössisches Institut für Geistiges Eigentum
Institut Fédéral de la Propriété Intellectuelle
Istituto Federale della Proprietà Intellettuale
Swiss Federal Institute of Intellectual Property

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F +41 31 377 77 78
info@ipi.ch | www.ipi.ch

Mention de l'inventeur

La (les) personne(s) indiquée(s) sous point 4 est (sont) mentionnée(s) comme inventeur(s) pour la demande de brevet précisée ci-après.

1 Titre de l'invention

Comme indiqué dans la demande de brevet.

2 Numéro de la demande de brevet

S'il est connu.

3 Date et signature du (des) demandeur(s) ou du mandataire

Désignation exacte de la raison sociale.

Date Signature(s)

4 Inventeur

Seules les personnes physiques peuvent être mentionnées comme inventeurs.

Nom

Prénom

Rue

Numéro postal/localité

Pays

Nom

Prénom

Rue

Numéro postal/localité

Pays

Suite au verso

PA_F_Erfindernennung_F_112012

Nom

Prénom

Rue

Numéro postal/localité

Pays

Nom

Prénom

Rue

Numéro postal/localité

Pays

Nom

Prénom

Rue

Numéro postal/localité

Pays

Nom

Prénom

Rue

Numéro postal/localité

Pays

Nom

Prénom

Rue

Numéro postal/localité

Pays

POUVOIR

POWER OF ATTORNEY

L soussigné (prénoms, nom de famille ou raison sociale, adresse exacte)
The undersigned (given name, surname or name of firm, full address)

donne mandat à
hereby confer(s) on

en vue d'obtenir un brevet d'invention pour la Suisse et le Liechtenstein et/ou d'agir en qualité de mandataire pour toute la durée de protection du brevet
powers of attorney to obtain the grant of a patent for Switzerland and Liechtenstein and/for representation throughout the protection period of the patent.

Numéro de la demande de brevet ou du brevet lui-même (s'il est connu):
Patent application number or patent number (if known):

Titre de l'invention (indication non requise si le numéro de la demande de brevet ou du brevet est indiqué).
Title of invention (may be omitted if the patent application number or patent number is known).

Le mandataire est autorisé à défendre tous droits, présenter ou retirer toutes requêtes, signer tous documents, apporter des corrections aux pièces, verser toutes taxes et encaisser celles qui sont rétrocédées, en donner quittance, retirer toutes demandes de brevet, renoncer entièrement ou partiellement à tous brevets, accepter tous documents et faire en général tout ce qui sera nécessaire ou utile selon les dispositions légales. A moins de révocation expresse, le mandat ne s'éteindra pas dans les cas prévus à l'art. 35 du code des obligations.

The representative is empowered to assert all rights, file and withdraw requests , sign documents, make corrections to material filed, pay fees, receive refunds and certify receipt thereof, withdraw patent applications, renounce patents in whole or in part and receive documents, and generally to take whatever action is legally required or appropriate. These powers of attorney shall not lapse in the cases provided for in Article 35 of the Code of Obligations unless they are revoked.

Lieu et date Signature
Place and date Signature

(Légalisation de la signature non exigée)
(Authentication of signature not required)

NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY (CHILE)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: National Institute of Industrial Property (Chile)

PL: Industrial Property Law No. 19.039, as modified by Law No. 19.996, 2005 and Law No. 20.160, 2007

PR: Regulations under Industrial Property Law No. 19.039

SUMMARY **Designated (or elected) Office** SUMMARY

CL NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY (CHILE) CL

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	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: Chilean peso (CLP) For patent: Filing fee: Equivalent in CLP of UTM[2] 1 For utility model: Filing fee: Equivalent in CLP of UTM[2] 1
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3, 4] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Statement justifying the applicant's right to the invention[3, 4] Statement justifying the applicant's priority right[3, 4] Translation of the international application to be furnished in two copies[4] Power of attorney if an agent is appointed

[Continued on next page]

[1] Must be furnished within the time limit applicable under PCT Article 22 or 39(1).
[2] UTM means "Unidad Tributaria Mensual". The rate of exchange between the CLP and the UTM is updated on a monthly basis and may be consulted at: www.sii.cl.
[3] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.
[4] 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 of two months from the date of receipt of the invitation.

SUMMARY **Designated (or elected) Office** SUMMARY

CL NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY (CHILE) CL

[Continued]

Who can act as agent?	Any natural or legal person resident in Chile
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and "due care" criteria to such requests

THE PROCEDURE IN THE NATIONAL PHASE

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

CL.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

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

CL.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney within 30 days from the date of entry into the national phase if the applicant resides in Chile and 60 days if the applicant is a non-resident. Any natural or legal person resident in Chile may act as agent.

PL Art. 18

CL.05 **MAINTENANCE FEES.** The maintenance fee covering the first decade is due upon acceptance of the application. The maintenance fee covering the second decade is due before the expiration of the first decade. It can still be paid within a grace period of six months from the expiration of that time limit subject to the payment of a surcharge. The surcharge is 20 per cent per month or fraction of month starting from the first month of the grace period. The amount of the maintenance fees is indicated in Annex CL.I.

PL Art. 6
8

CL.06 **REQUEST FOR EXAMINATION.** Requests for examination must be made within 60 days from the expiration of the time limit for opposition (PL. Art. 5). The request for examination is only effective if the fee for examination has been paid. The amount of this fee is indicated in Annex CL.I.

PCT Art. 28
41
PCT Rule 52
78
PR Rule 49

CL.07 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend the description, claims or drawings, at any time during the national phase before the examination report has been established, provided that the scope of the subject matter disclosed in the application is not broadened thereby.

PCT Art. 25
PCT Rule 51

CL.08 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 48
PCT Rule 82*bis*

CL.09 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. If the applicant fails to comply with the applicable requirements prescribed by the national law upon entry into national phase, the Office will invite the applicant to comply within a period of two months following the date of notification.

PCT Rule 49.6

CL.10 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant failed to observe a time limit set by the Office either unintentionally or in spite of due care, which is prejudicial to his rights. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit or twelve months from the date of expiration of the applicable time limit, whichever time limit expires earlier. The omitted action must be completed within the applicable time limit, and the fee for reinstatement of rights (see Annex CL.I) must be paid.

PCT Art. 43
PCT Rule 49*bis*.1(a)

CL.11 **UTILITY MODEL.** Subject to paragraph CL.12, if the applicant wishes to obtain a utility model instead of a patent in Chile, on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

PCT Rule 49*bis*.2(b)
PCT Art. 35

CL.12 **CONVERSION.** The applicant may convert an application for a patent into an application for a utility model by filing a request to that effect. The converted application shall have the filing date of the initial application.

FEES

(Currency: Chilean peso (CLP)

Patents

Filing fee	Equivalent in CLP of UTM[1]	1
Publication fee (estimated cost)[2]		12,000
Examination fee		541,800
Maintenance fees		
For the 1st to the 10th years	Equivalent in CLP of UTM[1]	3
For the 11th to the 20th years	Equivalent in CLP of UTM[1]	4
Fee for reinstatement of rights	Equivalent in CLP of USD	500
Fee for restoration of the right of priority	Equivalent in CLP of USD	500

Utility models

Filing fee	Equivalent in CLP of UTM[1]	1
Publication fee (estimated cost)[2]		12,000
Examination fee		413,700
Maintenance fees		
For the 1st to the 5th years	Equivalent in CLP of UTM[1]	1
For the 6th to the 10th years	Equivalent in CLP of UTM[1]	2

How can payment of fees be effected?

The payment of the fees has to be effected in Chilean pesos. 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.

Filing and maintenance fees should be paid by cheque or cash using Form 10 "Ingresos Fiscales Pagos Directos", which is available at: www.inapi.cl. The publication fee should be paid by cheque or cash to the "Diario Oficial", at Diario Oficial, Dr. Torres 511, Providencia, Santiago, Chile. The publication fee can also be paid online through the website of the Diario Oficial: www.diariooficial.interior.gob.cl. The examination fee should be paid to "Instituto Nacional de Propiedad Industrial – Peritos", bank account No. 000-0-0900122-1, BancoEstado, Alameda No. 1111, Santiago, Chile. The filing and examination fees can also be paid electronically on the website of INAPI: www. inapi.cl.

[1] UTM means "Unidad Tributaria Mensual". The rate of exchange between the CLP and the UTM is updated on a monthly basis and may be consulted at: www.sii.cl.

[2] This amount depends on the contents of the publication and is fixed by the "Diario Oficial".

INAPI
Ministerio de Economía, Fomento y Turismo
Gobierno de Chile

USO EXCLUSIVO INAPI

21	N° Solicitud	22	Nº Fecha de Solicitud
43	Fecha de Publicación		
11	Nº de Registro	45	Fecha de Registro

SOLICITUD DE PATENTE

12 TIPO DE SOLICITUD

- ☐ INVENCIÓN
- ☐ MODELO DE UTILIDAD
- ☐ DISEÑO INDUSTRIAL
- ☐ DIBUJO INDUSTRIAL
- ☐ ESQUEMA DE TRAZADO O TOPOGRAFÍA DE CIRCUITOS INTEGRADOS
- ☐ DIVISIONAL
  Nº SOLICITUD ORIGEN _____

PRIORIDAD

31 Nº _____
32 FECHA _____
33 PAIS _____

31 Nº _____
32 FECHA _____
33 PAIS _____

31 Nº _____
32 FECHA _____
33 PAIS _____

DOCUMENTOS ACOMPAÑADOS

- ☐ RESUMEN
- ☐ MEMORIA DESCRIPTIVA
- ☐ PLIEGO DE REIVINDICACIONES
- ☐ DIBUJOS
- ☐ PODER
- ☐ CESION
- ☐ DOCUMENTO(S) DE PRIORIDAD
- ☐ LISTADO DE SECUENCIAS
- ☐ CERTIFICADO DEPOSITO MATERIAL BIOLOGICO
- ☐ DIVULGACIÓN INOCUA
- ☐ TRADUCCIÓN SOLICITUD INTERNACIONAL PCT
- ☐ INFORME DE BUSQUEDA PCT
- ☐ EXAMEN PRELIMINAR INTERNACIONAL PCT

PCT ENTRADA EN FASE NACIONAL CAPÍTULO I ☐ CAPÍTULO II ☐

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87	Nº PUBLICACIÓN INTERNACIONAL PCT:	FECHA:
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71 SOLICITANTE — Apellido Paterno, Apellido Materno, Nombre o Razón Social

RUT: | DIRECCIÓN (Calle, Número) | SEXO (1: Masculino 2: Femenino)

TIPO (1: Persona Natural 2: Inst. Investigación 3: Universidad 4: Otra persona Jurídica) ☐ | CIUDAD | REGIÓN | PAIS

CORREO ELECTRONICO | TELÉFONO

72 INVENTOR O CREADOR — Apellido Paterno, Apellido Materno, Nombre o Razón Social

RUT: | DIRECCIÓN (Calle, Número) | SEXO (1: Masculino 2: Femenino)

CIUDAD | REGIÓN | PAIS

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74 REPRESENTANTE — Apellido Paterno, Apellido Materno, Nombre o Razón Social

RUT: | DIRECCIÓN (Calle, Número) | SEXO (1: Masculino 2: Femenino)

CIUDAD | REGIÓN | PAIS

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De conformidad con el Art. 44 de la Ley N° 19.039 sobre Propiedad Industrial, declaro/declaramos que los datos consignados en este formulario son verdaderos

Nombre y Firma Representante Nombre y Firma Solicitante

USO EXCLUSIVO INAPI
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(14 February 2012)

INAPI
Ministerio de Economía, Fomento y Turismo
Gobierno de Chile

USO EXCLUSIVO INAPI

21	N° Solicitud	22	Fecha de Solicitud
43	Fecha de Publicación		
11	Nº de Registro	45	Fecha de Registro

ANEXO SOLICITUD DE PATENTE
OTRO(S) SOLICITANTE(S), OTRO(S) INVENTOR(ES) Y OTRA(S) PRIORIDAD(ES)

PRIORIDAD

31	Nº	31	Nº	31	Nº
32	FECHA	32	FECHA	32	FECHA
33	PAIS	33	PAIS	33	PAIS

71	SOLICITANTE	Apellido Paterno, Apellido Materno, Nombre o Razón Social		
RUT:		DIRECCIÓN (Calle, Número)		SEXO 1: Masculino 2: Femenino
TIPO 1: Persona Natural 2: Inst. Investigación 3: Universidad 4: Otra persona Jurídica		CIUDAD	REGIÓN / PAIS	
		CORREO ELECTRONICO	TELÉFONO	
71	SOLICITANTE	Apellido Paterno, Apellido Materno, Nombre o Razón Social		
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		CORREO ELECTRONICO	TELÉFONO	
71	SOLICITANTE	Apellido Paterno, Apellido Materno, Nombre o Razón Social		
RUT:		DIRECCIÓN (Calle, Número)		SEXO 1: Masculino 2: Femenino
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		CIUDAD	REGIÓN / PAIS	
		CORREO ELECTRONICO	TELÉFONO	
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		CORREO ELECTRONICO	TELÉFONO	
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		CIUDAD	REGIÓN / PAIS	
		CORREO ELECTRONICO	TELÉFONO	

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CHINA NATIONAL INTELLECTUAL PROPERTY ADMINISTRATION (CNIPA)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office:	China National Intellectual Property Administration (CNIPA)
CPL:	Patent Law of the People's Republic of China
CPR:	Implementing Regulations of the Patent Law of the People's Republic of China
HKSAR:	Hong Kong Special Administrative Region of the People's Republic of China
IPD:	Intellectual Property Department of the HKSAR
Ordinance:	Patents Ordinance (Cap. 514)

SUMMARY **Designated (or elected) Office** SUMMARY

CN CHINA NATIONAL INTELLECTUAL PROPERTY ADMINISTRATION (CNIPA) CN

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:[2]	Under PCT Article 22(1): 30 months from the priority date[1] Under PCT Article 39(1)(a): 30 months from the priority date[1]
Translation of international application required into:[2, 3]	Chinese
Required contents of the translation for entry into the national phase:[2, 3]	Under PCT Article 22: Request, description, claims (if amended, both as originally filed and as amended, if the applicant wishes the amendments to form the basis for the proceedings, together with any statement under PCT Article 19), any text matter of drawings, abstract Under PCT Article 39(1): Request, 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, if the applicant wishes the amendments to form the basis for the proceedings)
Is a copy of the international application required?[2, 3]	The applicant should only send a copy of the international application if the China National Intellectual Property Administration (CNIPA) has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2). In the HKSAR, the applicant should send a copy of the international application as published by the International Bureau and a copy of the international application as published by the China National Intellectual Property Administration (CNIPA) if the international application was not published in Chinese in the international phase.

[Continued on next page]

[1] The time limit may be extended by two months, provided the applicant pays the prescribed fee (PCT Article 48 and Implementing Regulations of Chinese Patent Law, Rule 103).

[2] The People's Republic of China established the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR) on 1 July 1997. The HKSAR operates an independent Patents Registry and all matters relating to the grant, administration or litigation in relation to patents are decided in the HKSAR according to the HKSAR's Patents Ordinance (Cap. 514). Patents granted by the China National Intellectual Property Administration (CNIPA) are not automatically protected in the HKSAR but the grant of a patent by the China National Intellectual Property Administration (CNIPA) can form the basis for patents in the HKSAR. In order to obtain patents via the PCT, the applicant must designate China. See paragraphs CN.17 to CN.19 of the chapter concerning the China National Intellectual Property Administration (CNIPA), in National Phase of the *PCT Applicant's Guide,* for details of the national phase before the Intellectual Property Department (IPD) of the HKSAR.

[3] Must be furnished within the time limit applicable under PCT Article 22 or 39(1).

SUMMARY Designated (or elected) Office SUMMARY

CN CHINA NATIONAL INTELLECTUAL PROPERTY ADMINISTRATION (CNIPA) CN

[Continued]

National fee:[4]

Currency: Yuan renminbi (CNY)

For a patent:		
Filing fee:[5]	CNY	900
Additional filing fee:[5]		
— for each sheet of the description in excess of 30 sheets	CNY	50
— for each sheet of the description in excess of 300 sheets	CNY	100
— for each claim in excess of 10[6]	CNY	150
Application publication fee:	CNY	50
Fee for priority claims, per priority:[5]	CNY	80
Examination fee:[7]	CNY	2,500
For a utility model:		
Filing fee: [5]	CNY	500
Additional filing fee:[5]		
— for each sheet of the description in excess of 30 sheets	CNY	50
— for each sheet of the description in excess of 300 sheets	CNY	100
— for each claim in excess of 10[6]	CNY	150
Fee for priority claims, per priority: [5]	CNY	80

Exemptions, reductions or refunds of the national fee:[4]

No filing fee or additional filing fee is payable if the international application has been filed with the China National Intellectual Property Administration (CNIPA) as receiving Office.

The examination fee is reduced by 20% where the international search report has been issued by the Japan Patent Office (JPO), the Swedish Patent and Registration Office or the European Patent Office.

No examination fee is payable if the international search report and the international preliminary report on patentability have been issued by the China National Intellectual Property Administration (CNIPA).

A refund of 50% of the examination fee may be requested where the application has entered the substantive examination stage and the application is voluntarily withdrawn prior to the expiration of the time limit for responding to the first examination opinion (except when a response has already been submitted).

[Continued on next page]

4 See footnote 2.

5 This fee is due within the time limit applicable under PCT Article 22 or 39(1).

6 The additional filing fee for entry into the national phase is calculated on the basis of the number of claims in the international application as originally filed, and not as subsequently reduced, if applicable.

7 This fee is due within three years from the priority date.

SUMMARY Designated (or elected) Office SUMMARY

CN CHINA NATIONAL INTELLECTUAL PROPERTY ADMINISTRATION (CNIPA) CN

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[8, 9]	Name of the inventor if it has not been furnished in the "Request" part of the international application[10] Instrument of assignment of the priority right where the applicants are not identical[10] Instrument of assignment of the international application if the applicant has changed after the international filing date Appointment of an agent Evidence concerning exceptions to lack of novelty if the applicant claims such exceptions in respect of the international application Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?[8]	Any of the patent agencies legally incorporated in China. A list of patent agencies may be obtained from the Office.
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No

[8] See footnote 2.

[9] 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.

[10] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

CN.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available special forms for entering the national phase (see Annex CN.II for invention applications and Annex CN.III for utility model applications). These forms should preferably (but need not) be used when effecting the payment of the national fee and for the furnishing of the translation of the international application into Chinese. The forms are also available on the Office's website at www.cnipa.gov.cn.

CN.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).

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

CPL Art. 35
CPR Rules 93
96

CN.04 **REQUEST FOR EXAMINATION.** The Office examines patent applications as to substance only upon a request for examination and the payment of an examination fee which must be effected within three years from the priority date. The amount of the examination fee is indicated in Annex CN.I. A copy of the form for requesting examination is contained in Annex CN.IV. The form is also available on the Office's website at www.cnipa.gov.cn.

CPR Rule 15

CN.05 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney.

PCT Art. 28
41
CPR Rules 51
112

CN.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** With regard to an international application for a utility model, the applicant may file a request with the Office to amend the description, drawings and claims on his own initiative within two months from the date of entry into the national phase. With regard to an international application for a patent of invention, the applicant may amend the application on his own initiative at the time when a request for examination is made, and within three months after the receipt of the notification of the Office that the application has entered into examination as to substance. Where the applicant wishes to amend the application, to correct defects indicated in the notification of opinions of the examination issued by the Office, such amendments shall be made within the time limit set by the Office.

CN.07 **INSTRUMENT OF ASSIGNMENT.** The applicant is presumed to have the right to file the international application and therefore no instrument of assignment is required if the international application is filed by an entity for an employee invention made by an inventor who is an employee of that entity. After the application is filed, an instrument of assignment is required for each change if there is any change in the person of the applicant.

PCT Art. 17(3)(b)
34(3)(c)
CPR Rule 115

CN.08 **SPECIAL FEE IN CASE OF LACK OF UNITY OF INVENTION.** Where a part of the international application was not subjected to international search or preliminary examination because the international application did not comply with the requirement of unity of invention and the applicant did not pay the additional search or preliminary examination fee to the International Searching or Preliminary Examination Authority, the Office will decide whether the said finding as regards the application translated into the Chinese language was correct. If this is found to be the case, the Office will invite the applicant to pay a special fee within the time limit fixed in the notification of this decision. The amount of the said fee is indicated in Annex CN.I. Where the applicant does not pay the special fee, that part of the international application which was not subjected to international search or preliminary examination will be considered withdrawn.

CPL Art. 43
CPR Rules 54
98

CN.09 **ANNUAL FEES.** The first annual fee must be paid within two months from the receipt of the notice from the Office of the grant of the patent. All subsequent annual fees must be paid in advance within the month before the anniversary of the international filing date. If the annual fee is not paid or not paid in full, the Office will invite the applicant to pay it within six months from the expiration of the time limit due, with a surcharge. Where the annual fee is not paid within the prescribed time limit, the patent shall be deemed lapsed from the expiration of the time limit within which the annual fee should have been paid. The amounts of the annual fees are indicated in Annex CN.I.

PCT Art. 25
PCT Rule 51
CPR Rule 116

CN.10 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. Where an international application in the international phase has not been accorded an international filing date or has been considered withdrawn by one of the international authorities, the applicant may request reconsideration by the Office.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*
CPR Rule 103

CN.11 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** If the applicant fails to perform the acts necessary for entry into the national phase within the prescribed time limit of 30 months, he may perform the required acts before the expiration of a time limit of 32 months from the priority date, provided that he pays a surcharge for late entry into the national phase.

CPR Rules 6
105

CN.12 Subject to CPR Rule 105, where, because of force majeure, after having performed the acts necessary for entering the national phase, the time limit prescribed in the CPL or the CPR or specified by the Office is not observed, resulting in the loss of any right, the applicant may request restoration of his rights within two months from the date of the removal of the impediment, or, at the latest, within two years from the expiration of the time limit. Such a request should be accompanied by a statement of reasons for the failure to meet the time limit and any relevant supporting documents. Where, because of any justified reason, the time limit prescribed in the CPL of the CPR or specified by the Office is not observed, resulting in the loss of any right, the applicant may state the reasons and request the Office to restore his rights, within two months from the date of receipt of a notification from the Office.

CN.13 **RESTORATION OF PRIORITY CLAIM.** Where the International Bureau or the receiving Office has declared that the priority claim is considered not to have been made according to PCT Rule 26*bis*.2 and the related information has been published together with the international application, the applicant may, when entering the national phase, request restoration of the priority claim. The request for restoration of the priority claim is subject to the payment of a fee (for the amount, see Annex CN.I).

CPR Rules 38
39
PCT Rules 49*bis*.1(a)
76.5

CN.14 **UTILITY MODEL.** If the applicant wishes to obtain a utility model instead of a patent in China, on the basis of an international application, the applicant, when performing the acts referred to in PCT Article 22 or 39, shall so indicate to the Office.

CN.15 The requirements for the national phase are basically the same as for patents, except that for utility models a drawing must be furnished and no examination as to substance is carried out. An international application for a patent may not be converted into a utility model application, and vice versa.

CPL Art. 41
CPR Rules 59-64

CN.16 **APPEALS.** Where an international application is rejected in the national phase, the applicant may, within three months from the date of receipt of the notification, request reexamination by the Patent Reexamination Board and pay a reexamination fee.

CN.17 **HOW TO GET PROTECTION IN THE HKSAR.** Patent protection for HKSAR can only be obtained on the basis of an international application in which China has been designated and which has validly entered the national phase before the China National Intellectual Property Administration (CNIPA). The further procedure before the IPD of the HKSAR is laid down in the Patents Ordinance (Cap. 514).

Ordinance Sec. 16

CN.17.01 **STANDARD PATENT.** Section 16 of the Ordinance provides for a standard patent based on an international application designating China.

CN.17.02 **FORM FOR RECORDING AN APPLICATION FOR A STANDARD PATENT.** For recording an application for a standard patent, use of the specified form is required. The form "Request to Record a Designated Patent Application for a Standard Patent" can be downloaded from the IPD website (www.ipd.gov.hk).

Ordinance Sec. 16

CN.17.03 **DOCUMENTS FOR RECORDING AN APPLICATION FOR A STANDARD PATENT.** In addition to the form specified under paragraph CN.17.02, the applicant has to file:

(i) a photocopy of the international application as published by the International Bureau;

(ii) a photocopy of the international application published by the China National Intellectual Property Administration (CNIPA) if the international application was not published in Chinese in the international phase;

(iii) a photocopy of any publication of information by the China National Intellectual Property Administration (CNIPA) concerning the international application.

CN.17.04 **SPECIAL REQUIREMENTS OF THE STANDARD PATENT.** The applicant has to file:

(i) in both Chinese and English: the title of the invention and the abstract;

(ii) the name of the inventor if it has not been furnished in the "Request" part of the international application;

(iii) a statement explaining the entitlement to apply for the grant of a standard patent and the prescribed documents supporting that statement if the applicant is not the same as the one in the international application.

CN.17.05 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in this chapter is outlined in Annex CN(HK).I.

Ordinance Sec. 15

CN.17.06 **TIME LIMITS FOR MEETING THE REQUIREMENTS.** An application for a standard patent ("Request to Record") and the documents specified under paragraph CN.17.03 may be filed at any time within six months from the date of the Chinese national publication; or if the international application was published in Chinese in the international phase, they may be filed at any time within six months from the date of the issuance of the National Application Notification (PCT/CN 503) by the China National Intellectual Property Administration (CNIPA). The filing and advertisement fees shall be payable within one month after the earliest filing of the "Request to Record."

CN.17.07 **ADDRESS FOR SERVICE.** The applicant is not required to appoint an agent but he is required to have an address for service in the HKSAR. The address so furnished shall be treated for the purpose of the application as the address for service of the applicant. If the applicant appoints an agent, his agent is required to provide the address in the HKSAR where he resides or carries out his business activities.

Ordinance Sec. 23

CN.17.08 **REQUEST FOR REGISTRATION AND GRANT.** Where a "Request to Record" has been recorded in the register and has been published and the "Request to Record" is not refused or deemed withdrawn or abandoned and a patent has been granted by the China National Intellectual Property Administration (CNIPA), the applicant shall request the registration and grant of a standard patent.

Ordinance Sec. 23

CN.17.09 **REQUIREMENTS FOR THE REQUEST FOR REGISTRATION AND GRANT.** The applicant has to file within six months after the date of grant by the China National Intellectual Property Administration (CNIPA) or the publication of the "Request to Record," **whichever is later**:

(i) the form "Request for Registration of a Designated Patent and Grant of a Standard Patent";

(ii) a verified copy of the specification of the granted patent published by the China National Intellectual Property Administration (CNIPA);

(iii) a statement indicating the derivation of the applicant's right to request registration and the prescribed documents supporting that statement if the applicant is not the same as the one recorded in the register.

The filing and advertisement fees shall be paid within one month after the earliest filing of the "Request for Registration and Grant."

Ordinance Sec. 33

CN.17.10 **MAINTAINING APPLICATION FOR A STANDARD PATENT.** A fee is payable for maintaining a standard patent application which has not matured to registration. This maintenance fee becomes payable for maintaining the standard patent application for a further year after the expiry of the fifth year or any succeeding year thereafter from the date specified in the Ordinance. The specified date is the anniversary (i.e., one year after) of the international filing date first occurring after the date of publication of the "Request to Record" in the HKSAR. Failure to pay the maintenance fee leads to the patent application being deemed withdrawn and abandoned. However, if the applicant pays the maintenance fee and the additional fee within six months after the specified maintenance fee due date, the patent application shall be treated as if it had not been withdrawn or abandoned.

Ordinance Sec. 39

CN.17.11 **RENEWAL FEES.** A standard patent may be kept in force by payment of a renewal fee. The first renewal fee becomes payable for keeping the standard patent in force after the expiry of the third year calculated from the date specified in the Ordinance. Thereafter, the renewal fee must be paid before the expiry of each succeeding year. The specified date is the anniversary (i.e., one year after) of the international filing date of the standard patent first occurring after the date of grant of the patent in the HKSAR. Failure to pay the renewal fee leads to the patent ceasing to have effect. However, if the proprietor pays the renewal fee and the additional fee within six months after the specified renewal fee due date, the patent shall be treated as if it had never expired.

CN.18.01 **SHORT-TERM PATENTS.** Section 125 of the Patents Ordinance provides for a short-term patent based on an international application designating China and seeking protection for a utility model.

(i) The level of inventiveness required for a short-term patent is the same as that for a standard patent.

(ii) The term of a short-term patent is shorter than that of a standard patent. It shall remain in force for a period of eight years from the international filing date, subject to payment of the renewal fee.

CN.18.02 **FORM FOR FILING AN APPLICATION FOR A SHORT-TERM PATENT.** For filing the application for a short-term patent the use of the specified form is required. The form "Request for Grant of a Short-Term Patent" can be downloaded from the IPD website (www.ipd.gov.hk).

Ordinance Sec. 113 125

CN.18.03 **REQUIREMENTS FOR FILING AN APPLICATION FOR A SHORT-TERM PATENT.** In addition to the form specified under paragraph CN.18.02, the applicant has to file:

(i) a photocopy of the international application as published by the International Bureau;

(ii) a photocopy of the international search report (whether contained in the international application as published or separately published);

(iii) a photocopy of any publication of information by the China National Intellectual Property Administration (CNIPA) concerning the international application;

(iv) the date of the issuance of the China National Application Notification by the National Intellectual Property Administration (CNIPA).

CN.18.04 **SPECIAL REQUIREMENTS FOR A SHORT-TERM PATENT.** The applicant has to file:

(i) in both Chinese and English: the title of the invention and the abstract;

(ii) the name and address of the inventor if they have not been furnished in the "Request" part of the international application;

(iii) a statement indicating the derivation of the entitlement to exercise the right to the short-term patent if the applicant is not the sole inventor or the applicants are not the joint inventors.

CN.18.05 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in this chapter is outlined in Annex CN(HK).I.

Ordinance Sec. 113 125

CN.18.06 **TIME LIMITS FOR MEETING THE REQUIREMENTS.** An application for a short-term patent and the documents specified under paragraph CN.18.03 may be filed at any time within six months from entry into the national phase before the China National Intellectual Property Administration (CNIPA). The filing and advertisement fees shall be payable within one month after the earliest filing of the application.

CN.18.07 **ADDRESS FOR SERVICE.** The applicant is not required to appoint an agent but he is required to have an address for service in the HKSAR. The address so furnished shall be treated for the purpose of the application as the address for service of the applicant. If the applicant appoints an agent, his agent is required to provide the address in the HKSAR where he resides or carries out his business activities.

Ordinance Sec. 126

CN.18.08 **RENEWAL FEES.** The term of a short-term patent is eight years from the international filing date, subject to payment of the renewal fee. A renewal fee is payable if the proprietor wants to have his short-term patent in force for a further period of four years after the expiry of the fourth year from the international filing date. Failure to pay the renewal fee leads to the short-term patent ceasing to have effect. However, if the proprietor pays the renewal fee and the additional fee within six months after the specified renewal fee due date, the patent shall be treated as if it had never expired.

CN.19 **RESTORATION.** The Ordinance provides for the restoration of standard patent applications and patents, and the restoration of short-term patents.

FEES

(Currency: Yuan renminbi)

	Patents	Utility models
Filing fee	900	500
Application publication fee	50	—
Additional filing fee:		
— for each sheet of the description in excess of 30 sheets	50	50
— for each sheet of the description in excess of 300 sheets	100	100
— for each claim in excess of 10[1]	150	150
Fee for priority claims, per priority	80	80
Surcharge for late entry into the national phase	1,000	1,000
Handling fee for rectifying errors in translation in the preliminary examination phase	300	300
Handling fee for rectifying errors in translation in the substantive examination phase	1,200	1,200
Restoration fee for unity of invention	900	900
Handling fee for change of bibliographic data:		
— for change of applicant, inventor or patentee	200	200
— for change of agency or agent	50[2]	50[2]
Fee for requesting restoration of rights[3]	1,000	1,000
Fee for requesting restoration of priority claim[4]	1,000	1,000
Examination fee	2,500	—
Fee for requesting extension of time limit:		
— first time, per month	300	300
— second time, per month	2,000	2,000
Fee for requesting invalidation	3,000	1,500
Re-examination fee	1,000	300
Registration fee, printing fee and stamp fee	255[5]	205[5]

[1] The additional filing fee for entry into the national phase is calculated on the basis of the number of claims in the international application as originally filed, and not as subsequently reduced, if applicable. For further details on the fees, see www.cnipa.gov.cn/zhfwpt/zlsqzn_pt/zlsqdfy/index.htm.

[2] The collection of this fee has been suspended by the Office as from 1 August 2018 and the applicant is not required to pay the fee from that date.

[3] This fee is applicable under CPR Rule 6.

[4] This fee is only applicable where the International Bureau or the receiving Office has declared that the priority claim is considered not to have been made according to PCT Rule 26*bis*.2 and the related information has been published together with the international application. Applicants may, when entering the national phase, request restoration of the priority claim.

[5] The collection of the registration fee (CNY 200 for a patent, CNY 150 for a utility model) and the printing fee (CNY 50) has been suspended by the Office as from 1 August 2018 and the applicant is not required to pay these fees from that date. The stamp fee (CNY 5) remains payable.

Annual fees:		
— for the 1st to the 3rd years, per year	900	600
— for the 4th year	1,200	900
— for the 5th year	1,200	900
— for the 6th year	1,200	1,200
— for the 7th year	2,000	1,200
— for the 8th year	2,000	1,200
— for the 9th year	2,000	2,000
— for the 10th year.	4,000	2,000
— for the 11th year.	4,000	—
— for the 12th year.	4,000	—
— for the 13th to the 15th years, per year	6,000	—
— for the 16th to the 20th years, per year	8,000	—

How can payment of fees be effected?

All fees must be paid directly to the China National Intellectual Property Administration (CNIPA) or paid by way of bank or postal remittance, or by of any other means as prescribed by the Office.

国际申请进入中国国家阶段声明（发明）

请按照“注意事项”正确填写本表各栏

⑤专利代理机构案卷号			此框内容由国家知识产权局填写 ①国家申请号
⑥国际申请号			
⑦国际申请日			②递交日
⑧优先权日			
⑨国际公布号			③费减审批
⑩国际公布日			
⑪国际公布语言			④挂号号码
⑫发明名称			
⑬发明人	发明人1		□不公布姓名
	发明人2		□不公布姓名
⑭第一发明人	国籍		居民身份证件号码

⑮申请人	申请人(1)	姓名或名称：		申请人类型
		居民身份证件号码或统一社会信用代码/组织机构代码 □请求费减且已完成费减资格备案		电子邮箱
		国籍或注册国家（地区）		经常居所地或营业所所在地
		省、自治区、直辖市		
		市县		
		详细地址		
		邮政编码		电话
	申请人(2)	姓名或名称：	用户代码	申请人类型
		居民身份证件号码或统一社会信用代码/组织机构代码 已完成费减资格备案		□请求费减且
		国籍或注册国家（地区）		经常居所地或营业所所在地
		省、自治区、直辖市		
		市县		
		详细地址		
		邮政编码		电话

⑯联系人	姓　　名	电话
	省、自治区、直辖市	
	市县	
	详细地址	
	邮政编码	电子邮箱

⑰代表人	为非第一署名申请人时声明	特声明第　　署名申请人为代表人

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国际申请进入中国国家阶段声明（发明）

<table>
<tr><td rowspan="5">⑱
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构</td><td colspan="4">☐声明已经与申请人签订了专利代理委托书且本表中的信息与委托书中相应信息一致</td></tr>
<tr><td colspan="2">名称</td><td colspan="2">机构代码</td></tr>
<tr><td rowspan="3">代
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(1)</td><td>姓　　名</td><td rowspan="3">代
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<tr><td>执业证号</td><td>执业证号</td></tr>
<tr><td>电　　话</td><td>电　　话</td></tr>
<tr><td colspan="5">⑲ 提前处理
☒自优先权日起 30 个月的期限尚未届满，请求国家知识产权局根据专利法实施细则第 111 条提前处理和审查本国际申请。
☐本国际申请尚未国际公布，请求国家知识产权局作为指定局要求国际局传送国际申请文件副本。
***自优先权日起 30 个月的期限尚未届满，申请人不要求提前处理本国际申请，请取消上述默认选项。**</td></tr>
<tr><td colspan="5">⑳ ☐提前公布 根据专利法第 34 条的规定，请求早日公布该专利申请。</td></tr>
<tr><td colspan="5">㉑ 审查基础文本声明
☐以原始国际申请文件中的中文译文为审查基础
☐以下列申请文件为审查基础</td></tr>
<tr><td>☐说明书</td><td colspan="4">第　　页，按原始国际申请文件的中文译文
第　　页，按专利性国际初步报告（PCT 第二章）附件的中文译文
第　　页，按专利合作条约第 28/41 条提出的修改</td></tr>
<tr><td>☐权利要求</td><td colspan="4">第　　项，按原始国际申请文件的中文译文
第　　项，按专利合作条约第 19 条修改的中文译文
第　　项，按专利性国际初步报告（PCT 第二章）附件的中文译文
第　　项，按专利合作条约第 28/41 条提出的修改</td></tr>
<tr><td>☐附图</td><td colspan="4">第　　页，按原始国际申请文件的中文译文
第　　页，按专利性国际初步报告（PCT 第二章）附件的中文译文
第　　页，按专利合作条约第 28/41 条提出的修改</td></tr>
<tr><td>☐核苷酸和/或氨基酸序列表</td><td colspan="4">第　　页，按原始国际申请文件
第　　页，按专利性国际初步报告（PCT 第二章）附件
第　　页，按专利合作条约第 28/41 条提出的修改</td></tr>
</table>

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<tr><td rowspan="9">㉒
要求优先权声明</td><td>序号</td><td>原受理机构名称</td><td>在先申请日</td><td>在先申请号</td><td rowspan="9">㉓ 关于遗传资源的说明
☐本国际申请涉及的发明创造是依赖于遗传资源完成的</td></tr>
<tr><td>1</td><td></td><td></td><td></td></tr>
<tr><td>2</td><td></td><td></td><td></td></tr>
<tr><td>3</td><td></td><td></td><td></td></tr>
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</table>

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㉔ 关于援引加入的说明

☐本国际申请在国际阶段含有援引加入项目或部分，提交的中文译文中未包含援引加入项目或部分。
☐本国际申请在国际阶段含有援引加入项目或部分，提交的中文译文中包含下列援引加入项目或部分，请求修改相对于中国的申请日：

☐说明书　　第　　页，国际阶段提交援引加入的时间为　　；
☐权利要求　第　　项，国际阶段提交援引加入的时间为　　；
☐附图　　第　　页，国际阶段提交援引加入的时间为　　。

㉕ 生物材料样品保藏

☐本国际申请涉及的生物材料样品的保藏已在专利合作条约实施细则第13条之2.4规定的期限内以下列形式作出记载：

保藏编号	保藏日期	保藏单位代码	说明书译文第_页_行或PCT/RO/134表	是否存活
				☐是 ☐否
				☐是 ☐否
				☐是 ☐否
				☐是 ☐否
				☐是 ☐否

㉖ 不丧失新颖性宽限期声明

☐已在中国政府主办或承认的国际展览会上首次展出，并在提出国际申请时作出过声明。
☐已在规定的学术会议或技术会议上首次发表，并在提出国际申请时作出过声明。

㉗ 复查请求

☐申请人于　　年　　月　　日收到下列通知：
☐受理局拒绝给予国际申请日　　☐国际局按专利合作条约第12条（3）作出认定
☐受理局宣布申请被认为撤回
☐根据专利合作条约第25条特此向国家知识产权局提出复查请求，并且
☐已请求国际局将档案中有关文件传送国家知识产权局；
☐已依照专利法实施细则第103条的规定办理进入中国国家阶段的手续。

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㉘ 申请文件清单			㉙ 附加文件清单
1、 进入声明	份	页	☐按专利合作条约第 19 条修改的中文译文 份 页
2、 说明书摘要	份	页	
3、 摘要附图	份	页	☐专利性国际初步报告（PCT 第二章） 附件的中文译文 份 页
4、 权利要求书	份	页	☐按专利合作条约第 28/41 条提出的修改 份 页
5、 说明书	份	页	
6、 说明书附图	份	页	
7、 PCT/RO/134 表	份	页	☐专利代理委托书 份 页
8、 核苷酸和/或氨基酸序列表	份	页	总委托书（备案编号_____）
9、 计算机可读形式序列表	份	页	☐实质审查请求书 份 页
			☐申请权转让证明 份 页
			☐申请权转让证明中文题录 份 页
权利要求的项数		项	☐优先权转让证明 份 页
			☐优先权转让证明中文题录 份 页
			☐著录项目变更申报书 份 页
			☐生物材料样品保藏证明 份 页
			☐生物材料样品存活证明 份 页
			☐生物材料样品保藏及存活证明中文题录 份 页
			☐遗传资源来源披露登记表 份 页
			☐经确认的国际申请副本 份 页
			☐在先申请文件副本中文题录 份 页
			☐已备案的证明文件 份 页
			（证明文件备案编号_____）
㉚ 全体申请人或专利代理机构签字或者盖章 年 月 日			㉛ 国家知识产权局审核意见 年 月 日

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注 意 事 项

一、国际申请希望在中国获得专利保护的，应当在专利法实施细则第 103 条规定的期限内办理进入中国国家阶段手续。办理进入国家阶段手续的，应当符合专利法实施细则第 104 条的规定。

二、办理进入国家阶段手续时应当提交国际申请进入中国国家阶段声明及权利要求书、说明书、说明书摘要的中文译文，有说明书附图及摘要附图的应当提交说明书附图及摘要附图副本，并缴纳相关费用。（表格可在国家知识产权局网站 www.cnipa.gov.cn下载

三、本表应当使用国家公布的中文简化汉字填写，表中文字应当打字或者印刷，字迹为黑色。

四、本表中方格供填表人选择使用，若有方格后所述内容的，应当在方格内作标记。

五、本表中所有详细地址栏，本国的地址应当包括省（自治区）、市（自治州）、区、街道门牌号码，或者省（自治区）、县（自治县）、镇（乡）、街道门牌号码，或者直辖市、区、街道门牌号码。有邮政信箱的，可以按规定使用邮政信箱。外国的地址应当注明国别、市（县、州）。其中申请人、专利代理机构、联系人的详细地址应当满足邮件能够迅速、准确投递的要求。

六、填表说明

1.本表第 1、2、3、4、31 栏，由国家知识产权局填写。

2.本表第 5 栏，申请人委托专利代理机构的，专利代理机构有案卷号的可填写此栏。

3.本表第 6、7、8 栏，申请人应当正确填写。

4.本表第 9、10、11 栏，国际申请已进行国际公布的，申请人应当正确填写相应内容。

5.本表第 12 栏，发明名称应当准确、简短。

6.本表第 13 栏，发明人应当是个人，此栏应当填写对中国的发明人。发明人可以请求国家知识产权局不公布其姓名。

7.本表第 14 栏，应当填写第一发明人国籍，第一发明人为中国内地居民的，应当同时填写居民身份证件号码。

8.本表第 15 栏，应当填写对中国的申请人。申请人是中国内地单位或者个人的，应当填写其名称或者姓名、地址、邮政编码、统一社会信用代码/组织机构代码或者居民身份证件号码；申请人是外国人、外国企业或者外国其他组织的，应当填写其姓名或者名称、国籍或者注册国家或者地区。申请人类型可从下列类型中选择填写：个人、企业、事业单位、机关团体、大专院校、科研单位。申请人请求费用减缴且已完成费减资格备案的，应当在方格内作标记，并在本栏填写证件号码处填写费减备案时使用的证件号码。9.本表第 16 栏，申请人是单位且未委托专利代理机构的，应当填写联系人，并同时填写联系人的通信地址、邮政编码、电子邮箱和电话号码，联系人只能填写一人，且应当是本单位的工作人员。申请人为个人且需由他人代收国家知识产权局所发信函的，也可以填写联系人。

10.本表第 17 栏，申请人指定非第一署名申请人为代表人时，应当在此栏指明被确定的代表人。

11.本表第 18 栏，申请人委托专利代理机构的，应当填写此栏。

12.本表第 19 栏，申请人应当根据是否请求提前处理在此栏进行选择。

13.本表第 20 栏，申请人要求提前公布的，应当填写此栏。若填写此栏，不需要再提交发明专利请求提前公布声明。

14.本表第 21 栏，申请人应当正确填写。

15.本表第 22 栏，申请人要求优先权的，应当填写此栏。

16.本表第 23 栏，国际申请涉及遗传资源的，应当填写此栏。

17.本表第 24 栏，国际申请在国际阶段有援引加入项目或部分的，应当填写此栏。若申请人在办理进入国家阶段手续时未在进入声明中予以指明并请求修改相对于中国的申请日，在后续程序中不能再通过请求修改相对于中国的申请日的方式保留援引加入项目或部分。

18.本表第 25 栏，国际申请涉及生物材料样品保藏的，应当填写此栏，并自进入日起 4 个月内提交生物材料样品的保藏证明和存活证明。

19.本表第 26 栏，申请人要求不丧失新颖性宽限期的，应当填写此栏，并自进入日起 2 个月内提交证明文件。

20.本表第 27 栏，申请人请求复查的，应当填写此栏。

21.本表第 28、29 栏，申请人应当按实际提交的文件名称、份数、页数及权利要求项数正确填写。

22.本表第 30 栏，委托专利代理机构的，应当由专利代理机构加盖公章。未委托专利代理机构的，申请人为个人的应当由本人签字或者盖章；申请人为单位的应当加盖单位公章；有多个申请人的由全体申请人签字或者盖章。

23.本表第 13、15、22、25 栏，发明人、申请人、要求优先权声明、生物材料样品保藏的内容本表填写不下时，应当使用规定格式的附页续写。

缴 费 须 知

1. 自优先权日起 30 个月内办理进入国家阶段手续的，应当缴纳申请费、公布印刷费、申请附加费，自优先权日起 30 到 32 个月内办理进入国家阶段手续的，还应当缴纳宽限费。
2. 要求优先权的，最迟应当自进入日起 2 个月内缴纳优先权要求费。
3. 权利要求项数超过 10 项的，从第 11 项起，每项增收附加费 150 元；说明书（包括附图、序列表）页数超过 30 页的，从第 31 页起，每页增收附加费 50 元，超过 300 页的，从第 301 页起，每页增收附加费 100 元。
4. 专利费用可以通过网上缴费、邮局或银行汇款缴纳，也可以到国家知识产权局面缴。
5. 网上缴费：电子申请注册用户可登陆 http://cponline.cnipa.gov.cn，并按照相关要求使用网上缴费系统缴纳。
6. 邮局汇款：收款人姓名：国家知识产权局专利局收费处，商户客户号：110000860。
7. 银行汇款：开户银行：中信银行北京知春路支行，户名：国家知识产权局专利局，账号：7111710182600166032。
8. 汇款时应当准确写明申请号、费用名称（或简称）及分项金额。未写明申请号和费用名称（或简称）的视为未办理缴费手续。了解更多详细信息及要求，请登陆 http://www.cnipa.gov.cn 查询。
9. 对于只能采用电子联行汇付的，应当向银行付电报费，正确填写并要求银行至少将申请号及费用名称两项列入汇款单附言栏中同时发至国家知识产权局专利局。
10. 缴费和汇款时应当正确填写申请号，在办理进入国家阶段手续时可以使用国际申请号，使用国际申请号交费时还应注明申请类别。在获得国家申请号之后缴纳各种费用时都应当注明国家申请号。

    费用通过邮局或者银行汇付遗漏必要缴费信息的，可以在汇款当天最迟不超过汇款次日补充缴费信息，补充缴费信息的方式如下：登陆专利缴费信息网上补充及管理系统（http://fee.cnipa.gov.cn）进行缴费信息的补充；通过传真（010-62084312/8065）或发送电子邮件（shoufeichu@cnipa.gov.cn）的方式补充缴费信息。补充完整缴费信息的，以补充完整缴费信息日为缴费日。因逾期补充缴费信息或补充信息不符合规定，造成汇款被退回或入暂存的，视为未缴纳费用。补充缴费信息的，应当提供邮局或者银行的汇款单复印件、所缴费用的申请号（或专利号）及各项费用的名称和金额。同时，应当提供接收收据的地址、邮政编码、接收人姓名或名称等信息。补充缴费信息如不能提供邮局或者银行的汇款单复印件的，还应当提供汇款日期、汇款人姓名或名称、汇款金额、汇款单据号码等信息。
11. 未按上述规定办理缴费手续的，所产生的法律后果由汇款人承担。

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<table>
<tr><td colspan="4">请按照“注意事项”正确填写本表各栏</td><td>此框内容由国家知识产权局填写</td></tr>
<tr><td colspan="3">⑤ 专利代理机构案卷号</td><td></td><td rowspan="2">① 国家申请号</td></tr>
<tr><td colspan="3">⑥ 国际申请号</td><td></td></tr>
<tr><td colspan="3">⑦ 国际申请日</td><td></td><td rowspan="2">② 递交日</td></tr>
<tr><td colspan="3">⑧ 优先权日</td><td></td></tr>
<tr><td colspan="3">⑨ 国际公布号</td><td></td><td rowspan="2">③ 费减审批</td></tr>
<tr><td colspan="3">⑩ 国际公布日</td><td></td></tr>
<tr><td colspan="3">⑪ 国际公布语言</td><td></td><td rowspan="2">④ 挂号号码</td></tr>
<tr><td colspan="3">⑫ 实用新型名称</td><td></td></tr>
<tr><td colspan="2" rowspan="2">⑬ 发明人</td><td>发明人 1</td><td></td><td>□不公布姓名</td></tr>
<tr><td>发明人 2</td><td></td><td>□不公布姓名</td></tr>
<tr><td colspan="2">⑭ 第一发明人</td><td colspan="2">国 籍</td><td>居民身份证件号码</td></tr>
<tr><td rowspan="11">⑮ 申请人</td><td rowspan="6">申请人(1)</td><td colspan="3">姓名或名称：</td><td>申请人类型</td></tr>
<tr><td colspan="3">居民身份证件号码或统一社会信用代码/组织机构代码
□请求费减且已完成费减资格备案</td><td>电子邮箱</td></tr>
<tr><td colspan="3">国籍或注册国家（地区）</td><td>经常居所地或营业所所在地</td></tr>
<tr><td colspan="4">省、自治区、直辖市</td></tr>
<tr><td colspan="4">市县</td></tr>
<tr><td colspan="4">详细地址</td></tr>
<tr><td colspan="3">邮政编码</td><td>电话</td></tr>
<tr><td rowspan="5">申请人(2)</td><td colspan="2">姓名或名称：</td><td>用户代码</td><td>申请人类型</td></tr>
<tr><td colspan="4">居民身份证件号码或统一社会信用代码/组织机构代码
□请求费减且已完成费减资格备案</td></tr>
<tr><td colspan="3">国籍或注册国家（地区）</td><td>经常居所地或营业所所在地</td></tr>
<tr><td colspan="4">省、自治区、直辖市</td></tr>
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<tr><td colspan="4">详细地址</td></tr>
<tr><td colspan="3">邮政编码</td><td>电话</td></tr>
<tr><td rowspan="5">⑯ 联系人</td><td colspan="2">姓 名</td><td colspan="2">电话</td></tr>
<tr><td colspan="4">省、自治区、直辖市</td></tr>
<tr><td colspan="4">市县</td></tr>
<tr><td colspan="4">详细地址</td></tr>
<tr><td colspan="2">邮政编码</td><td colspan="2">电子邮箱</td></tr>
<tr><td>⑰ 代表人</td><td colspan="4">为非第一署名申请人时声明 特声明第 署名申请人为代表人</td></tr>
</table>

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国际申请进入中国国家阶段声明（实用新型）

<table>
<tr><td rowspan="5">⑱ 专利代理机构</td><td colspan="4">☐声明已经与申请人签订了专利代理委托书且本表中的信息与委托书中相应信息一致</td></tr>
<tr><td colspan="2">名称</td><td colspan="2">机构代码</td></tr>
<tr><td rowspan="3">代理人(1)</td><td>姓　　名</td><td rowspan="3">代理人(2)</td><td>姓　　名</td></tr>
<tr><td>执业证号</td><td>执业证号</td></tr>
<tr><td>电　　话</td><td>电　　话</td></tr>
<tr><td colspan="5">⑲ 提前处理
☒自优先权日起 30 个月的期限尚未届满，请求国家知识产权局根据专利法实施细则第 111 条提前处理和审查本国际申请。
☐本国际申请尚未国际公布，请求国家知识产权局作为指定局要求国际局传送国际申请文件副本。
***自优先权日起 30 个月的期限尚未届满，申请人不要求提前处理本国际申请，请取消上述默认选项。**</td></tr>
<tr><td colspan="5">⑳ 审查基础文本声明
☐以原始国际申请文件中的中文译文为审查基础
☐以下列申请文件为审查基础</td></tr>
<tr><td>☐说明书</td><td colspan="4">第　　页，按原始国际申请文件的中文译文
第　　页，按专利性国际初步报告（PCT 第二章）附件的中文译文
第　　页，按专利合作条约第 28/41 条提出的修改</td></tr>
<tr><td>☐权利要求</td><td colspan="4">第　　项，按原始国际申请文件的中文译文
第　　项，按专利合作条约第 19 条修改的中文译文
第　　项，按专利性国际初步报告（PCT 第二章）附件的中文译文
第　　项，按专利合作条约第 28/41 条提出的修改</td></tr>
<tr><td>☐附图</td><td colspan="4">第　　页，按原始国际申请文件的中文译文
第　　页，按专利性国际初步报告（PCT 第二章）附件的中文译文
第　　页，按专利合作条约第 28/41 条提出的修改</td></tr>
</table>

㉑ 要求优先权声明	序号	原受理机构名称	在先申请日	在先申请号
	1			
	2			
	3			
	4			
	5			
	6			
	7			
	8			

国际申请进入中国国家阶段声明（实用新型）

㉒关于援引加入的说明

☐本国际申请在国际阶段含有援引加入项目或部分，提交的中文译文中未包含援引加入项目或部分。
☐本国际申请在国际阶段含有援引加入项目或部分，提交的中文译文中包含下列援引加入项目或部分，请求修改相对于中国的申请日：

☐说明书 第 页，国际阶段提交援引加入的时间为 ；
☐权利要求 第 项，国际阶段提交援引加入的时间为 ；
☐附图 第 页，国际阶段提交援引加入的时间为 。

㉓不丧失新颖性宽限期声明

☐已在中国政府主办或承认的国际展览会上首次展出，并在提出国际申请时作出过声明。
☐已在规定的学术会议或技术会议上首次发表，并在提出国际申请时作出过声明。

㉔复查请求

☐申请人于 年 月 日收到下列通知：

☐受理局拒绝给予国际申请日 ☐国际局按专利合作条约第 12 条（3）作出认定
☐受理局宣布申请被认为撤回

☐根据专利合作条约第 25 条特此向国家知识产权局提出复查请求，并且

☐已请求国际局将档案中有关文件传送国家知识产权局；
☐已依照专利法实施细则第 103 条的规定办理进入中国国家阶段的手续。

㉕ 申请文件清单

1、进入声明	份	页
2、说明书摘要	份	页
3、摘要附图	份	页
4、权利要求书	份	页
5、说明书	份	页
6、说明书附图	份	页
权利要求的项数		项

㉖ 附加文件清单

☐按专利合作条约第 19 条修改的中文译文 份 页
☐专利性国际初步报告（PCT 第二章）
附件的中文译文 份 页
☐按专利合作条约第 28/41 条提出的修改 份 页
☐专利代理委托书 份 页
总委托书（备案编号_____）
☐申请权转让证明 份 页
☐申请权转让证明中文题录 份 页
☐优先权转让证明 份 页
☐优先权转让证明中文题录 份 页
☐著录项目变更申报书 份 页
☐经确认的国际申请副本 份 页
☐在先申请文件副本中文题录 份 页
☐已备案的证明文件 份 页
（证明文件备案编号_____）

㉗全体申请人或专利代理机构签字或者盖章

年 月 日

㉘国家知识产权局审核意见

年 月 日

注 意 事 项

一、国际申请希望在中国获得专利保护的，应当在专利法实施细则第 103 条规定的期限内办理进入中国国家阶段手续。办理进入国家阶段手续的，应当符合专利法实施细则第 104 条的规定。

二、办理进入国家阶段手续时应当提交国际申请进入中国国家阶段声明及权利要求书、说明书、说明书摘要的中文译文，有说明书附图及摘要附图的应当提交说明书附图及摘要附图副本，并缴纳相关费用。（表格可在国家知识产权局网站www.cnipa.gov.cn下载）

三、本表应当使用国家公布的中文简化汉字填写，表中文字应当打字或者印刷，字迹为黑色。

四、本表中方格供填表人选择使用，若有方格后所述内容的，应当在方格内作标记。

五、本表中所有详细地址栏，本国的地址应当包括省（自治区）、市（自治州）、区、街道门牌号码，或者省（自治区）、县（自治县）、镇（乡）、街道门牌号码，或者直辖市、区、街道门牌号码。有邮政信箱的，可以按规定使用邮政信箱。外国的地址应当注明国别、市（县、州）。其中申请人、专利代理机构、联系人的详细地址应当满足邮件能够迅速、准确投递的要求。

六、填表说明

1. 本表第①、②、③、④、㉘栏，由国家知识产权局填写。

2. 本表第⑤栏，申请人委托专利代理机构的，专利代理机构有案卷号的可填写此栏。

3. 本表第⑥、⑦、⑧栏，申请人应当正确填写。

4. 本表第⑨、⑩、⑪栏，国际申请已进行国际公布的，申请人应当正确填写相应内容。

5. 本表第⑫栏，实用新型名称应当准确、简短。

6. 本表第⑬栏，发明人应当是个人，此栏应当填写对中国的发明人。发明人可以请求国家知识产权局不公布其姓名。

7. 本表第⑭栏，应当填写第一发明人国籍，第一发明人为中国内地居民的，应当同时填写居民身份证件号码。

8. 本表第⑮栏，应当填写对中国的申请人。申请人是中国内地单位或者个人的，应当填写其名称或者姓名、地址、邮政编码、统一社会信用代码/组织机构代码或者居民身份证件号码；申请人是外国人、外国企业或者外国其他组织的，应当填写其姓名或者名称、国籍或者注册国家或者地区。申请人类型可从下列类型中选择填写：个人、企业、事业单位、机关团体、大专院校、科研单位。申请人请求费用减缴且已完成费减资格备案的，应当在方格内作标记，并在本栏填写证件号码处填写费减备案时使用的证件号码。

9. 本表第⑯栏，申请人是单位且未委托专利代理机构的，应当填写联系人，并同时填写联系人的通信地址、邮政编码、电子邮箱和电话号码，联系人只能填写一人，且应当是本单位的工作人员。申请人为个人且需由他人代收国家知识产权局所发信函的，也可以填写联系人。

10. 本表第⑰栏，申请人指定非第一署名申请人为代表人时，应当在此栏指明被确定的代表人。

11. 本表第⑱栏，申请人委托专利代理机构的，应当填写此栏。

12. 本表第⑲栏，申请人应当根据是否请求提前处理在此栏进行选择。

注 意 事 项

13. 本表第⑳栏，申请人应当正确填写。

14. 本表第㉑栏，申请人要求优先权的，应当填写此栏。

15. 本表第㉒栏，国际申请在国际阶段有援引加入项目或部分的，应当填写此栏。若申请人在办理进入国家阶段手续时未在进入声明中予以指明并请求修改相对于中国的申请日，在后续程序中不能再通过请求修改相对于中国的申请日的方式保留援引加入项目或部分。

16. 本表第㉓栏，申请人要求不丧失新颖性宽限期的，应当填写此栏，并自进入日起 2 个月内提交证明文件。

17. 本表第㉔栏，申请人请求复查的，应当填写此栏。

18. 本表第㉕、㉖栏，申请人应当按实际提交的文件名称、份数、页数及权利要求项数正确填写。

19. 本表第㉗栏，委托专利代理机构的，应当由专利代理机构加盖公章。未委托专利代理机构的，申请人为个人的应当由本人签字或者盖章；申请人为单位的应当加盖单位公章；有多个申请人的由全体申请人签字或者盖章。

20. 本表第⑬、⑮、㉑栏，发明人、申请人、要求优先权声明的内容本表填写不下时，应当使用规定格式的附页续写。

缴 费 须 知

1. 自优先权日起 30 个月内办理进入国家阶段手续的，应当缴纳申请费、申请附加费，自优先权日起 30 到 32 个月内办理进入国家阶段手续的，还应当缴纳宽限费。
2. 要求优先权的，最迟应当自进入日起 2 个月内缴纳优先权要求费。
3. 权利要求项数超过 10 项的，从第 11 项起，每项增收附加费 150 元；说明书（包括附图）页数超过 30 页的，从第 31 页起，每页增收附加费 50 元，超过 300 页的，从第 301 页起，每页增收附加费 100 元。
4. 专利费用可以通过网上缴费、邮局或银行汇款缴纳，也可以到国家知识产权局面缴。
5. 网上缴费：电子申请注册用户可登陆 http://cponline.cnipa.gov.cn，并按照相关要求使用网上缴费系统缴纳。
6. 邮局汇款：收款人姓名：国家知识产权局专利局收费处，商户客户号：110000860。
7. 银行汇款：开户银行：中信银行北京知春路支行，户名：国家知识产权局专利局，账号：7111710182600166032。
8. 汇款时应当准确写明申请号、费用名称（或简称）及分项金额。未写明申请号和费用名称（或简称）的视为未办理缴费手续。了解更多详细信息及要求，请登陆 http://www.cnipa.gov.cn 查询。
9. 对于只能采用电子联行汇付的，应当向银行付电报费，正确填写并要求银行至少将申请号及费用名称两项列入汇款单附言栏中同时发至国家知识产权局专利局。
10. 缴费和汇款时应当正确填写申请号，在办理进入国家阶段手续时可以使用国际申请号，使用国际申请号交费时还应注明申请类别。在获得国家申请号之后缴纳各种费用时都应当注明国家申请号。

    费用通过邮局或者银行汇付遗漏必要缴费信息的，可以在汇款当天最迟不超过汇款次日补充缴费信息，补充缴费信息的方式如下：登陆专利缴费信息网上补充及管理系统（http://fee.cnipa.gov.cn）进行缴费信息的补充；通过传真（010-62084312/8065）或发送电子邮件（shoufeichu@cnipa.gov.cn）的方式补充缴费信息。补充完整缴费信息的，以补充完整缴费信息日为缴费日。因逾期补充缴费信息或补充信息不符合规定，造成汇款被退回或入暂存的，视为未缴纳费用。补充缴费信息的，应当提供邮局或者银行的汇款单复印件、所缴费用的申请号（或专利号）及各项费用的名称和金额。同时，应当提供接收收据的地址、邮政编码、接收人姓名或名称等信息。补充缴费信息如不能提供邮局或者银行的汇款单复印件的，还应当提供汇款日期、汇款人姓名或名称、汇款金额、汇款单据号码等信息。
11. 未按上述规定办理缴费手续的，所产生的法律后果由汇款人承担。

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实 质 审 查 请 求 书

请按照“注意事项”正确填写本表各栏

		本框由国家知识产权局填写
① 专利申请	申请号	递交日
	发明创造名称	申请号条码
	申请人	挂号条码

②请求内容：

根据专利法第 35 条的规定，请求对上述专利申请进行实质审查。

③放弃主动修改权利	④请求延迟审查
☐申请人声明，放弃专利法实施细则第 51 条规定的主动修改的权利。	☐请求对本申请延迟审查，延迟期限为 1 年。 ☐请求对本申请延迟审查，延迟期限为 2 年。 ☐请求对本申请延迟审查，延迟期限为 3 年。

⑤附件清单

☐申请文件替换文件_____

☐申请日前与本发明有关的参考资料

☐外国对该申请检索到的资料

☐外国对该申请审查结果的资料

☐

⑥备注

☐该申请为 PCT 国际申请，实质审查费不予减免

☐该申请为 PCT 国际申请，已由欧洲专利局、日本专利局、瑞典专利局作出国际检索报告，实质审查费减免 20%

☐该申请为 PCT 国际申请，已由中国作出国际检索报告及专利性国际初步报告，实质审查费减免 100%

☐

⑦申请人或专利代理机构签字或者盖章	⑧国家知识产权局处理意见
年 月 日	年 月 日

110401
2019.11

注 意 事 项

一、本表应当使用中文填写，字迹为黑色，文字应当打字或印刷，提交一式一份。

二、本表第①栏所填内容应当与该专利申请请求书中内容一致。其中，申请人应为第一署名申请人。如果该专利申请办理过著录项目变更手续的，应当按照国家知识产权局批准变更后的内容填写。

三、本表第③栏，申请人声明放弃主动修改权利的，应当填写此栏。

四、本表第④栏，申请人请求延迟审查的，应当填写此栏。请注意，延迟审查请求只能选择一项，在提出延迟审查请求后，请求人不得更改延迟期限或撤销延迟审查请求。

五、本表第⑤栏中的方格供填表人选择使用，若有方格后所述情况的，应在方格内作标记。

1．申请文件修改替换的格式要求：

对权利要求修改的应当提交相应的权利要求替换项，涉及权利要求引用关系时，则需要将相应权项一起替换。如果申请人需要删除部分权项，申请人应该提交整理后连续编号的部分权利要求书。

对说明书修改的应当提交相应的说明书替换段，不得增加和删除段号，仅只能对有修改部分段进行整段替换。如果要增加内容，则只能增加在某一段中；如果需要删除一个整段内容，应该保留该段号，并在此段号后注明："此段删除"字样。段号以国家知识产权局回传的或公布/授权公告的说明书段号为准。

对说明书附图修改的应当以图为单位提交相应的替换附图。

对说明书摘要、摘要附图修改的应当提交相应的说明书摘要、摘要附图替换页。

同时，申请人应当在实质审查请求书中写明修改涉及的权项、段号、图、页。

2．对于申请日前与本发明有关的参考资料应是能说明发明背景技术的专利文献、期刊、杂志和其他文献资料。专利文献应注明国别、分类号、申请日、申请公布日、申请号或专利号；非专利文献资料应注明国别、名称、引用的文章标题、作者、出版者、出版日期、卷、页数。

六、本表第⑥栏，进入中国国家阶段的国际申请可填写此栏。

七、本表第⑦栏，委托专利代理机构的，应当由专利代理机构加盖公章。未委托专利代理机构的，申请人为个人应当由本人签字或者盖章；申请人是单位的，应当加盖单位公章；有多个申请人的由代表人签字或者盖章。

八、申请人应当在专利法实施细则规定的期限内缴纳实质审查费。进入中国国家阶段的国际申请，若由欧洲专利局，日本专利局，瑞典专利局作出国际检索报告或宣布不作出检索，实质审查费减免 20%；若由中国作出国际检索报告或宣布不作出检索，并由中国作出专利性国际初步报告，实质审查费全免。

九、专利费用可以通过网上缴费、邮局或银行汇款缴纳，也可以到国家知识产权局或代办处面缴。

网上缴费：电子申请注册用户可登陆 http://cponline.cnipa.gov.cn，并按照相关要求使用网上缴费系统缴纳。

邮局汇款：收款人姓名：国家知识产权局专利局收费处，商户客户号：110000860。

银行汇款：开户银行：中信银行北京知春路支行，户名：国家知识产权局专利局，账号：7111710182600166032。汇款时应当准确写明申请号、费用名称（或简称）及分项金额。未写明申请号和费用名称（或简称）的视为未办理缴费手续。了解更多详细信息及要求，请登陆 http://www.cnipa.gov.cn 查询。

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2019.11

FEES

(Currency: Hong Kong dollar)

Patents Form No.	Description	Amount
P1	On reference to the Registrar the question as to who may apply for grant of a standard patent or a licence or whether the period or terms of a licence are reasonable	190
P1A	On application for authorization by the Registrar to carry out directions under Section 13(3)(c) or 13(4) of the Patents Ordinance on behalf of the person to whom the directions were given	190
P2	On filing of notice of opposition or counterstatement	325
P4	On filing request to record a designated patent application	380
	Advertisement fee for request to record	68
	Additional fee for late payment of filing fee or advertisement fee for request to record	95
P5	On filing request for registration of a designated patent and grant of a standard patent	380
	Advertisement fee for request for registration and grant	68
	Additional fee for late payment of filing fee or advertisement fee for request for registration and grant	95
P6	On filing application for grant of a short-term patent	755
	Advertisement fee for application for grant of a short-term patent	68
	Additional fee for late payment of filing fee or advertisement fee for application for grant of a short-term patent	95
P7	On request for correction of an error under Section 51(2)(b)(ii) or 146 of the Patents Ordinance	135
	Request for publication of a corrected translation	190
P9	Maintaining application for standard patent:	
	— application for maintenance for a further year after the expiry of the 5th year	270
	— application for maintenance for any succeeding year thereafter	270
	Additional fee for late payment of maintenance fee	95
P10	Renewal of a standard patent:	
	— request for renewal for a further year after the expiry of the 3rd year	540
	— request for renewal for any succeeding year thereafter	540
	Additional fee for late payment of a renewal fee for a standard patent	270
	Renewal of a short-term patent	1,080
	Additional fee for late payment of a renewal fee for a short-term patent	270
P12	Restoring an application for a standard patent which was deemed withdrawn due to non-payment of maintenance fee	405
	Restoring a lapsed standard patent	405
	Restoring a lapsed short-term patent	405

Patents Form No.	Description	Amount
P13	Additional fee for reinstatement of a deemed withdrawn patent application	405
	Additional fee for restoration of rights	405
P14	Mention of inventor	135
SP3	Extension fee	215
	Penalty fee for late filing of translation	190

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由本署填寫

專利表格第P4號

標準專利 - 請求記錄指定專利申請

《專利條例》(第514章)

《專利(一般)規則》(第514C章)

重要須知

1. 一般須知：

a. 中文或英文均可使用爲法律程序所採用的語文。除非另有說明，請以中文填寫本表格。

b. 本表格必須簽署，並註明簽署日期。

c. 填寫本表格任何部分時，如空位不足，請以附頁書寫。每張附頁須加上頁碼，以及在11(1)部分註明附頁的頁數。

d. 查詢方法如下：
- 電郵：enquiry@ipd.gov.hk
- 網址：www.ipd.gov.hk

2. 個人資料的使用：

a. 提供個人資料與否純屬自願，但如果提供的資料不足，專利註冊處可能無法處理你的申請、提交的要求或通知。

b. 專利註冊處會將本表格及就本表格提交的任何文件所提供的任何個人資料，用作處理你的申請、要求或通知，以及用於 www.ipd.gov.hk/chi/home.htm 所載的收集目的。 **請注意，依據《專利條例》(第514章)第147條，所提供的資料全部或部分可能會提供予公眾查閱。 該等資料可透過互聯網查閱。**

c. 專利註冊處在發放可供公眾查閱的資料前，可編輯由你主動提供載於本表格，或就本表格而提交的任何文件上無明確規定須提交的個人資料。 **請勿提供任何無明確規定須提交的個人資料(包括與第三者有關的個人資料)。**

d. 在符合《專利條例》(第514章)的規定下，依據《個人資料(私隱)條例》(第486章)第18和22條，任何人士有權查閱和改正專利註冊處備存的專利紀錄內所載其個人資料。

e. 詳情請參閱載於 www.ipd.gov.hk/chi/home.htm 的收集個人資料聲明。

3. 其他資料的使用：

a. 專利註冊處會將本表格及就本表格提交的任何文件所提供有關商業企業或實體的任何資料，用作處理你的申請、要求或通知，以及用於 www.ipd.gov.hk/chi/home.htm 所載的收集目的。 **依據《專利條例》(第514章)第147條，這些資料全部或部分可能會提供予公眾查閱。 該等資料可透過互聯網查閱。**

b. **請勿提交你認爲屬機密或商業敏感的自身或第三者商業資料。** 如本表格或就本表格提交的任何文件載有該等資料，註冊處處長將視你和有關的第三者明示及自願同意披露所有該等資料供公眾查閱。

4. 遞交申請／請求／通知：

請連同適當的費用，親自或以郵寄方式送交中國香港灣仔皇后大道東213號胡忠大廈24樓專利註冊處處長。費用一覽表可於：www.ipd.gov.hk/chi/forms_fees.htm 瀏覽。有關款項可親自以現金或郵寄支票繳交，支票須註明抬頭人爲「香港特別行政區政府」。

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01 **來檔編號**	

02 **申請人資料***(如申請人的姓名／名稱並非採用羅馬字母或中文字，請同時以羅馬字母提供姓名／名稱的音譯。)*
中文姓名／名稱
英文姓名／名稱*(如適用)*
地址

03 申請人是否指定專利申請的申請人？ 如答「否」，則必須遞交一項解釋申請人有權就有關發明申請批予標準專利的**陳述**以及支持該項陳述的訂明**文件**。 *(《專利條例》第15(2)(d)條及《專利(一般)規則》第9條，詳情請瀏覽www.ipd.gov.hk)*	*請在適當空格內加上記號* ☐ 是 ☐ 否
	陳述

註1 發明的名稱必須同時以英文及中文填寫。

04 **發明的名稱***(註1)* 英文	
中文	

05 **指定專利申請的資料**	
(1) 申請編號	
(2) 提交日期 *(日日／月月／年年年年)*	
(3) 發表編號*(如有)*	
(4) 發表日期*(如有)* *(日日／月月／年年年年)*	

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06 如申請是以國際申請爲基礎，請填寫**國際申請的資料** (1) 國際申請編號	
(2) 國際申請提交日期 *(日日／月月／年年年年)*	
(3) 國際申請發表編號	
(4) 國際申請發表日期 *(日日／月月／年年年年)*	
(5) 指定專利當局表示該項申請已有效地進入國家階段的發表日期 *(如與以上05(4)部分的發表日期不同，則須填寫此部分)* 或 中華人民共和國國家知識產權局的國家申請號通知書的發文日 *(《專利條例》第16條及《專利(一般)規則》第15條，詳情請瀏覽www.ipd.gov.hk)*	*如適用，請在適當空格內加上記號，並填上有關日期* ☐ _____ *(日日／月月／年年年年)* ☐ _____ *(日日／月月／年年年年)*

註2 就較早時申請的日期作出聲稱 –
(1) 如屬分開申請，可根據《專利條例》第22條；
(2) 經在批予後對專利的權利的裁定而按法院命令新提交的申請，則可根據《專利條例》第55條作出聲稱。
《專利條例》可於www.ipd.gov.hk 瀏覽。

07 **較早時的申請** 如此申請屬分開申請或源自較早時在香港特別行政區提出的申請，填寫較早時的申請的資料***(註2)***	
(1) 聲稱享有較早時的申請所根據的條文	*請在適當空格內加上記號* 《專利條例》 ☐ 第22條 ☐ 第55條
(2) 較早時的申請的編號	
(3) 較早時的申請的提交日期 *(日日／月月／年年年年)*	
(4) 較早時的申請的記錄請求的發表日期 *(日日／月月／年年年年)*	

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08 ***優先權(請勿提交有關優先權的文件)*** 如根據《專利條例》第98條**聲稱具有優先權**，請按照《專利條例》第15(2)(e)條的規定，提供一項**陳述**及**有關細節**。《專利條例》可於www.ipd.gov.hk 瀏覽。		
陳述		
國家／地區／地方	優先權申請編號	優先權申請提交日期 *(日日／月月／年年年年)*

09 **發明人的姓名／名稱** *(如發明人的姓名／名稱並非採用羅馬字母或中文字，請同時以羅馬字母提供姓名／名稱的音譯。)* 如指定專利申請並無載有任何作爲發明人的姓名／名稱，請提供一項識別申請人所相信是發明人的人或人等的陳述。 *(《專利條例》第15(2)(b)條，詳情請瀏覽www.ipd.gov.hk)*	
陳述	
中文姓名／名稱	英文姓名／名稱*(如適用)*

註3 請參閱《專利條例》第95條關於不具損害性披露的權利要求。《專利條例》可於www.ipd.gov.hk 瀏覽。

10 **不具損害性的披露** 如提出**不具損害性的披露的權利要求**，請按照《專利條例》第15(2)(f)條和《專利（一般）規則》第10條的規定，提供一項**陳述**及**有關的訂明細節**。《專利條例》及《專利(一般)規則》可於www.ipd.gov.hk 瀏覽。***(註3)***	**陳述**		
	展覽或會議的名稱及地點	展覽或會議開始日期 *(日日／月月／年年年年)*	首次披露日期 *(日日／月月／年年年年)*

P4-5

11 如提交本表格時附連下列文件，請註明文件的頁數	頁 數
(1) 隨本表格夾附的附頁	
(2) 已發表的指定專利申請的副本	
(3) 有關國際申請的副本 —	
• 由國際局所發表的國際申請	
• 由指定專利當局所發表的國際申請的譯本	
• 由指定專利當局所發表關於國際申請的資料	
(4) 撮錄的譯本	
(5) 解釋申請人有權就有關發明申請批予標準專利的陳述以及支持該項陳述的訂明文件	
(6) 其他*(請註明)*	

註4 你必須提供在中國香港的送達地址。

12 在中國香港的送達地址*(註4)*	
姓名／名稱	
地址	
電話號碼	
傳真號碼	
電郵地址	

註5 如你是代理人，你必須提供在中國香港的居住地址或進行業務活動的地址。

13 代理人地址*(註5)*	

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14 簽署

我／我們確認已閱讀及明白第一頁"重要須知"的內容。

簽署	簽署人姓名及職銜	日期*(日日／月月／年年年年)*

P4-1

For Official Use

Patents Form P4

Request to record a designated patent application for a standard patent

Patents Ordinance (Cap. 514)

Patents (General) Rules (Cap. 514C)

Important notes

1. General notes:

a. Either Chinese or English can be used as the language of proceedings. Please complete this form in English unless otherwise stated.

b. This form must be signed and dated.

c. If there is not enough space for any part on this form, please continue on an additional sheet. Number each additional sheet and state the number of additional sheet(s) in Part 11(a).

d. Please enquire through the following means:
- E-mail: enquiry@ipd.gov.hk
- Internet homepage address: www.ipd.gov.hk

2. Use of Personal data:

a. The provision of your personal data is voluntary. However, the Patents Registry may be unable to handle your application, filing request or notice if you do not provide sufficient information.

b. The Patents Registry will use any personal data provided in this form and any document(s) filed in relation to it for processing your application, request or notice, as well as for the purposes of collection set out at www.ipd.gov.hk/eng/home.htm. **Any of the information provided may be made available for public inspection, in full or in part, pursuant to section 147 of the Patents Ordinance, Cap. 514. Such information may be accessed through the Internet.**

c. The Patents Registry may redact unsolicited personal data included with this form or any document(s) filed in relation to it before making them available for public inspection. Please **DO NOT provide any personal data (including personal data relating to third parties) which are not specifically required to be submitted.**

d. Subject to the requirements of the Patents Ordinance, Cap. 514, any person has the right to request access to and correct his/her personal data held in the patent records maintained by the Patents Registry, pursuant to sections 18 and 22 of the Personal Data (Privacy) Ordinance, Cap. 486.

e. For further details, please see the Personal Information Collection Statement at www.ipd.gov.hk/eng/home.htm.

3. Use of Other Information:

a. The Patents Registry will use any information relating to any commercial enterprise or entity provided in this form and any document(s) filed in relation to it for processing your application, request or notice, and for the purposes of collection set out at www.ipd.gov.hk/eng/home.htm. **They may be made available for public inspection, in full or in part, pursuant to section 147 of the Patents Ordinance, Cap. 514. Such information may be accessed through the Internet.**

b. **DO NOT include any business information of your own or that of third parties which you consider to be confidential or commercially sensitive.** Where such information is included in this form or any document(s) filed in relation to it, the Registrar will treat it an express and voluntary consent given by you and any such third party to disclosure of all such information for the purpose of public inspection.

4. Submission of application/request/notice:

In person or by mail with the appropriate fee to the Registrar of Patents, 24/F, Wu Chung House, No. 213 Queen's Road East, Wanchai, Hong Kong, China. The fee schedule can be viewed at www.ipd.gov.hk/eng/forms_fees.htm. Payment can be made in person by cash, or by sending a cheque made payable to THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION.

P4-2

01 **Your reference**	

02 **Details of applicant** *(If the name of the applicant is not in Roman letters or in Chinese, please include a transliteration in Roman letters.)*
Name
Name in Chinese *(if applicable)*
Address

03 Is the applicant the person named as the applicant in the designated patent application?	*Please mark the appropriate box* ☐ Yes ☐ No
If you have marked **"**No**"**, you need to submit a **statement** explaining the applicant's entitlement to apply for the grant of a standard patent and the prescribed **documents** supporting the statement. *(section 15(2)(d), Patents Ordinance and section 9, Patents (General) Rules, which can be viewed at www.ipd.gov.hk)*	**Statement**

Note 1 You must state the title of the invention in both English and Chinese.

04 **Title of invention** ***(Note 1)***	
English	
Chinese	

P4-3

05 Details of designated patent application (a) Application no.	
(b) Filing date *(DD-MM-YYYY)*	
(c) Publication no. *(if any)*	
(d) Publication date *(if any)* *(DD-MM-YYYY)*	

06 Details of international application If the designated patent application is based on (a) International application no.	
(b) International filing date *(DD-MM-YYYY)*	
(c) International publication no.	
(d) International publication date *(DD-MM-YYYY)*	
(e) Date of publication in the designated patent office indicating that the international application has validly entered the national phase *(if different from the date of publication in Part 05(d) above)* or Date of issuance of the National Application Notification by the State Intellectual Property Office, People's Republic of China *(section 16, Patents Ordinance and section 15, Patents (General) Rules, which can be viewed at www.ipd.gov.hk)*	*Please mark the appropriate box and enter the date in the space provided if applicable* ☐ _____ *(DD-MM-YYYY)* ☐ _____ *(DD-MM-YYYY)*

P4-4

Note 2 A claim of earlier application date may be made under:
(a) section 22, Patents Ordinance for divisional application;
(b) section 55, Patents Ordinance for new application filed on court order upon determination of right to patent after grant.
The Patents Ordinance can be viewed at www.ipd.gov.hk.

07 Details of earlier application If the application is divided or derived from an earlier Hong Kong SAR application ***(Note 2)***	
(a) Section under which an earlier application is claimed	*Please mark the appropriate box* Patents Ordinance ☐ Section 22 ☐ Section 55
(b) Earlier application no.	
(c) Earlier application filing date *(DD-MM-YYYY)*	
(d) Publication date of the request to record of the earlier application *(DD-MM-YYYY)*	

08 Priority *(please do not submit the priority document)*
Where **a claim of priority** under section 98, Patents Ordinance is made, please provide a **statement** and **details** in accordance with section 15(2)(e), Patents Ordinance which can be viewed at www.ipd.gov.hk.

Statement

Country/Territory/Area	Priority application no.	Priority application filing date *(DD-MM-YYYY)*

09 Name of inventor *(If the name of the inventor is not in Roman letters or in Chinese, please include a transliteration in Roman letters.)*
If the designated patent application does not contain the inventor's name, please provide a statement identifying the person(s) the applicant believes to be the inventor(s).
(section 15(2)(b), Patents Ordinance, which can be viewed at www.ipd.gov.hk)

Statement

Name	Name in Chinese *(if applicable)*

P4-5

Note 3 Please refer to section 95, Patents Ordinance for claim of non-prejudicial disclosure. The Patents Ordinance can be viewed at www.ipd.gov.hk.

10 **Non-prejudicial disclosure** Where **a claim of non-prejudicial disclosure** is made, please provide a **statement** and **prescribed details** in accordance with section 15(2)(f), Patents Ordinance and section 10, Patents (General) Rules respectively which can be viewed at www.ipd.gov.hk. ***(Note 3)***	**Statement**		
	Name and place of the exhibition or meeting	Opening date of the exhibition or meeting *(DD-MM-YYYY)*	Date of first disclosure *(DD-MM-YYYY)*

11 **Enter the no. of sheet(s) for any of the following documents you are filing with this form**	No. of sheet(s)
(a) Additional sheet(s) attached to this form	
(b) Copy of the designated patent application as published	
(c) In the case of an international application, copy of :	
(i) the international application as published by the International Bureau	
(ii) translation of the international application published by the designated patent office	
(iii) publication of information in the designated patent office concerning the international application	
(d) Translation of abstract	
(e) Statement explaining the applicant's entitlement to apply and the prescribed documents supporting the statement	
(f) Others *(please specify)*	

P4-6

Note 4 An address for service in Hong Kong, China must be supplied.

12 Address for service in Hong Kong, China ***(Note 4)***	
Name	
Address	
Telephone no.	
Facsimile no.	
E-mail address	

Note 5 If you are an agent, an address in Hong Kong, China where you reside or carry on your business activities must be supplied.

13 Agent's address ***(Note 5)***	

14 Signature

I/We confirm that I/we have read and understood the "Important notes" on page 1.

Signature	Name and Official Capacity of Signatory	Date *(DD-MM-YYYY)*

P5-1

專利表格第P5號

請求註冊指定專利與批予標準專利

《專利條例》(第514章)

《專利(一般)規則》(第514C章)

《專利(過渡性安排)規則》(第514B章)

重要須知

1. 一般須知：

a. 除非另有說明，請以中文填寫本表格。

b. 本表格必須簽署，並註明簽署日期。

c. 填寫本表格任何部分時，如空位不足，請以附頁書寫。每張附頁須加上頁碼，以及在07(1)部分註明附頁的頁數。

d. 查詢方法如下：
- 電郵：enquiry@ipd.gov.hk
- 網址：www.ipd.gov.hk

2. 個人資料的使用：

a. 提供個人資料與否純屬自願，但如果提供的資料不足，專利註冊處可能無法處理你的申請、提交的要求或通知。

b. 專利註冊處會將本表格及就本表格提交的任何文件所提供的任何個人資料，用作處理你的申請、要求或通知，以及用於 www.ipd.gov.hk/chi/home.htm 所載的收集目的。 **請注意，依據《專利條例》(第514章)第147條，所提供的資料全部或部分可能會提供予公眾查閱。 該等資料可透過互聯網查閱。**

c. 專利註冊處在發放可供公眾查閱的資料前，可編輯由你主動提供載於本表格，或就本表格而提交的任何文件上無明確規定須提交的個人資料。 **請勿提供任何無明確規定須提交的個人資料(包括與第三者有關的個人資料)。**

d. 在符合《專利條例》(第514章)的規定下，依據《個人資料(私隱)條例》(第486章)第18和22條，任何人士有權查閱和改正專利註冊處備存的專利紀錄內所載其個人資料。

e. 詳情請參閱載於 www.ipd.gov.hk/chi/home.htm 的收集個人資料聲明。

3. 其他資料的使用：

a. 專利註冊處會將本表格及就本表格提交的任何文件所提供有關商業企業或實體的任何資料，用作處理你的申請、要求或通知，以及用於 www.ipd.gov.hk/chi/home.htm 所載的收集目的。 **依據《專利條例》(第514章)第147條，這些資料全部或部分可能會提供予公眾查閱。 該等資料可透過互聯網查閱。**

b. **請勿提交你認爲屬機密或商業敏感的自身或第三者商業資料。** 如本表格或就本表格提交的任何文件載有該等資料，註冊處處長將視你和有關的第三者明示及自願同意披露所有該等資料供公眾查閱。

4. 遞交申請／請求／通知：

請連同適當的費用，親自或以郵寄方式送交中國香港灣仔皇后大道東213號胡忠大廈24樓專利註冊處處長。費用一覽表可於：www.ipd.gov.hk/chi/forms_fees.htm 瀏覽。有關款項可親自以現金或郵寄支票繳交，支票須註明抬頭人爲「香港特別行政區政府」。

P5-2

01 **來檔編號**	

02 **相應已發表的記錄請求的資料**	
申請編號	
發表編號	
發表日期 *(日日／月月／年年年年)*	

03 **申請人資料***(如申請人的姓名／名稱並非採用羅馬字母或中文字，請同時以羅馬字母提供姓名／名稱的音譯。)*
中文姓名／名稱
英文姓名／名稱*(如適用)*
地址

04 申請人是否在註冊紀錄冊中的香港特別行政區標準專利申請人？	*請在適當空格內加上記號* ☐ 是 ☐ 否
如答「否」，則必須遞交一項解釋申請人有權就有關發明申請批予標準專利的**陳述**以及支持該項陳述的訂明**文件**。 *(《專利條例》第23(3)(b)條及《專利(一般)規則》第20條，詳情請瀏覽 www.ipd.gov.hk)*	**陳述**

註1 發明的名稱必須同時以英文及中文填寫。

05 **發明的名稱*(註1)***	
英文	
中文	

P5-3

06 指定專利的資料	
(1) 發表編號	
(2) 批予日期 *(日日／月月／年年年年)*	
(3) 發表日期 *(如與批予日期不同，則須填寫此部分)* *(日日／月月／年年年年)*	

07 如提交本表格時附連下列文件，請註明文件的頁數	頁　數
(1) 隨本表格夾附的附頁	
(2) 已發表的相應指定專利說明書的副本	
(3) 解釋申請人有權就有關發明申請批予標準專利的陳述以及支持該項陳述的訂明文件	
(4) 其他*(請註明)*	

08 如已發表的相應指定專利說明書的副本是與本表格一併提交，請在空格內加上記號確認	*如適用，請在適當空格內加上記號* ☐ 我／我們確認夾附的說明書副本是有關指定專利當局所發出或備存文件的真確副本。

註2 你必須提供在中國香港的送達地址。

09 在中國香港的送達地址*(註2)*	
姓名／名稱	
地址	
電話號碼	
傳真號碼	
電郵地址	

註3 如你是代理人，你必須提供在中國香港的居住地址或進行業務活動的地址。

10 代理人地址*(註3)*	

P5-4

11 簽署

我／我們確認已閱讀及明白第一頁"重要須知"的內容。

簽署	簽署人姓名及職銜	日期*(日日／月月／年年年年)*

P5-1

Patents Form P5

Request for registration of a designated patent and grant of a standard patent

Patents Ordinance (Cap. 514)

Patents (General) Rules (Cap. 514C)

Patents (Transitional Arrangements) Rules (Cap. 514B)

Important notes

1. General notes:

a. Please complete this form in English unless otherwise stated.

b. This form must be signed and dated.

c. If there is not enough space for any part on this form, please continue on an additional sheet. Number each additional sheet and state the number of additional sheet(s) in Part 07(a).

d. Please enquire through the following means:
- E-mail: enquiry@ipd.gov.hk
- Internet homepage address: www.ipd.gov.hk

2. Use of Personal data:

a. The provision of your personal data is voluntary. However, the Patents Registry may be unable to handle your application, filing request or notice if you do not provide sufficient information.

b. The Patents Registry will use any personal data provided in this form and any document(s) filed in relation to it for processing your application, request or notice, as well as for the purposes of collection set out at www.ipd.gov.hk/eng/home.htm. **Any of the information provided may be made available for public inspection, in full or in part, pursuant to section 147 of the Patents Ordinance, Cap. 514. Such information may be accessed through the Internet.**

c. The Patents Registry may redact unsolicited personal data included with this form or any document(s) filed in relation to it before making them available for public inspection. Please **DO NOT provide any personal data (including personal data relating to third parties) which are not specifically required to be submitted.**

d. Subject to the requirements of the Patents Ordinance, Cap. 514, any person has the right to request access to and correct his/her personal data held in the patent records maintained by the Patents Registry, pursuant to sections 18 and 22 of the Personal Data (Privacy) Ordinance, Cap. 486.

e. For further details, please see the Personal Information Collection Statement at www.ipd.gov.hk/eng/home.htm.

3. Use of Other Information:

a. The Patents Registry will use any information relating to any commercial enterprise or entity provided in this form and any document(s) filed in relation to it for processing your application, request or notice, and for the purposes of collection set out at www.ipd.gov.hk/eng/home.htm. **They may be made available for public inspection, in full or in part, pursuant to section 147 of the Patents Ordinance, Cap. 514. Such information may be accessed through the Internet.**

b. **DO NOT include any business information of your own or that of third parties which you consider to be confidential or commercially sensitive.** Where such information is included in this form or any document(s) filed in relation to it, the Registrar will treat it an express and voluntary consent given by you and any such third party to disclosure of all such information for the purpose of public inspection.

4. Submission of application/request/notice:

In person or by mail with the appropriate fee to the Registrar of Patents, 24/F, Wu Chung House, No. 213 Queen's Road East, Wanchai, Hong Kong, China. The fee schedule can be viewed at www.ipd.gov.hk/eng/forms_fees.htm. Payment can be made in person by cash, or by sending a cheque made payable to THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION.

P5-2

01	**Your reference**

02	**Details of the corresponding request to record published**	
	Application no.	
	Publication no.	
	Date of publication *(DD-MM-YYYY)*	

03	**Details of applicant** *(If the name of the applicant is not in Roman letters or in Chinese, please include a transliteration in Roman letters.)*
	Name
	Name in Chinese *(if applicable)*
	Address

04	Is the applicant the person named as the applicant for the Hong Kong SAR standard patent in the register?	*Please mark the appropriate box* ☐ Yes ☐ No
	If you have marked "No", you need to submit a **statement** explaining the applicant's entitlement to apply for the grant of a standard patent and the prescribed **documents** supporting the statement. *(section 23(3)(b), Patents Ordinance and section 20, Patents (General) Rules, which can be viewed at www.ipd.gov.hk)*	**Statement**

Note 1	You must state the title of the invention in both English and Chinese.

05	**Title of invention** ***(Note 1)***	
	English	
	Chinese	

P5-3

06 Details of designated patent	
(a) Publication no.	
(b) Date of grant *(DD-MM-YYYY)*	
(c) Date of publication *(if different from the date of grant)* *(DD-MM-YYYY)*	

07 Enter the no. of sheet(s) for any of the following documents you are filing with this form	No. of sheet(s)
(a) Additional sheet(s) attached to this form	
(b) Copy of the published specification of the corresponding designated patent	
(c) Statement explaining the applicant's entitlement to apply and the prescribed documents supporting the statement	
(d) Others *(please specify)*	

08 If a copy of the published specification of the corresponding designated patent is filed with this form, please confirm by marking the box	*Please mark if applicable* ☐ I/We confirm that the attached copy of the specification is a true copy of the document issued by or kept at the relevant designated patent office.

Note 2 An address for service in Hong Kong, China must be supplied.

09 Address for service in Hong Kong, China ***(Note 2)***	
Name	
Address	
Telephone no.	
Facsimile no.	
E-mail address	

Note 3 If you are an agent, an address in Hong Kong, China where you reside or carry on your business activities must be supplied.

10 Agent's address ***(Note 3)***	

P5-4

11 Signature

I/We confirm that I/we have read and understood the "Important notes" on page 1.

Signature	Name and Official Capacity of Signatory	Date *(DD-MM-YYYY)*

P6-1

由本署填寫

專利表格第P6號

請求批予短期專利

《專利條例》(第514章)
《專利(一般)規則》(第514C章)

重要須知

1. 一般須知：

a. 中文或英文均可使用爲法律程序所採用的語文。除非另有說明，請以中文填寫本表格。
b. 本表格必須簽署，並註明簽署日期。
c. 填寫本表格任何部分時，如空位不足，請以附頁書寫。每張附頁須加上頁碼，以及在11(1)部分註明附頁的頁數。
d. 查詢方法如下：
   - 電郵：enquiry@ipd.gov.hk
   - 網址：www.ipd.gov.hk

2. 個人資料的使用：

a. 提供個人資料與否純屬自願，但如果提供的資料不足，專利註冊處可能無法處理你的申請、提交的要求或通知。
b. 專利註冊處會將本表格及就本表格提交的任何文件所提供的任何個人資料，用作處理你的申請、要求或通知，以及用於 www.ipd.gov.hk/chi/home.htm 所載的收集目的。 **請注意，依據《專利條例》(第 514 章)第 147 條，所提供的資料全部或部分可能會提供予公眾查閱。 該等資料可透過互聯網查閱。**
c. 專利註冊處在發放可供公眾查閱的資料前，可編輯由你主動提供載於本表格，或就本表格而提交的任何文件上無明確規定須提交的個人資料。 **請勿提供任何無明確規定須提交的個人資料(包括與第三者有關的個人資料)。**
d. 在符合《專利條例》(第 514 章) 的規定下，依據《個人資料(私隱)條例》(第 486 章)第 18 和 22 條，任何人士有權查閱和改正專利註冊處備存的專利紀錄內所載其個人資料。
e. 詳情請參閱載於 www.ipd.gov.hk/chi/home.htm 的收集個人資料聲明。

3. 其他資料的使用：

a. 專利註冊處會將本表格及就本表格提交的任何文件所提供有關商業企業或實體的任何資料，用作處理你的申請、要求或通知，以及用於 www.ipd.gov.hk/chi/home.htm 所載的收集目的。 **依據《專利條例》(第 514 章)第 147 條，這些資料全部或部分可能會提供予公眾查閱。 該等資料可透過互聯網查閱。**
b. **請勿提交你認爲屬機密或商業敏感的自身或第三者商業資料。** 如本表格或就本表格提交的任何文件載有該等資料，註冊處處長將視你和有關的第三者明示及自願同意披露所有該等資料供公眾查閱。

4. 遞交申請／請求／通知：

請連同適當的費用，親自或以郵寄方式送交中國香港灣仔皇后大道東 213 號胡忠大廈 24 樓專利註冊處處長。費用一覽表可於：www.ipd.gov.hk/chi/forms_fees.htm 瀏覽。有關款項可親自以現金或郵寄支票繳交，支票須註明抬頭人爲「香港特別行政區政府」。

P6-2

01 來檔編號	

02 申請人資料*(如申請人的姓名／名稱並非採用羅馬字母或中文字，請同時以羅馬字母提供姓名／名稱的音譯。)*
中文姓名／名稱
英文姓名／名稱*(如適用)*
地址

註1 發明的名稱必須同時以英文及中文填寫。

03 發明的名稱*(註1)*	
英文	
中文	

04 使用微生物	*請在適當空格內加上記號*
(1) 此項發明是否需要使用**微生物**才可實行？	☐ 是 ☐ 否
(2) 如答「是」，請指出該種微生物是否在此項申請的提交日已可提供予公眾；以及	☐ 是 ☐ 否
是否在此項申請或有關專利的說明書中用足以使擅長有關科技的人能夠實行此項發明的方式描述該微生物	☐ 是 ☐ 否

P6-3

(3) 如在(2)部分**兩部分**問題的答案均爲「否」，請提供以下資料： 寄存該微生物的培養物的寄存機構名稱及地址	姓名／名稱 地址
寄存日期 *(日日／月月／年年年年)*	
存入編號 *(《專利(一般)規則》第73條及附表1，詳情請瀏覽 www.ipd.gov.hk)*	

05 如短期專利申請是以國際申請爲基礎，請填寫**國際申請的資料** (1) 國際申請編號	
(2) 國際申請提交日期 *(日日／月月／年年年年)*	
(3) 國際申請發表編號	
(4) 國際申請發表日期 *(日日／月月／年年年年)*	
(5) 在中華人民共和國進入國家階段的日期 或 中華人民共和國國家知識產權局的國家申請號通知書的發文日	*請在適當空格內加上記號，並填上有關日期* ☐ _____ *(日日／月月／年年年年)* ☐ _____ *(日日／月月／年年年年)*
(6) 中國專利申請編號*(如知道)* *(《專利條例》第125條和《專利(一般)規則》第78條，詳情請瀏覽www.ipd.gov.hk)*	

P6-4

註2 就較早時的申請的日期作出聲稱 –
(1) 如屬分開申請，可根據《專利條例》第116條；
(2) 經在批予後對專利的權利的裁定而按法院命令新提交的申請，則可根據《專利條例》第55條作出聲稱。
《專利條例》可於www.ipd.gov.hk 瀏覽。

06 較早時的申請 如此申請屬分開申請或源自較早時在香港特別行政區提出的申請，請填寫較早時的申請的資料 ***(註2)***	*請在適當空格內加上記號*
(1) 聲稱享有較早時的申請所根據的條文	《專利條例》 ☐ 第116條 ☐ 第55條
(2) 較早時的申請的編號	
(3) 較早時的申請的提交日期 *(日日／月月／年年年年)*	

07 優先權申請的資料
如根據《專利條例》第111條作出聲稱享有優先權的陳述，請在以下方格提供有關的陳述及資料：
(《專利(一般)規則》第58(5)(c)、69條，詳情請瀏覽www.ipd.gov.hk)。

陳述

國家／地區／地方	優先權申請編號	優先權申請提交日期 *(日日／月月／年年年年)*

P6-5

註3 如申請人並非唯一的發明人，或各申請人並非共同發明人，申請人須以表格第P6A號提交陳述，識別各有關發明人的身份，以及述明他從何取得該短期專利的權利的行使權(《專利條例》第113(2)(c)條及《專利(一般)規則》第65條，詳情請瀏覽www.ipd.gov.hk)。

08 發明人資料*(如發明人的姓名／名稱並非採用羅馬字母或中文字，請同時以羅馬字母提供姓名／名稱的音譯。)* ***(註3)***
中文姓名／名稱
英文姓名／名稱*(如適用)*
地址

註4 請參閱《專利條例》第109條及《專利(一般)規則》第58(5)(e)、58(5)(f)及70條關於不具損害性披露的權利要求。《專利條例》及《專利(一般)規則》可於www.ipd.gov.hk 瀏覽。

09 不具損害性的披露 如申請人按照《專利條例》第109條，就不具損害性的披露提出權利要求，請提供一份有關該項披露的詳請的陳述 ***(註4)***	**陳述**		
	展覽或會議的名稱及地點	展覽或會議開始日期 *(日日／月月／年年年年)*	首次披露日期 *(日日／月月／年年年年)*

10 如按照《專利條例》第119條**要求押後批予專利**，請在適當空格內加上記號及填寫該項押後期間。 《專利條例》可於www.ipd.gov.hk 瀏覽。 *(押後期間不得超過十二個月)* *(如空格內並無加上記號，則視爲毋須押後批予專利。)*	☐ 要求押後批予專利至_____ *(日日／月月／年年年年)*

P6-6

11 如提交本表格時附連下列文件，請註明文件的頁數	頁　數
(1) 隨本表格夾附的附頁	
(2) 說明	
(3) 權利要求的資料	
(4) 繪圖	
(5) 撮錄*(中文本及英文本)*	
(6) 有關優先權的文件	
(7) 有關優先權文件的譯本	
(8) 查檢報告	
(9) 查檢報告譯本	
(10) 有關國際申請的副本 —	
• 由國際局所發表的國際申請	
• 國際查檢報告	
• 由中華人民共和國國家知識產權局所發表的譯本	
• 由中華人民共和國國家知識產權局所發表關於國際申請的資料	
(11) 按照《專利條例》第113(2)(c)條及《專利(一般)規則》第65條所提交的表格第P6A號發明權的陳述	
(12) 其他*(請註明)*	

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註 5 你必須提供在中國香港的送達地址。

12 在中國香港的送達地址*(註 5)*	
姓名／名稱	
地址	
電話號碼	
傳真號碼	
電郵地址	

註 6 如你是代理人，你必須提供在中國香港的居住地址或進行業務活動的地址。

13 代理人地址*(註 6)*	

14 簽署

我／我們確認已閱讀及明白第一頁"重要須知"的內容。

簽署	簽署人姓名及職銜	日期*(日日／月月／年年年年)*

P6-1

For Official Use

Patents Form P6

Request for grant of a short-term patent

Patents Ordinance (Cap. 514)

Patents (General) Rules (Cap. 514C)

Important notes

1. General notes:

a. Either Chinese or English can be used as the language of proceedings. Please complete this form in English unless otherwise stated.

b. This form must be signed and dated.

c. If there is not enough space for any part on this form, please continue on an additional sheet. Number each additional sheet and state the number of additional sheet(s) in Part 11(a).

d. Please enquire through the following means:
- E-mail: enquiry@ipd.gov.hk
- Internet homepage address: www.ipd.gov.hk

2. Use of Personal data:

a. The provision of your personal data is voluntary. However, the Patents Registry may be unable to handle your application, filing request or notice if you do not provide sufficient information.

b. The Patents Registry will use any personal data provided in this form and any document(s) filed in relation to it for processing your application, request or notice, as well as for the purposes of collection set out at www.ipd.gov.hk/eng/home.htm. **Any of the information provided may be made available for public inspection, in full or in part, pursuant to section 147 of the Patents Ordinance, Cap. 514. Such information may be accessed through the Internet.**

c. The Patents Registry may redact unsolicited personal data included with this form or any document(s) filed in relation to it before making them available for public inspection. Please **DO NOT provide any personal data (including personal data relating to third parties) which are not specifically required to be submitted.**

d. Subject to the requirements of the Patents Ordinance, Cap. 514, any person has the right to request access to and correct his/her personal data held in the patent records maintained by the Patents Registry, pursuant to sections 18 and 22 of the Personal Data (Privacy) Ordinance, Cap. 486.

e. For further details, please see the Personal Information Collection Statement at www.ipd.gov.hk/eng/home.htm.

3. Use of Other Information:

a. The Patents Registry will use any information relating to any commercial enterprise or entity provided in this form and any document(s) filed in relation to it for processing your application, request or notice, and for the purposes of collection set out at www.ipd.gov.hk/eng/home.htm. **They may be made available for public inspection, in full or in part, pursuant to section 147 of the Patents Ordinance, Cap. 514. Such information may be accessed through the Internet.**

b. **DO NOT include any business information of your own or that of third parties which you consider to be confidential or commercially sensitive.** Where such information is included in this form or any document(s) filed in relation to it, the Registrar will treat it an express and voluntary consent given by you and any such third party to disclosure of all such information for the purpose of public inspection.

4. Submission of application/request/notice:

In person or by mail with the appropriate fee to the Registrar of Patents, 24/F, Wu Chung House, No. 213 Queen's Road East, Wanchai, Hong Kong, China. The fee schedule can be viewed at www.ipd.gov.hk/eng/forms_fees.htm. Payment can be made in person by cash, or by sending a cheque made payable to THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION.

P6-2

01 **Your reference**	

02 **Details of applicant** *(If the name of the applicant is not in Roman letters or in Chinese, please include a transliteration in Roman letters.)*
Name
Name in Chinese *(if applicable)*
Address

Note 1 You must state the title of the invention in both English and Chinese.

03 **Title of invention** ***(Note 1)***	
English	
Chinese	

04 **Use of micro-organisms**	*Please mark the appropriate box*
(a) Does the invention require the use of a **micro-organism** for its performance?	☐ Yes ☐ No
(b) If you have marked **"**Yes**"**, please indicate whether the micro-organism is available to the public at the date of filing of the application; and	☐ Yes ☐ No
whether the micro-organism is described in the application or the specification of the patent in such a manner as to enable the invention to be performed by a person skilled in the art.	☐ Yes ☐ No

P6-3

(c) If you have marked "No" in **both** boxes in (b), please give the following details: Name and address of the depositary institution where a culture of the micro-organism is deposited	Name Address
Date of deposit *(DD-MM-YYYY)*	
Accession no. of the deposit *(section 73 and Schedule 1, Patents (General) Rules, which can be viewed at www.ipd.gov.hk)*	

05 Details of international application If the short-term patent application is based on	
(a) International application no.	
(b) International filing date *(DD-MM-YYYY)*	
(c) International publication no.	
(d) International publication date *(DD-MM-YYYY)*	
(e) Date of entry into the national phase in the People's Republic of China or Date of issuance of the National Application Notification by the State Intellectual Property Office, People's Republic of China	*Please mark the appropriate box and enter the date in the space provided* ☐ _____ *(DD-MM-YYYY)* ☐ _____ *(DD-MM-YYYY)*
(f) Application no. of the Chinese patent application *(if known)* *(section 125, Patents Ordinance and section 78, Patents (General) Rules, which can be viewed at www.ipd.gov.hk)*	

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Note 2 A claim of earlier application date may be made under:
(a) section 116, Patents Ordinance for divisional application;
(b) section 55, Patents Ordinance for new application filed on court order upon determination of right to patent after grant.
The Patents Ordinance can be viewed at www.ipd.gov.hk.

06 Details of earlier application If the application is divided or derived from an earlier Hong Kong SAR application ***(Note 2)***	*Please mark the appropriate box* Patents Ordinance
(a) Section under which an earlier application is claimed	☐ Section 116 ☐ Section 55
(b) Earlier application no.	
(c) Earlier application filing date *(DD-MM-YYYY)*	

07 Details of priority application
If a statement of claim of priority under section 111, Patents Ordinance is made, please provide a statement and details in the space below:
(sections 58(5)(c), 69, Patents (General) Rules, which can be viewed at www.ipd.gov.hk)

Statement		
Country/Territory/Area	Priority application no.	Priority application filing date *(DD-MM-YYYY)*

Note 3 If the applicant is not the sole inventor or the applicants are not the joint inventors, a statement identifying the inventor(s) and indicating the derivation of the applicant's entitlement to exercise his right to the short-term patent shall be made on Form P6A (section 113(2)(c), Patents Ordinance and section 65, Patents (General) Rules, which can be viewed at www.ipd.gov.hk).

08 Details of inventor *(If the name of the inventor is not in Roman letters or in Chinese, please include a transliteration in Roman letters.)* ***(Note 3)***

Name
Name in Chinese *(if applicable)*
Address

P6-5

Note 4 Please refer to section 109, Patents Ordinance and sections 58(5)(e), 58(5)(f), 70, Patents (General) Rules for claim of non-prejudicial disclosure. The Patents Ordinance and Patents (General) Rules can be viewed at www.ipd.gov.hk.

09 **Non-prejudicial disclosure** If the applicant is making a claim regarding non-prejudicial disclosure under section 109, Patents Ordinance, please provide a statement giving details relating to such disclosure. ***(Note 4)***	**Statement**		
	Name and place of the exhibition or meeting	Opening date of the exhibition or meeting *(DD-MM-YYYY)*	Date of first disclosure *(DD-MM-YYYY)*

10 If a **request for deferral of grant** under section 119, Patents Ordinance is required, please mark the box and enter the period of such deferral. The Patents Ordinance can be viewed at www.ipd.gov.hk. *(The period of deferral should not exceed 12 months.)* *(If the box is not marked, it will be taken that deferral of grant is not requested.)*	☐ Request for deferral of grant up to _____ *(DD-MM-YYYY)*

11 **Enter the no. of sheet(s) for any of the following documents you are filing with this form**	No. of sheet(s)
(a) Additional sheet(s) attached to this form	
(b) Description	
(c) Claim(s)	
(d) Drawing(s)	
(e) Abstract *(in both English and Chinese)*	
(f) Priority document(s)	
(g) Translation of the priority document(s)	
(h) Search report	
(i) Translation of the search report	

P6-6

(j) In the case of an international application, copy of :	
(i) the international application as published by the International Bureau	
(ii) the international search report	
(iii) translation as published by the State Intellectual Property Office, People's Republic of China	
(iv) publication of information by the State Intellectual Property Office, People's Republic of China concerning the international application	
(k) Statement of inventorship on Form P6A in accordance with section 113(2)(c), Patents Ordinance and section 65, Patents (General) Rules	
(l) Others *(please specify)*	

Note 5 An address for service in Hong Kong, China must be supplied.

12 Address for service in Hong Kong, China ***(Note 5)***	
Name	
Address	
Telephone no.	
Facsimile no.	
E-mail address	

Note 6 If you are an agent, an address in Hong Kong, China where you reside or carry on your business activities must be supplied.

13 Agent's address ***(Note 6)***	

P6-7

14 Signature

I/We confirm that I/we have read and understood the "Important notes" on page 1.

Signature	Name and Official Capacity of Signatory	Date *(DD-MM-YYYY)*

SUPERINTENDENCE OF INDUSTRY AND COMMERCE (COLOMBIA)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex CO.I

List of abbreviations:

Office:	Superintendence of Industry and Commerce (Colombia)
CAN Decision 486:	Decision 486 of the Commission of the Andean Community
CCo:	Code of Commerce
CPC:	Civil Procedure Code

SUMMARY **Designated (or elected) Office** SUMMARY

CO SUPERINTENDENCE OF INDUSTRY AND COMMERCE (COLOMBIA) CO

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:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	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?	A copy is required only if the applicant expressly requests early commencement of the national phase at a time when the Office has not been sent a copy of the international application from the International Bureau under PCT Article 20.
National fee:[1]	Currency: Colombian peso (COP)

		Online	*On paper*
For patent:			
Filing fee:	COP	84,840	105,160
Annual fees:			
— for the 1st to the 4th year, per year:	COP	279,420 (415,580)[2]	335,820 (498,390)[2]
For utility model:			
Filing fee:	COP	75,190	92,460

Exemptions, reductions or refunds of the national fee:	Certain fees are reduced where the applicant is a national of Colombia.[3]

[Continued on next page]

[1] Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1). The Office or the agent should be consulted for the latest applicable fee amount.

[2] The amount in parentheses is applicable in case of late payment within a grace period of six months from the due date (see paragraph CO.09).

[3] Please refer to the Office for details.

SUMMARY **Designated (or elected) Office** SUMMARY

CO SUPERINTENDENCE OF INDUSTRY AND COMMERCE (COLOMBIA) CO

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[4]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[5] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Instrument of assignment of the international application if the applicant has changed after the international filing date Appointment of an agent if the applicant is not resident in Colombia
Who can act as agent?	Any attorney registered in Colombia
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No

[4] 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 of two months from the date of receipt of the invitation.

[5] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

CO.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).

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

CCo Art. 543
CPC Art. 63
67

CO.03 **REPRESENTATION.** If the applicant is not resident in Colombia, an agent must be appointed by filing a simple power of attorney. Any attorney registered in Colombia may act as agent.

CAN Decision 486
Art. 26(h)

CO.04 **COPIES OF ACCESS CONTRACTS.** Where the products or processes for which a patent is sought are obtained or developed from genetic materials or from their derivatives, the origin of which is one of the Member States of the Andean Pact, a copy of the access contract must be furnished. If this requirement is not fulfilled, the Office will invite the applicant to comply with it within a period of two months following the date of notification; this period may be extended once, upon request, for an equal length of time.

CAN Decision 486
Art. 26(i)

CO.05 **COPIES OF LICENSES OR AUTHORIZATIONS TO USE TRADITIONAL KNOWLEDGE.** Where the products or procedures for which protection is sought are obtained or developed from traditional knowledge the origin of which is one of the Member States of the Andean Pact, a copy of the document licensing or authorizing use of traditional knowledge of indigenous, African American or local communities of the Member States of the Andean Pact must be furnished. If this requirement is not fulfilled, the Office will invite the applicant to comply with it within a period of two months following the date of notification; this period may be extended once, upon request, for an equal length of time.

CAN Decision 486
Art. 26(j)
29

CO.06 **DEPOSIT OF BIOLOGICAL MATERIAL.** Where the invention refers to a product or a process involving biological material and the invention cannot be understood and carried out, as described, by a person skilled in the art, a certificate of deposit of the biological material must be furnished.

CAN Decision 486
Art. 44

CO.07 **EXAMINATION.** A patent will be granted only after examination as to substance, which must be specifically requested by the applicant within six months after publication of the application by the Office, and is subject to payment of a fee (for utility models, see paragraph CO.12). Evidence that payment has been effected must accompany the request for examination (see Annex CO.I). If that time limit expires without the applicant having requested examination, the application shall be considered to have been abandoned.

PCT Art. 28
41
CAN Decision 486
Art. 34

CO.08 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may, at any time during the processing, request the modification of the application, provided that the scope of the subject matter of the application is not broadened thereby.

CAN Decision 486
Art. 80

CO.09 **ANNUAL FEES.** After a patent has been granted, annual fees shall be paid in advance in order to keep the patent in force. The deadline for the payment of each annual fee shall be the last day of the month containing the anniversary of the international filing date. Two or more annual fees may be paid in advance. Annual fees may be paid within a grace period of six months after the starting date of the corresponding annual period, together with the prescribed surcharge. The patent shall remain in force during the grace period. Failure to pay an annual fee shall result in the lapsing of the patent.

CAN Decision 486 Art. 39

CO.10 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. If the applicant fails to comply with the applicable requirements prescribed by the national law upon entry into national phase, the Office will invite the applicant to comply within a period of two months following the date of notification; this period may be extended once, upon request, for an equal length of time.

PCT Art. 25
PCT Rule 51

CO.11 **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 denied an error or omission on the part of the receiving Office, an appeal against this decision may be lodged with the Office within a period of two months following the date of notification.

PCT Art. 4(3)
43
PCT Rule 49*bis*.1
(a), (b)
76.5

CO.12 **UTILITY MODEL.** If the applicant wishes to obtain a utility model patent instead of a patent on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office. Examination must be requested within three months after publication of the application by the Office, and is subject to the payment of a fee (see Annex CO.I).

FEES

(Currency: Colombian peso)

Patents	*Online*	*On paper*
Filing fee	84,840	105,160
Fee for requesting examination — where an international search report has been established	1,151,240	1,380,880
Fee for extension of time limits or additional time limit	144,790	177,300
Fee for amendment or correction of application	—	—
Fee for filing an opposition	443,020	531,420
Annual fees:		
— for the 1st to the 4th year, per year	279,420 (415,580)[1]	335,820 (498,390)[1]
— for the 5th to the 8th year, per year	434,890 (578,160)[1]	521,250 (694,500)[1]
— for the 9th to the 12th year, per year	651,320 (868,250)[1]	782,390 (1,042,510)[1]
— for the 13th to the 16th year, per year	1,010,510 (1,336,170)[1]	1,212,200 (1,603,910)[1]
— for the 17th to the 20th year, per year	1,342,770 (1,790,870)[1]	1,611,530 (2,147,010)[1]
Utility models		
Filing fee	75,190	92,460
Fee for requesting examination — where an international search report has been established	606,610	653,860
Fee for extension of time limits or additional time limit	144,790	177,300
Fee for amendment or correction of application	—	—
Fee for filing an opposition	443,020	531,420
Annual fees:		
— per year	259,100	314,990
— surcharge for late payment during grace period	348,520	416,600

The complete list of national fees for the Office is in *Resolución* 35585 of July 2021. These fees will be re-calculated on an annual basis according to the rate of inflation applicable to the year they will be in force.

How can payment of fees be effected?

All payments must indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and the category of fee being paid.

The payment of fees must be effected in Colombian pesos in cash, by check, bank giro or bank transfer to bank account No. 062754387, at Banco Bogotá, Sucursal Bogotá. Name of account: D.T.N. Recaudo Superintendencia de Industria y Comercio. Recaudo Nacional. Código Rentístico 01.

[1] The amount in parentheses is applicable in case of late payment within a grace period of six months from the due date (see paragraph CO.09).

REGISTRY OF INTELLECTUAL PROPERTY (COSTA RICA)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEX

Fees . . . . . Annex CR.I

List of abbreviations:

Office: Registry of Intellectual Property (Costa Rica)

PL: Law No. 6867 of 25 April 1983, on Patents, Industrial Designs and Utility Models (as amended up to Law No. 8686 of 21 November 2008)

PR: Executive Decree No. 38308-JP of 12 February 2014, on Amendments to Decree No. 15222-MIEM-J of 12 December 1983, approving Regulation of Law No. 6867 of 25 April 1983, on Patents, Industrial Designs and Utility Models

SUMMARY **Designated (or elected) Office** SUMMARY

CR REGISTRY OF INTELLECTUAL PROPERTY (COSTA RICA) CR

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:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	The applicant should only send a copy of the international application if he/she has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee:[1, 2]	Currency: US dollar (USD) For patent: Filing fee:[3] USD 500 For utility model: Filing fee: USD 75
Exemptions, reductions or refunds of the national fee:	Refunds of up to 50% may be possible.[4] It is possible to reuse the fee already paid for an application that was subsequently abandoned for the payment of the national fee in respect of a new application with the same subject matter.

[Continued on next page]

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

2 See Law No. 6867 on Patents, Industrial Designs and Utility Models, Article 33(a) and Regulations to the Law on Patents, Industrial Designs and Utility Models, Article 47.

3 This fee is reduced by 70% where the international application has been filed by natural persons, micro or small enterprises, as defined in Law No. 8262 of Costa Rica, public institutions of higher education or public institutes for scientific or technology research. Together with the request for reduction of the fee, the applicant must provide, in addition to the proof of payment, the following documents: a sworn statement in which the applicant declares that he is entitled to the reduction, a copy of the identification card ("cédula de identidad") in the case of a natural person or a copy of the corporation card ("cédula jurídica") in the case of a legal person. To proceed with the registration of the transfer of rights to a third party which is not entitled to the reduction, the latter has to pay the remaining 70% of the fee that was not initially paid by the assignor. In addition, as from the date of transfer to a third party, the assignee has to pay the total amount of the annual fees due to maintain the validity of the patent.

4 See Regulations to the Law No. 6867 on Patents, Industrial Designs and Utility Models, Article 14.

SUMMARY Designated (or elected) Office SUMMARY

CR REGISTRY OF INTELLECTUAL PROPERTY (COSTA RICA) CR

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[5]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[6] Instrument of assignment or transfer of the right to the application[6] Evidence of entitlement to claim priority where the applicant is not the applicant who filed the earlier application[6] Evidence concerning non-prejudicial disclosures or exceptions to lack of novelty, such as disclosures resulting from abuse, disclosures at certain exhibitions and disclosures by the applicant during a certain period of time[6] Appointment of an agent or address for notification in Costa Rica Translation of the international application or any document relating to it to be furnished in two copies (one paper copy and an additional copy in electronic format (CD-ROM)) Verified translation of the international application, where deemed necessary Verified translation of the priority document[7]
Who can act as agent?	Any attorney registered in Costa Rica[8]
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

5 If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the applicant must comply with the requirement within 90 days after entry into the national phase. The Office will not issue an invitation to this effect.

6 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

7 Only if the validity of the priority claim is relevant to the determination of whether the invention concerned is patentable.

8 See Law No. 6867 on Patents, Industrial Designs and Utility Models, Article 34.

THE PROCEDURE IN THE NATIONAL PHASE

PR Art. 9

CR.01 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is Spanish. Where the international application was not filed in Spanish, the applicant shall furnish a verified translation into Spanish.

PCT Rule 51*bis*1(e)

CR.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

PL Art. 8.1

CR.03 **DIVISIONAL APPLICATIONS.** An applicant may divide an application into two or more parts, but none of them may entail a broadening of the invention or of the disclosure contained in the initial application. Each divisional application will benefit from the same filing date as the international application which entered the national phase. The amount of the fee for a divisional application is indicated in Annex CR.I.

CR.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex CR.I.

PL Art. 33*bis*
PR Art. 46.2

CR.05 **ANNUAL FEES.** The annual fees to maintain the validity of the patent may be paid in advance for two or more annual periods. The fee payable for registration and issue of the certificate shall waive payment of the first annual fee. The second and subsequent annuities due from the filing date of the application until the date of grant of the patent shall be paid within a maximum period of two months from the date of grant. The due date of each annuity shall be the last day of the month of the anniversary of the filing date of the application. If payment is not made within the prescribed time limits, a period of grace of six months shall be granted for the payment of the annual fee, which shall be made simultaneously with the payment of the surcharge for payment within the grace period. The amounts of the annual fees are indicated in Annex CR.I.

PL Art. 34

CR.06 **REPRESENTATION.** If the applicant has neither a residence nor a principal place of business in Costa Rica, he shall be represented by a lawyer domiciled in Costa Rica.

PL Art. 8.1

CR.07 **AMENDMENT OF THE APPLICATION.** The applicant has the right, on his own initiative, to make amendments to the application provided that the scope of the application as filed is not broadened.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

CR.08 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

CR.09 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.a

FEES

(Currency: US dollars)

Patents

Filing fee including formal examination[1]	500
Fee for divisional application[1]	500
Examination fee	525
Registration fee[1]	500
Opposition fee	25
Annual fees:[1]	
— from the 2nd to the 20th year, per year	500
Surcharge for payment within the grace period	30% of the annual fee
Fee for requesting extension of the patent term[1]	150
Fee for reinstatement of rights	144
Fee for restoration of the right of priority	144

Utility Models

Filing fee[1]	75
Fee for divisional application[1]	75
Examination fee	525
Opposition fee	30

How can payment of fees be effected?

All fees must be paid to the Bank of Costa Rica, Banco de Costa Rica, presenting evidence of the payment to the Registry together with the application.

[1] This fee is reduced by 70% where the international application has been filed by natural persons, micro or small enterprises as defined in Law No. 8262 of Costa Rica, public institutions of higher education or public institutes for scientific or technology research. Together with the request for reduction of the fee, the applicant must provide, in addition to the proof of payment, the following documents: a sworn statement in which the applicant declares that he is entitled to the reduction, a copy of the identification card ("cédula de identidad") in the case of a natural person or a copy of the corporation card ("cédula jurídica") in the case of a legal person. To proceed with the registration of the transfer of rights to a third party which is not entitled to the reduction, the latter has to pay the remaining 70% of the fee that was not initially paid by the assignor. In addition, as from the date of transfer to a third party, the assignee has to pay the total amount of the annual fees due to maintain the validity of the patent.

CUBAN INDUSTRIAL PROPERTY OFFICE

(OFICINA CUBANA DE LA PROPIEDAD INDUSTRIAL)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Cuban Industrial Property Office

DL290/2011: Decree-Law No. 290, on Inventions and Industrial Designs and Models (of 20 November 2011)

SUMMARY **Designated (or elected) Office** SUMMARY

CU CUBAN INDUSTRIAL PROPERTY OFFICE CU

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	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: Cuban peso (CUP) For patent: Filing fee (including publication fee and the annual fee for the 1st and the 2nd years):[2] CUP 11,040 For utility model: Filing fee (including publication fee and the annual fee for the 1st and the 2nd years):[2] CUP 8,400
Exemptions, reductions or refunds of the national fee:	Fees are reduced by CUP 1,200 where applications are filed both on paper and in electronic form

[Continued on next page]

[1] If not already furnished 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 of 60 days. If the translation of the amended application is not furnished, the Office will proceed on the basis of the translation of the application as originally filed. If the translation of the application as originally filed is not furnished, the application will be considered abandoned.

[2] The Office may also require payment of the third annual fee at the time of filing, depending on the date of entry into the national phase.

SUMMARY Designated (or elected) Office SUMMARY

CU CUBAN INDUSTRIAL PROPERTY OFFICE CU

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[3]	Instrument of assignment or transfer where the applicant is not the inventor[4] Instrument of assignment of the priority right where the applicants are not identical[4] Appointment of an agent if the applicant does not have a domicile or a real or effective industrial or commercial establishment in Cuba Evidence concerning non-prejudicial disclosures or exceptions to lack of novelty, such as disclosures resulting from abuse and disclosures by the applicant in official or officially recognized exhibitions[5] Verification and translation of the international application to be furnished in two copies Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form and paper and a declaration that the sequences are identical in both formats[6]
Who can act as agent?	Any person authorized to practice before the Office. The names and professional addresses of the persons who can act as agents are published in the Official Gazette [*Boletín Oficial de la Oficina*].
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No

[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 of 60 days subject to the payment of the applicable fee. Before the expiration of that period, the applicant may request another extension of 30 days subject to the payment of the applicable fee.

[4] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[5] Documents relative to official or officially recognized exhibitions must be submitted to the Office within a non-extendable period of three months from the date of entry into the national phase.

[6] The documents must be submitted to the Office within 16 months from the date of filing of the application or, if applicable, from the date of the priority claim.

THE PROCEDURE IN THE NATIONAL PHASE

CU.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).

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

DL290/2011 15

CU.03 **POWER OF ATTORNEY.** An agent authorized to practice before the Office must be appointed by filing a power of attorney if the applicant does not have a domicile or a real and effective industrial and commercial establishment in Cuba. A model is given in Annex CU.II.

DL290/2011 8

CU.04 **ASSIGNMENT DEED.** For details, see the model in Annex CU.III. If the applicant has obtained the right to file the international application through one or more other persons and not directly from the inventor, an assignment deed linking the inventor and the applicant must be presented. This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

CU.05 Where the priority of an earlier application is claimed and the applicant is not the same as the applicant of the original application, a copy of the instrument granting the right to claim the priority of the earlier application to the current applicant must be submitted. This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

DL290/2011 20.2

CU.06 **DIVISIONAL APPLICATIONS.** Where an application is divided, either at the request of the applicant or at the request of the Office, it will benefit from the same filing date and any applicable priority date as the international application which entered the national phase.

DL290/2011 32

The division of an application at the request of the applicant must be submitted within six months from the date of entry into the national phase in Cuba. The division of an application at the request of the Office must be submitted within 60 days from the date of the notification of the requirement by the Office. The amount of the fee for a divisional application is indicated in Annex CU.I.

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CU.07 **ANNUAL FEES**. Annual fees are payable from the international filing date and must be paid within 30 months from the priority date, regardless of whether or not preliminary examination has been carried out. Annual fees must be paid before the beginning of the year of validity. A period of grace of six months will be allowed for the payment of an expired annual fee, but the prescribed amount thereof will then be doubled. For the amount of these fees, see Annex CU.I.

DL290/2011 131-134

CU.08 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may, before grant, request rectification of errors of form. A request for rectification of errors of substance can only be made by the applicant before publication, provided that such rectification does not go beyond the content of the application as originally filed. Any holder of a patent or utility model may request the inclusion of any amendment to his title of protection provided the documents that legally justify it are furnished. The amount of the fee payable for such amendment is indicated in Annex CU.I.

DL290/2011 32
36

CU.09 **EXCUSE OF DELAYS IN MEETINGS TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where an official notice is not complied with within 60 days the application will be considered abandoned unless the applicant requests in writing an extension of 30 days and pays the corresponding fee. The amount of the extension fee is indicated in Annex CU.I.

PCT Art. 25
PCT Rule 51

CU.10 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

DL290/2011 39-41

CU.11 **APPEALS.** After substantive examination, a decision is issued by the Chief of the Technical Department, granting, granting in part or denying the application. In case of non-conformity, applicants may file an appeal with the Director of the Office, within 30 days from the date of the notification of said decision, upon payment of the corresponding fee. The amount of the appeal fee is indicated in Annex CU.I.

DL290/2011 119

Applicants may file an appeal before the Provincial Tribunal of the City of Havana against the decision of the Director of the Office within 30 days from the date of the notification of said decision.

CU.12 **UTILITY MODEL.** Subject to paragraph CU.14, if the applicant wishes to obtain a utility model instead of a patent in Cuba, on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office. The fees relating to utility models are indicated in Annex CU.I.

DL290/2011 123
124
PCT Rule 49.6

CU.13 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant failed to perform the acts referred to in Article 22 to enter the national phase within the applicable time limit if the failure to meet that time limit occurred in spite of due care required by the circumstances. Reinstatement of rights may also be requested where the applicant failed to observe a time limit set by the Office in spite of due care, which is prejudicial to his rights. A request for reinstatement must be presented in writing within 60 days from the removal of the cause of the failure to observe the time limit or 12 months from the date of expiration of the applicable time limit. The omitted action must be completed within the applicable time limit, the request must state the facts which justify the reinstatement and set out the facts on which it relies, and the fee for reinstatement of rights (see Annex CU.I) must be paid.

D342/2018 78

Reinstatement of rights is excluded where the applicant failed to observe the following time limits:

a) to request reinstatement;
b) the priority period;
c) to provide documents relating to non-prejudicial disclosures at official or officially-recognized international exhibitions and
d) to file oppositions.

DL290/2011 83

CU.14 **CONVERSION.** During the processing of the international application, the applicant has the right to convert his application for a patent into an application for a utility model or vice versa within 12 months after entering the national phase, upon payment of the prescribed fee. The amount of the fee for conversion is indicated in Annex CU.I.

D342/2018 31.3

The conversion of the form of protection as requested by the Office must be submitted within 60 days from the date of the notification of the requirement by the Office.

FEES

(Currency: Cuban peso)

Patents

Filing fee (including publication fee and the annual fee for the 1st and the 2nd years)[1]	11,040[2]
Claim fee:	
— for each independent claim in excess of one	1,920
— for each multiple dependent claim	2,400
— for each group up to ten dependent claims	1,920
Fee for each page in excess of 30	120
Fee for amendment or modification	2,400
Fee for grant	4,800
Fee for claiming priority, per priority	1,200
Fee to respond to an invitation from the Office	2,040
Fee for extension of time to respond to an invitation from the Office	1,680
Fee for conversion	3,600
Fee for appeal	4,800
Fee for reinstatement	7,200
Fee for submission of divisional application[3]	8,400
Annual fees:	
— for the 3rd year	4,800
— for the 4th year	6,000
— for the 5th year	7,200
— for the 6th year	8,400
— for the 7th year	9,600
— for the 8th year	10,800
— for the 9th year	12,000
— for the 10th year	13,200
— for the 11th year	14,400
— for the 12th year	15,600
— for the 13th year	16,800
— for the 14th year	18,000
— for the 15th year	19,200
— for the 16th year	21,600
— for the 17th year	24,000
— for the 18th year	26,400
— for the 19th year	28,800
— for the 20th year	31,200
— late payment fee in period of grace of six months	double of the corresponding fee

[1] The Office may also require payment of the third annual fee at the time of filing, depending on the date of entry into the national phase.

[2] This fee is reduced by CUP 1,200 where the application is filed both on paper and in electronic form.

[3] The first and second annuities are not included.

Utility models

Filing fee (including publication fee and the annual fee for the 1st and the 2nd years)[4]	8,400[5]
Fee for grant	3,600
Fee for submission of divisional application[6]	5,760
— for each group of up to five claims	1,920
Fee for each page in excess of 30	120

Annual fees:

— for the 3rd year	3,600
— for the 4th year	4,800
— for the 5th year	6,000
— for the 6th year	7,200
— for the 7th year	8,400
— for the 8th year	9,600
— for the 9th year	10,800
— for the 10th year	12,000

How can payment of fees be effected?

The payment of fees must be effected in Cuban pesos. 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. All fees must be paid to the Office, either by check or in cash.

4 See footnote 1.
5 See footnote 2.
6 See footnote 3.

DOCUMENTO DE REPRESENTACIÓN/ POWER OF ATTORNEY/ POUVOIR

Yo/Nosotros/ I/We/ Je/ Nous[1] :

Nombro/ nombramos/ do hereby appoint/ nomme/nommons[2]:

Para encargarse en mi/ nuestro nombre de los trámites para presentar la solicitud relativa a la invención titulada[3]/ To undertake on my/our behalf the procedures for filing an application in relation to the invention entitled[4]/Pour accomplir en mon/notre nom les formalités de depòt d'une demande relative à l'invention intitulée[5]:

En la Oficina Cubana de la Propiedad Industrial
Before the Cuban Industrial Property Office
Auprés de l'Office Cubain de la Propriété Industrielle

De conformidad con la legislación cubana sobre invenciones/ according to the cuban legislation on inventions/ conformément à la législation cubaine sur les inventions.

Lugar/ Place/Lieu ……Fecha/Date ……

Firma(s)/Signature(s)

NO SE REQUIERE LEGALIZACIÓN/ NO LEGALIZATION REQUIRED/ AUCUNE LÉGALISATION REQUISE

[1] Indicar de manera completa (a) los nombres y apellidos y (b) la dirección de la persona o de la empresa que ha nombrado al mandatario/ Insert in full (a) the name and (b) address of the individual or corporation appointing the attorney/ Indiquer le nom complet (a) et l'adresse complète (b) de la personne ou de la societé qui nomme le mandataire.

[2] Nombre del mandatario/ Name of attorney/ Nom du mandataire.

[3] Título de la invención / Title of the invention/ Titre de l'invention.

[4] IDEM Nota al Pie 20.

[5] IDEM Nota al Pie 20.

ACTA DE CESIÓN/ DEED OF ASSIGNEMENT/ ACTE DE CESSION

Yo/Nosotros/ el que suscribe/ los que suscriben:

It is hereby declared that I / we the undersigned:

Je/ Nous soussigné(s):

Declaro/ declaramos por la presente Acta haber cedido mi /nuestro derecho de solicitar y obtener una patente de invención o un registro de modelo de utilidad en Cuba relativa a la invención intitulada:

I / we declare by this Act have given my/ our right to request and obtain a patent for invention or utility model registration in Cuba on the invention entitled:

Je déclare / Nous déclarons par la présente acte avoir cédé mon / notre droit de demander et d'obtenir un brevet d'invention ou d'un modèle d'utilité à Cuba sur l'invention intitulée:

a/to/à:

Lugar/ Place/Lieu ……Fecha/Date ……

Firma(s)/Signature(s)

NO SE REQUIERE LEGALIZACIÓN/ NO LEGALIZATION REQUIRED/ AUCUNE LÉGALISATION REQUISE

INDUSTRIAL PROPERTY OFFICE OF THE CZECH REPUBLIC

(ÚŘAD PRŮMYSLOVÉHO VLASTNICTVÍ)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office:	Industrial Property Office of the Czech Republic
PL:	Patent Law No. 527/1990 Coll., as amended[1] Implementing Decree No. 550/1990 Coll., as amended (No. 21/2002 Coll.)
UML:	Utility Model Law No. 478/1992 Coll., as amended[1]
Law No. 173/2002 Coll.:	Law on Fees for Maintenance of Patents and Supplementary Protection Certificates for Medicaments and Plant Protection Products and on Amendment of Some Acts[1]
Fees:	Law No. 634/2004 Coll., on Administrative Fees

[1] The text of the laws may be obtained on the Internet at: https://upv.gov.cz/

SUMMARY **Designated (or elected) Office** SUMMARY

CZ **INDUSTRIAL PROPERTY OFFICE OF THE CZECH REPUBLIC** CZ

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:	Czech
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: Czech koruna (CZK) For patents: Filing fee:[1] CZK 1,200 For utility model: Filing fee:[1] CZK 1,000
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 51*bis*):[2]	Instrument of assignment or transfer where the applicant is not the inventor[3] Instrument of assignment of the priority right where the applicants are not identical[3] Appointment of an agent if the applicant is not resident in Czechia Three copies of translation of international application and three copies of drawings for patent Two copies of translation of international application and two copies of drawings for utility model Power of attorney in duplicate if the international application is for both a patent and a utility model
Who can act as agent?	Any patent agent or attorney registered in Czechia
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No

[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.

THE PROCEDURE IN THE NATIONAL PHASE

CZ.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.

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

PL Art. 29

CZ.03 **DECLARATION OF ASSIGNMENT.** Where the applicant is not the inventor a declaration of assignment of the right to file the international application must be furnished. For details, see the model of such declaration (not an official form) in Annex CZ.II. Legalization is not required. For time limits, see the Summary.

PL Art. 29

CZ.04 **ASSIGNMENT OF PRIORITY RIGHT.** 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 right must be furnished. For details, see the model for such assignment (not an official form) in Annex CZ.III. Legalization is not required. For time limits, see the Summary.

PL Art. 70(1)

CZ.05 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model is given in Annex CZ.IV.

Law No. 173/2002

CZ.06 **ANNUAL FEES.** After a patent has been granted, a fee must be paid for each year following the international filing date. Payment of the annual fees for the years which have expired or begun at the date of granting the patent must be made within three months after the grant of the patent. The annual fees for subsequent years must be paid not later than the last day in which "the patent year" expires. In case of failure to pay a fee within the required time limit it is still possible to make the payment within an additional time limit of six months, in which case, however, the fee is doubled.

PL Art. 33(1) 33(2)

CZ.07 **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. 33(3)

CZ.08 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within 36 months from the international filing date.

PCT Art. 28 41

CZ.09 **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

CZ.10 **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)

CZ.11 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PL Art. 65

CZ.12 Time limits fixed by the Office for a certain action may be extended upon request and payment of a fee for extension of time limits (see Annex CZ.I). A time limit of more than two months and more than three extensions of a time limit may be given only in special cases.

PL. Art. 65

CZ.13 The Office may excuse a failure to comply with a time limit on legitimate grounds if a party to the procedure so requests within two months of the day on which the reason for failure to comply has ceased to exist, provided that the omitted act has been performed within that period and that the administrative fee in accordance with the relevant statutory provisions has been paid.

PL Art. 65

CZ.14 Failure to comply with a time limit may not be excused after expiry of a period of one year after the end of the period within which the act should have been performed; failure to comply with a time limit for claiming and proving a priority right or for filing a request for examination of the application or a request for continuation of the patent procedure may, likewise, not be excused. Rights acquired by third parties between the date of expiry of the time limit which has not been complied with and the date on which the failure to comply was excused shall not be affected.

PCT Art. 4.3
43
44
PCT Rule 4.12
49*bis*.1(a), (b)
76.5
UML Par. 9

CZ.15 **UTILITY MODEL.** If the applicant wishes to obtain utility model registration in Czechia 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 19, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

CZ.16 If the international application is for a utility model instead of a patent (see the case referred to in paragraph CZ.15) 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 annual fees.

Instead of annual fees, renewal fees become due for utility models. The due date and amounts are indicated in Annex CZ.I. By payment of the two renewal fees the term of protection may be extended a first time from five to seven years and a second time from eight to ten years.

UML Par. 9

CZ.17 If the international application is for both a utility model and a patent (see the case referred to in paragraph CZ.15(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 into Czech 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)
PCT Rule 7.2

CZ.18 Where, in either of the cases referred to in paragraph CZ.15, 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

CZ.19 A utility model application concerning the subject matter of an earlier national or international patent application for a national patent for Czechia 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: Czech koruna)

Patents

Filing fee (reduction of 50% where the applicant is also the inventor)	1,200
Fee for registration of the assignment	600
Fee for requesting examination:	
— basic fee	3,000
— additional fee for each claim in excess of 10	500
Fee for the first extension of a time limit	200
Fee for any further extension of a time limit	500
Fee for requesting excuse of the failure to comply with a time limit	1,000
Fee for issue of letters patent not exceeding 10 pages	1,600
— for each additional page	100
Annual fees:	
— for the period from the 1st to the 4th year, per year	1,000
— for the 5th to the 8th year, per year	2,000
— for the 9th year	3,000
— for the 10th year	4,000
— for the 11th and each subsequent year, per year	the amount relating to the preceding year increased by an additional amount of 2,000

Utility models

Filing fee (reduction of 50% where the applicant is also the inventor)	1,000
First renewal fee (becomes due on the last day of the month containing the 4th anniversary of the filing date)	6,000
Second renewal fee (becomes due on the last day of the month containing the 7th anniversary of the filing date)	6,000

How can payment of fees be effected?

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

Payment of annual fees must be effected to account No. 80012-21526001/0710 of the Industrial Property Office at the Czech National Bank in Prague, Czechia.

Payment of annual fees for European patents must be effected to account No. 35-21526001/0710 of the Industrial Property Office at the Czech National Bank in Prague.

Payment of other fees must be effected to account No. 3711-21526001/0710 of the Industrial Property Office at the Czech National Bank in Prague.

Address: Czech National Bank, Na Prikope 28, Prague 1, Czechia.

PROHLÁŠENÍ

Já podepsaný

.....

.....

tímto prohlašuji, že jsem autorem vynálezu, pro který bylo v České republice požádáno o udělení patentu

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Předmět vynálezu :

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Současně prohlašuji, že právo podat tuto přihlášku v České republice jsem převedl na :

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.....

Na důkaz toho můj vlastnoruční podpis :

DECLARATION

I undersigned

.....

.....

declare hereby that I am the author of the invention for which a patent has been asked for in the Czech Republic

.....

.....

.....

on .....

.....

under No. .....

Object of the invention :

.....

.....

.....

.....

Further I declare that I have assigned the right to file this patent application in the Czech Republic to :

.....

.....

.....

.....

In evidence thereof, my signature :

.....

Podpis/Full name and signature - (Bez legalizace - No legalization)

POSTOUPENÍ PRÁVA PŘEDNOSTI

Podepsaný

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.....

prohlašuje tímto, že postoupil

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právo přihlásiti vynález, popsaný a přihlášený ve své patentové přihlášce

čís .....

podané dne .....

týkající se

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.....

.....

vlastním jménem v České republice a domáhati se pro tuto mezinárodní přihlášku práva přednosti shora uvedené patentové přihlášky.

ASSIGNMENT OF PRIORITY RIGHT

The undersigned

.....

.....

declares hereby to have assigned to

.....

.....

.....

the right to apply for protection of the invention described and claimed in his patent application

No .....

filed on .....

relating to

.....

.....

.....

in his (their) own name in the Czech Republic and to claim for this international application the priority of the above-mentioned patent application.

.....

Podpis/Signature (full name) - (Bez legalizace - No legalization)

Date .....

PLNÁ MOC/POWER OF ATTORNEY

Podepsaný (jméno a příjmení nebo plná firma společnosti):
The undersigned (first name and family name or full name of the company):

.....

.....

se sídlem v (ulice, číslo, místo, země):
residing at (street, number, locality, country):

.....

.....

státní příslušnost:
citizenship:

.....

zaměstnání:
profession:

.....

pracoviště (zaměstnavatel):
place of employment (employer):

.....

zmocňuje pana
appoints Mr.

.....

aby jej zastupoval ve věci jeho mezinárodních přihlášek v České republice
to represent him in connection with his international applications in the Czech Republic

.....
Podpis (a razítko) - Signature (and seal)

Plnou moc přijímám:
Power of attorney is accepted:

..... Datum/Date .....
Podpis/Signature

(Bez legalizace - No legalization)

GERMAN PATENT AND TRADE MARK OFFICE

(DEUTSCHES PATENT- UND MARKENAMT)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office:	German Patent and Trade Mark Office
PatG:	Patent Act [*Patentgesetz*]
GebrMG:	Utility Model Act [*Gebrauchsmustergesetz*]
IntPatÜbkG:	Act on International Patent Conventions [*Gesetz über internationale Patentübereinkommen*]
PatKostG:	Patent Costs Act [*Patentkostengesetz*]
PatKostZV:	Ordinance on Payment of Patent Costs of the German Patent and Trade Mark Office and the Federal Patent Court [*Patentkostenzahlungsverordnung*]
DPMAV:	Ordinance concerning the German Patent and Trade Mark Office [*Verordnung über das Deutsche Patent- und Markenamt*]

SUMMARY **Designated (or elected) Office** SUMMARY

DE GERMAN PATENT AND TRADE MARK OFFICE DE

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	German
Required contents of the translation for entry into the national phase:[1]	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) For patent: Filing fee:[2] - international application with up to 10 claims: EUR 60 - international application with over 10 claims: EUR 60 - for each claim exceeding 10: EUR 30 Annual fee for the third year:[3] EUR 70 For utility model: Filing fee:[4] EUR 40
Exemptions, reductions or refunds of the national fee:	No filing fee is payable if the international application was filed with the German Patent and Trade Mark Office as receiving Office. The fee for requesting examination is reduced where an international search report has been established.

[Continued on next page]

[1] Must be furnished within the time limit applicable under PCT Article 22 or 39(1). A translation of the abstract is not required in case of a utility model application.

[2] Must be paid within the time limit applicable under PCT Article 22 or 39(1). The filing fee for entry into the national phase is calculated on the basis of the number of claims in the international application as originally filed, and not as subsequently reduced, if applicable. A subsequent addition of claims may increase the amount of the filing fee. For further general information, refer to https://www.dpma.de/english/services/fees/patents/index.html.

[3] It is due on the last day of the month containing the second anniversary (24 months) of the international filing date. If the applicant does not initiate early entry into the national phase, he does not have to pay the third annual fee before the expiration of the 30-month time limit under PCT Article 22(1) or 39(1)(a). In that case, the third annual fee shall be paid without surcharge before the expiration of the second month after the expiration of the 30-month time limit. If the third annual fee is not paid within this two-month time limit, the fee may still be paid with a surcharge before the expiration of the sixth month after the expiration of the 30-month time limit.

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

SUMMARY — Designated (or elected) Office — SUMMARY

DE — GERMAN PATENT AND TRADE MARK OFFICE — DE

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[5]	Where the applicant is a legal entity, indication of the name of an officer representing that entity Declaration concerning the inventor and the right of the applicant to apply for a patent[6] Appointment of an agent if the applicant is not resident in Germany If the international application is for a patent and a utility model, the translation must be furnished in duplicate Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form Furnishing of any missing indication of the address and residence of each of the applicants
Who can act as agent?	If an agent is required (because the applicant neither has his residence, nor his principal place of business, nor an establishment in Germany): any patent attorney, attorney-at-law, or firm of representatives established in Germany and authorized to represent the applicant in proceedings before the Office;[7] any patent attorney or attorney-at-law of a member State of the European Union, of a contracting party to the Agreement on the European Economic Area, or of Switzerland, authorized to either practice in Germany, or to provide temporary services, and empowered to represent the applicant in proceedings before the Office (refer to the *Act on the Activities of Patent Attorneys from EU member states in Germany (EuPAG)* and the *Act on the Activities of European Lawyers in Germany (EuRAG)*); If an agent is not required: as mentioned above and any natural person[8]
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No

[5] 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.

[6] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[7] The list of patent attorneys may be obtained from the Patentanwaltskammer (Chamber of Patent Attorneys), Postfach 260108, 80058 München, Germany, and the list of attorneys-at-law from the Bundesrechtsanwaltskammer (Chamber of Attorneys-at-Law), Littenstrasse 9, 10179 Berlin, Germany.

[8] In accordance with the provisions of the *Legal Services Act* (*Rechtsdienstleistungsgesetz – RDG*).

THE PROCEDURE IN THE NATIONAL PHASE

DE.01 **FORMS FOR ENTERING THE NATIONAL PHASE.** The Office has available special forms for entering the national phase (see Annexes DE.II (patents) and DE.III (utility models)) which are available on the Office's website at: www.dpma.de/docs/service/formulare/patent/p2009.pdf and www.dpma.de/docs/service/formulare/gebrauchsmuster/g6007.pdf. These forms should preferably (but need not) be used.

DE.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).

IntPatÜbkG Art. III Sec. 4(2)
PatKostG Sec. 2 (1)
PatKostZV Sec. 1

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

PatG Sec. 37

DE.04 **DECLARATION CONCERNING THE INVENTOR AND THE RIGHT OF THE APPLICANT TO APPLY FOR A PATENT.** For details, see the model of such declaration (not an official form for international applications) in Annex DE.IV. Legalization is not required. For time limits, see the Summary.

PatG Sec. 25

DE.05 **REPRESENTATION.** Any person who has neither a residence nor a principal place of business nor an establishment in Germany may participate in proceedings before the Office if he/she has appointed as his/her representative an attorney-at-law or a patent attorney who is sauthorized and empowered to represent him/her in proceedings before the Office, before the Federal Patent Court and in civil litigation affecting the patent, as well as to file an application for criminal prosecution. Representation is also possible through any patent attorney or attorney-at-law of a member State of the European Union, a contracting party to the Agreement on the European Economic Area or of Switzerland if such attorney is authorized and empowered to represent applicants in proceedings before the Office, the Federal Patent Court and in civil litigation affecting a patent, as well as to file motions for criminal prosecution. The authorization is subject to the relevant provisions governing admission to the profession of attorney-at-law or patent attorney as well as to the provisions concerning the temporary provision of services; patent attorneys of the above mentioned states providing temporary services in Germany need to be registered with the Chamber of Patent Attorneys.

DPMAV Sec. 15

DE.06 **POWER OF ATTORNEY.** If an agent is appointed, a written power of attorney must generally be filed, exceptions apply *inter alia* for attorneys-at-law and patent attorneys acting as agents.

PatG Sec. 17
PatKostG Sec. 3(2) 7(1)

DE.07 **ANNUAL FEES.** They are payable for the third and each subsequent year following the international filing date. The annual fees are due on the last day of the month containing the anniversary of the international filing date. The fees shall be paid before the expiration of the second month after the due date. Where the fee is not paid within the two-month time limit, payment can still be made with a surcharge before the expiration of the sixth month after the due date. If the applicant does not initiate early entry into the national phase, he does not have to pay the third annual fee before the expiration of the 30-month time limit under PCT Article 22(1) or Article 39(1)(a). In that case, the third annual fee shall be paid without surcharge before the expiration of the second month after the expiration of the 30-month time limit. If the third annual fee is not paid within this two-month time limit, the fee may still be paid with a surcharge before the expiration of the sixth month after the expiration of the 30-month time limit. The amounts of the annual fees and of the surcharge are indicated in Annex DE.I.

PatG Sec. 44

DE.08 **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.

PatG Sec. 44(2)

DE.09 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within seven years from the international filing date.

PatG Sec. 44 (2)
PatKostG Sec. 3(1)
5(1)
IntPatÜbkG Art. III
Sec. 7

DE.10 **FEE FOR REQUESTING EXAMINATION.** The fee for requesting examination must be paid within three months from the date of the request but no later than seven years from the international filing date. Processing of the request for examination will only start after the fee for requesting examination has been paid. The amount of the said fee is indicated in Annex DE.I. It is reduced where an international search report has been established.

PCT Art. 28
41
PatG Sec. 38

DE.11 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Before any decision is taken on the grant of a patent, amendments may be made to any part of the application, provided that the scope of the subject matter of the application is not broadened thereby, but only until the request for examination has been received, if the amendment involves the rectification of an obvious mistake, correction of a deficiency noted by the Examining Section or amendments to the claims.

It is to be noted that, during opposition procedure following the grant of the patent, amendments to the description, claims or drawings may still be made, but only within the scope of the patent as granted.

PCT Art. 25
PCT Rule 51
IntPatÜbkG Art. III
Sec. 5
PatG Sec. 65(1)
73

DE.12 **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, an appeal against this decision may be lodged within one month from the date of receipt of the decision. Within the same one-month time limit, a fee for appeal must be paid. The Federal Patent Court will then decide on the appeal.

PCT Art. 24(2)
48(2)
PatG Sec. 123
123a
GebrMG Sec. 21

DE.13 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Reinstatement may be requested where the applicant, through no fault of his own, has failed to comply with a (statutory) time limit during the international phase or before the Office and non-observance of the time limit is detrimental to his rights. Reinstatement is excluded, however, for missing of the time limit for filing an application for which priority of an earlier German application is claimed, whereas reinstatement may be requested if priority of an earlier foreign application is claimed. A request for reinstatement must be presented in writing within two months after the removal of the cause of the failure to perform the action but not later than one year from the expiration of the time limit which has not been observed. Within these two months, the omitted act must be completed and the request must state the facts which justify the reinstatement; these facts must be substantiated [*glaubhaft machen*]. In addition, it is possible to request further processing of the application if the application has been rejected following a failure to observe a time limit fixed by the Office. The request for further processing shall be filed within one month after notification of the decision to reject the application. The omitted act must be completed within this time limit and a fee must be paid. The amounts of fees for further processing are indicated in Annex DE.I. Reinstatement of rights in respect of the time limit to request further processing is not possible.

PCT Art. 4(3)
43
44
PCT Rules 49*bis*.1
(a) and (b)
76.5
IntPatÜbkG Art. III
Sec. 4(1)
GebrMG Sec. 4
23(1)

DE.14 **UTILITY MODEL.** If the applicant wishes to obtain utility model registration in Germany on the basis of an international application

(i) instead of a patent or

(ii) in addition to a patent,

the applicant, when performing the acts referred to in PCT Article 22 or 39(1), shall so indicate to the designated Office. Where no special acts are required for entry into the national phase, because the Office is both the receiving Office and designated Office, *and* the application was filed in German, the applicant shall nonetheless be responsible for the timely execution of his right of choice under PCT Rule 49*bis*.1.

PatKostG Sec. 3(2) 7(1)

DE.15 If the international application is for a utility model instead of a patent (see the case referred to in paragraph DE.14(i)), the requirements are basically the same as for patent applications except that the applicant is not required:

(i) to furnish a translation of the abstract,

(ii) to furnish a declaration concerning the inventor,

(iii) to make a request for examination, and

(iv) to pay annual fees.

Instead of annual fees, maintenance fees become due for utility models. The due date, amounts and terms of protection are indicated in Annex DE.I. The maximum term of protection is 10 years from the international filing date.

IntPatÜbkG Art. III Sec. 4(2)

DE.16 If the international application is for both a utility model and a patent (see the case referred to in paragraph DE.14(ii)), the applicant must, within the time limit applicable for entry into the national phase, comply with the following requirements:

(i) pay two filing fees for both the patent application and the utility model application,

(ii) where the international application was not filed in German, furnish a translation into German,

(iii) furnish the translation of the international application (if any) in duplicate.

The requirement (iii) 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 entry into the national phase.

GebrMG Sec. 5

DE.17 In addition to the options mentioned under DE.14 a national utility model application concerning the subject matter of an earlier national, international or European patent application for a national or European patent for Germany may according to national law claim the filing date of that earlier patent application provided the utility model application is filed before the expiration of two months from the end of the month in which the patent application is disposed of or in which the opposition procedure, if any, is terminated, at the latest, however, up to 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 under the Paris Convention for the Protection of Industrial Property will also apply to the subsequent utility model application.

FEES

(Currency: Euro)

Patents

Filing fee:[1]	
— international application with up to 10 claims	60
— international application with over 10 claims	60
— for each claim exceeding 10	30
Fee for requesting examination:	
(i) where an international search report has been established	150
(ii) where no international search report has been established	350
Annual fees: [2]	
— for the 3rd year	70
— for the 4th year	70
— for the 5th year	90
— for the 6th year	130
— for the 7th year	180
— for the 8th year	240
— for the 9th year	290
— for the 10th year	350
— for the 11th year	470
— for the 12th year	620
— for the 13th year	760
— for the 14th year	910
— for the 15th year	1,060
— for the 16th year	1,230
— for the 17th year	1,410
— for the 18th year	1,590
— for the 19th year	1,760
— for the 20th year	1,940
Surcharge for late payment of the annual fee	50
Fee for further processing	100

Utility models

Filing fee[3]	40
— international application	40
Maintenance fees:	
— for the 4th to the 6th year of protection	210
— for the 7th and the 8th years of protection	350
— for the 9th and the 10th years of protection	530
Surcharge for late payment of the maintenance fee	50
Fee for further processing	100

[1] Where the international application has been filed with the German Patent and Trade Mark Office as receiving Office, the filing fee is considered to have been paid with the payment of the transmittal fee (IntPatÜbkG Art. III, Sec. 4(2)). The filing fee for entry into the national phase is calculated on the basis of the number of claims in the international application as originally filed, and not as subsequently reduced, if applicable. A subsequent addition of claims may increase the amount of the filing fee. For further general information, refer to https://www.dpma.de/english/services/fees/patents/index.html.

[2] Annual fees are reduced by 50% in case of a declaration to the German Patent and Trade Mark Office that the applicant or proprietor is willing to allow anyone to use the invention in return for equitable remuneration (PatG, Sec. 23 (1)).

[3] Where the international application has been filed with the German Patent and Trade Mark Office as receiving Office, the filing fee is considered to have been paid with the payment of the transmittal fee (IntPatÜbkG Art. III, Sec. 4(2)).

How can payment of fees be effected?

The payment of the fees has to be effected in Euro. 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 of fees can be made by:

(a) payment by cash directly to the Office;

(b) bank transfer or payment by cash into the account of the Bundeskasse Halle/DPMA (No. 700 010 54 at the Deutsche Bundesbank (BBk) München, IBAN: DE84 7000 0000 0070 001054, BIC/SWIFT code: MARKDEF1700. Customers should declare that any handling charges are borne by the payer;

(c) submitting a valid "SEPA Core Direct Debit Mandate" together with the "Specification of the purpose of the use of the mandate. The forms "SEPA Core Direct Debit Mandate" and "Specification of the purpose of use of the mandate" provided by the Office in German and English language should preferably be used.

Applicants must choose a mode of payment guaranteeing that the *full amount of the fees due* is received by the Office. There is a danger of loss of rights if bank charges are deducted.

Deutsches
Patent- und Markenamt

An das
Deutsche Patent- und Markenamt
80297 München

P 2 0 0 9 4 . 1 9 1

(1) **Sendungen des Deutschen Patent- und Markenamts sind zu richten an:**

Name, Vorname oder Firma

Straße, Hausnummer / ggf. Postfach

Postleitzahl **Ort** **Staat** (falls nicht Deutschland)

Einleitung der nationalen Phase einer PCT-Anmeldung für die Erteilung eines Patents

Aktenzeichen
PCT/ _____ / _____

Datum TT MM JJJJ

☐ **TELEFAX** vorab am TT MM JJJJ

(2) Zeichen des Anmelders/Vertreters (max. 20 Stellen) Telefon des Anmelders/Vertreters

(3) Der Empfänger in Feld (1) ist der ggf. Nr. der Allgemeinen Vollmacht

☐ Anmelder ☐ Zustellungsbevollmächtigte ☐ Vertreter

(4) nur auszufüllen, wenn abweichend von Feld (1)

Anmelder

Name, Vorname oder Firma lt. Handelsregister

Straße, Hausnummer (kein Postfach!)

Postleitzahl **Ort** **Staat** (falls nicht Deutschland)

Handelsregisternummer nur bei Firmen anzugeben

☐ Der Anmelder ist eingetragen im Handelsregister Nr.

beim Amtsgericht

Vertreter

Name, Vorname / Bezeichnung

Straße, Hausnummer

Postleitzahl **Ort** **Staat** (falls nicht Deutschland)

P 2 0 0 9 4 . 1 9 2

(5) soweit bekannt

Anmelder-Nr. _____ Vertreter-Nr. _____

Zustelladressen-Nr. _____

(6)

Bezeichnung der Erfindung (bei Überlänge auf gesondertem Blatt)

_____

_____

_____

_____

_____

_____

_____

(7)

Sonstige Anträge

☐ **Antrag auf vorzeitige Bearbeitung oder Prüfung gemäß Artikel 23 (2) PCT bzw. Artikel 40 (2) PCT (DE ist noch als Bestimmungsstaat benannt)**

Datum und Aktenzeichen der (ältesten) Anmeldung, deren Priorität in Anspruch genommen wird: _____

Falls keine Priorität beansprucht wird: Datum der internationalen Anmeldung: _____

☐ **Prüfungsantrag** (§ 44 Patentgesetz)

(8)

Erklärungen

☐ an **Lizenzvergabe** interessiert (unverbindlich)

(9) Erläuterung und Kostenhinweise siehe Seite 4 und 5

Gebührenzahlung in Höhe von _____ EUR

Zahlung per Banküberweisung

☐ **Überweisung** *(falls noch kein nationales Aktenzeichen bekannt ist, ist das PCT-Aktenzeichen anzugeben)*

Zahlungsempfänger:
Bundeskasse Halle/DPMA
IBAN: DE84 7000 0000 0070 0010 54
BIC (Swift-Code): MARKDEF1700

Anschrift der Bank:
Bundesbankfiliale München
Leopoldstr. 234, 80807 München

Zahlung mittels SEPA-Basis-Lastschrift

☐ Ein gültiges SEPA-Basis-Lastschriftmandat (Vordruck A 9530)

☐ liegt dem DPMA bereits vor *(Mandat für mehrmalige Zahlungen)*.

☐ ist beigefügt.

☐ Angaben zum Verwendungszweck (Vordruck A 9532) des Mandats mit Mandatsreferenznummer sind beigefügt.

Wird die Anmeldegebühr nicht innerhalb von 30 Monaten nach dem frühesten Prioritätsdatum gezahlt, verliert die internationale Anmeldung die Wirkung einer nationalen Anmeldung in Deutschland!

P 2 0 0 9 4 . 1 9 3

(10) **Anlagen**

1. _____ Vertretervollmacht
2. _____ Erfinderbenennung (P 2792)
3. _____ Zusammenfassung (ggf. mit Zeichnung Fig. _____)
4. _____ Seite(n) Beschreibung (ggf. mit Bezugszeichenliste)

siehe auch Seite 4 und 5

5. _____ Seite(n) Patentansprüche _____ Anzahl Patentansprüche
6. _____ Blatt Zeichnungen
7. _____ Abschrift(en) der Voranmeldung(en)
8. _____ Zitierte Nichtpatentliteratur
9. _____ Anzahl Datenträger ☐ für Sequenzprotokoll nach § 11 Absatz 2 Patentverordnung
10. _____

Bitte beachten Sie hinsichtlich der Verarbeitung Ihrer personenbezogenen Daten unser Merkblatt A 9106 „Datenschutz bei Schutzrechtsanmeldungen". Dieses finden Sie unter www.dpma.de: Service – Formulare – Sonstige Formulare – Hinweise zum Datenschutz.

(11) _____
Unterschrift/en

(12) _____
Funktion des Unterzeichners

Bitte beachten Sie die Hinweise auf den nächsten Seiten!

P 2 0 0 9 4 . 1 9 4

Dieser Vordruck darf nur für die Einleitung der nationalen Phase einer PCT-Anmeldung für die Erteilung eines Patents vor dem Deutschen Patent- und Markenamt (DPMA) als **Bestimmungsamt** verwendet werden. Für das Einreichen einer PCT-Anmeldung vor dem DPMA als Anmeldeamt ist der Vordruck PCT/RO/101 zu verwenden.

Weitere Hinweise finden sich im **Merkblatt für internationale (PCT-) Patentanmeldungen** (PCT/DPMA/200).

Hinweise zur Einleitung der nationalen Phase

Innerhalb von 30 Monaten nach dem Prioritätsdatum ist vor jedem Bestimmungsamt gesondert die nationale Phase einzuleiten.

Für die Einleitung der nationalen Phase für eine Patentanmeldung vor dem DPMA als Bestimmungsamt sind erforderlich:

a) eine deutsche Übersetzung der Anmeldung, sofern die PCT-Anmeldung nicht in deutscher Sprache veröffentlicht worden ist;

b) Zahlung der Anmeldegebühr (vgl. Kostenhinweise).
Falls die internationale Anmeldung beim DPMA als Anmeldeamt eingereicht wurde, ist keine Anmeldegebühr zu entrichten.

c) Gegebenenfalls ist die Erfinderbenennung nach § 37 Patentgesetz (PatG) zu vervollständigen bzw. einzureichen (vgl. Vordruck P 2792):
Ergibt sich aus der internationalen Anmeldung, dass der Anmelder auch der alleinige Erfinder ist, so muss die Erfinderbenennung nicht mehr eingereicht werden.
Ist der Anmelder nicht oder nicht allein der Erfinder, so hat der Anmelder den oder die Erfinder zu benennen und anzugeben, wie das Recht auf das Patent an ihn gelangt ist, wenn dies nicht bereits im Rahmen der internationalen Anmeldung erfolgt ist.
Bei berechtigten Zweifeln hat der Anmelder die Versicherung abzugeben, dass weitere Personen seines Wissens an der Erfindung nicht beteiligt sind (Regel 51*bis*.1 Abs. a AusfO PCT i.V.m. § 37 Abs. 1 Satz 1 PatG).

Erläuterung zu Feld (1)

Sollten Sie den Empfang elektronischer Dokumente wünschen, ist die Registrierung für den Dienst DPMAdirektPro vorzunehmen. Weitere Informationen hierzu finden Sie auf der Internetseite www.dpma.de.

Erläuterung zu Feld (7)

Wird ein Prüfungsantrag nicht innerhalb der gesetzlichen Frist von sieben Jahren nach Einreichung der Anmeldung gestellt oder innerhalb dieser Frist die Prüfungsantragsgebühr nicht gezahlt, gilt die Anmeldung als zurückgenommen.

Erläuterung zu Feld (9)

Das SEPA-Basis-Lastschriftverfahren ersetzt seit dem 1. Dezember 2013 das bisherige Zahlungsverfahren per Einzugsermächtigung. Gebühren können seit diesem Zeitpunkt durch Erteilung eines gültigen SEPA-Basis-Lastschriftmandats mit Angaben zum Verwendungszweck gezahlt werden. Bitte benutzen Sie hierfür die auf unserer Internetseite www.dpma.de bereitgestellten Formulare (A 9530 und A 9532) und beachten Sie die dort zur Verfügung stehenden Hinweise zum SEPA-Verfahren (insb. Mitteilung der Präsidentin Nr. 8/13).

Das SEPA-Mandat muss dem DPMA immer im Original vorliegen. Bei einer Übermittlung per Fax muss das SEPA-Mandat im Original innerhalb eines Monats nachgereicht werden, damit der Zahlungstag gewahrt bleibt.

Kostenhinweise

Die jeweils gültigen Gebühren bestimmen sich nach dem Patentkostengesetz (PatKostG).

Anmeldegebühr

bei Anmeldung, die bis zu 10 Patentansprüche enthält ..... 60,-- EUR.....(Gebührennummer 311 150)

bei Anmeldung, die mehr als 10 Patentansprüche enthält..... 60,-- EUR + 30,-- EUR für **jeden** Anspruch **> 10** (Gebührennummer 311 160)

Prüfungsantragsgebühr

sofern ein internationaler Recherchebericht erstellt wurde ..... 150,-- EUR .....(Gebührennummer 311 300)

Prüfungsantragsgebühr

sofern kein internationaler Recherchebericht erstellt wurde ..... 350,-- EUR .....(Gebührennummer 311 400)

Bei der Zahlung sind der Verwendungszweck in Form der Gebührennummer (s.o.) und, soweit bekannt, das vollständige Aktenzeichen des DPMA anzugeben. Unkorrekte bzw. unvollständige Angaben führen zu Verzögerungen in der Bearbeitung.

P 2 0 0 9 4 . 1 9 5

Hinweis zur Höhe der Anmeldegebühr:

Die Höhe der Anmeldegebühr richtet sich nach der Anzahl der Patentansprüche der ursprünglich eingereichten Fassung der internationalen Anmeldung.

Wird die Anmeldegebühr nicht oder nicht vollständig innerhalb von 30 Monaten nach dem Prioritätstag gezahlt, verliert die internationale Anmeldung die Wirkung einer nationalen Anmeldung in Deutschland. Bitte beachten Sie, dass keine Gebührenbenachrichtigung versandt wird.

Der Prüfungsantrag wird erst dann bearbeitet, wenn die Prüfungsantragsgebühr eingezahlt worden ist.

Hinweis zur 3. Jahresgebühr

Jahresgebühren sind jeweils für die folgende Schutzfrist am letzten Tag des Monats fällig, der durch seine Benennung dem Monat entspricht, in den der (internationale) Anmeldetag fällt. Die 3. Jahresgebühr ist somit am letzten Tag des 24. Monats nach dem internationalen Anmeldetag fällig; die Zahlungsfristen nach dem Patentkostengesetz beginnen jedoch erst mit dem Eintritt in die nationale Phase.

Erläuterung zu Feld (10)

Bei Stellung eines Prüfungsantrags wird gebeten, die in der Anmeldung genannten Druckschriften bzw. Dokumente (außer Patentliteratur) vorzulegen.

	Postanschrift	Telefax	Telefon
Dienststelle München	80297 München	+49 89 2195-2221	**Zentraler Kundenservice:**
Dienststelle Jena	07738 Jena	+49 3641 40-5690	**+49 89 2195-1000**
Informations- und Dienstleistungszentrum Berlin	10958 Berlin	+49 30 25992-404	

Zahlungsempfänger: Bundeskasse Halle/DPMA
IBAN: DE84 7000 0000 0070 0010 54, BIC (SWIFT-Code): MARKDEF1700
Anschrift der Bank: Bundesbankfiliale München, Leopoldstr. 234, 80807 München

Internet:
https://www.dpma.de

Deutsches
Patent- und Markenamt

An das
Deutsche Patent- und Markenamt
80297 München

G 6 0 0 7 5 . 1 9 1

(1) **Sendungen des Deutschen Patent- und Markenamts sind zu richten an:**

Name, Vorname oder Firma

Straße, Hausnummer / ggf. Postfach

Postleitzahl **Ort** **Staat** (falls nicht Deutschland)

Einleitung der nationalen Phase einer PCT-Anmeldung für die Eintragung eines Gebrauchsmusters

Aktenzeichen
PCT/ /

Datum TT MM JJJJ

☐ **TELEFAX** TT MM JJJJ
vorab am

(2) Zeichen des Anmelders/Vertreters (max. 20 Stellen) Telefon des Anmelders/Vertreters

(3) Der Empfänger in Feld (1) ist der ggf. Nr. der Allgemeinen Vollmacht

☐ Anmelder ☐ Zustellungsbevollmächtigte ☐ Vertreter

(4) nur auszufüllen, wenn abweichend von Feld (1)

Anmelder (für weitere Anmelder bitte gesondertes Blatt benutzen)

Name, Vorname oder Firma lt. Handelsregister

Straße, Hausnummer (kein Postfach!)

Postleitzahl **Ort** **Staat** (falls nicht Deutschland)

Handelsregisternummer nur bei Firmen anzugeben

☐ Der Anmelder ist eingetragen im Handelsregister Nr.

beim Amtsgericht

Vertreter

Name, Vorname / Bezeichnung

Straße, Hausnummer

Postleitzahl **Ort** **Staat** (falls nicht Deutschland)

G 6 0 0 7 5 . 1 9 2

(5) soweit bekannt

Anmelder-Nr. _____ Vertreter-Nr. _____

Zustelladressen-Nr. _____

(6)

Bezeichnung der Erfindung

_____

_____

_____

(7) siehe Erläuterung und Kostenhinweise auf Seite 3 und 4

Sonstige Anträge

☐ **Antrag auf vorzeitige Bearbeitung oder Prüfung gemäß Artikel 23 (2) PCT bzw. Artikel 40 (2) PCT (DE ist noch als Bestimmungsstaat benannt)**

Datum und Aktenzeichen der (ältesten) Anmeldung, deren Priorität in Anspruch genommen wird: _____

Falls keine Priorität beansprucht wird: Datum der internationalen Anmeldung: _____

☐ **Rechercheantrag** - Ermittlung der öffentlichen Druckschriften (§ 7 Gebrauchsmustergesetz)

(8)

Erklärungen

☐ Der Anmelder ist an **Lizenzvergabe** interessiert (unverbindlich)

(9) siehe Kostenhinweise auf Seite 3 und 4

Gebührenzahlung in Höhe von _____ EUR

Zahlung per Banküberweisung

☐ **Überweisung** *(falls noch kein nationales Aktenzeichen bekannt ist, ist das PCT-Aktenzeichen anzugeben)*

Zahlungsempfänger:
Bundeskasse Halle/DPMA
IBAN: DE84 7000 0000 0070 0010 54
BIC (Swift-Code): MARKDEF1700

Anschrift der Bank:
Bundesbankfiliale München
Leopoldstr. 234, 80807 München

Zahlung mittels SEPA-Basis-Lastschrift

☐ Ein gültiges SEPA-Basis-Lastschriftmandat (Vordruck A 9530)

☐ liegt dem DPMA bereits vor *(Mandat für mehrmalige Zahlungen)*.

☐ ist beigefügt.

☐ Angaben zum Verwendungszweck (Vordruck A 9532) des Mandats mit Mandatsreferenznummer sind beigefügt.

Wird die Anmeldegebühr nicht innerhalb von 30 Monaten nach dem frühesten Prioritätsdatum gezahlt, verliert die internationale Anmeldung die Wirkung einer nationalen Anmeldung in Deutschland!

(10)

Anlagen

1. _____ Seite(n) Beschreibung
2. _____ Seite(n) Schutzansprüche _____ Anzahl Schutzansprüche
3. _____ Blatt Zeichnungen
4. _____ Abschrift(en) der Voranmeldung(en) bei Priorität
5. _____ Vertretervollmacht
6. _____

Bitte beachten Sie hinsichtlich der Verarbeitung Ihrer personenbezogenen Daten unser Merkblatt A 9106 „Datenschutz bei Schutzrechtsanmeldungen". Dieses finden Sie unter www.dpma.de: Service – Formulare – Sonstige Formulare – Hinweise zum Datenschutz.

_____ _____

(11) Unterschrift/en **(12) Funktion des Unterzeichners**

Bitte beachten Sie die Hinweise auf den nächsten Seiten

G 6 0 0 7 5 . 1 9 3

Dieser Vordruck darf nur für die Einleitung der nationalen Phase einer PCT-Anmeldung für die Eintragung eines Gebrauchsmusters vor dem Deutschen Patent- und Markenamt als **Bestimmungsamt** verwendet werden. Für das Einreichen einer PCT-Anmeldung vor dem Deutschen Patent- und Markenamt als Anmeldeamt ist der Vordruck PCT/RO/101 zu verwenden.

Weitere Hinweise finden sich im **Merkblatt für internationale (PCT-) Patentanmeldungen** (PCT/DPMA/200).

Hinweise zur Einleitung der nationalen Phase

Innerhalb von 30 Monaten nach dem Prioritätsdatum ist vor jedem Bestimmungsamt gesondert die nationale Phase einzuleiten.

Für die Einleitung der nationalen Phase für eine Gebrauchsmusteranmeldung vor dem Deutschen Patent- und Markenamt als Bestimmungsamt sind erforderlich:

a) Eine deutsche Übersetzung der Anmeldung, sofern die PCT-Anmeldung nicht in deutscher Sprache veröffentlicht worden ist.
b) Zahlung der Anmeldegebühr (vgl. Kostenhinweise).
   Falls die internationale Anmeldung beim Deutschen Patent- und Markenamt als Anmeldeamt eingereicht wurde, ist keine Anmeldegebühr zu entrichten.

Erläuterung zu Feld (4)

Unter „Anmelder" sind Name und Anschrift vollständig anzugeben (kein Postfach). Bei mehreren Anmeldern reichen Sie bitte die entsprechenden Angaben zu den weiteren Anmeldern auf einem gesonderten Blatt ein.

Unter „Vertreter" sind nur dann Angaben zu machen, wenn es sich z.B. um einen Patent- oder Rechtsanwalt oder um einen Erlaubnisscheininhaber handelt.

Erläuterung zu Feld (7)

Der Rechercheantrag ist vom Eintragungsantrag unabhängig.

Auf den Rechercheantrag hin ermittelt das Deutsche Patent- und Markenamt öffentliche Druckschriften, die für die Beurteilung der Gebrauchsmusterfähigkeit des Anmeldungsgegenstandes in Betracht zu ziehen sind.

Die Recherchegebühr verfällt mit Zahlung; eine Erstattung der Gebühr findet daher auch dann nicht statt, wenn die Recherche z.B. wegen Zurücknahme oder Zurückweisung der Anmeldung abgebrochen werden muss. Es wird daher empfohlen, den Rechercheantrag erst dann zu stellen, wenn feststeht, dass der Eintragung keine Hindernisse im Wege stehen.

Erläuterung zu Feld (9)

Das SEPA-Basis-Lastschriftverfahren ersetzt ab 1. Dezember 2013 das bisherige Zahlungsverfahren per Einzugsermächtigung. Gebühren können ab diesem Zeitpunkt durch Erteilung eines gültigen SEPA-Basis-Lastschriftmandats mit Angaben zum Verwendungszweck gezahlt werden. Bitte benutzen Sie hierfür die auf unserer Internetseite www.dpma.de bereitgestellten Formulare (A 9530 und A 9532) und beachten Sie die dort zur Verfügung stehenden Hinweise zum SEPA-Verfahren (insb. Mitteilung der Präsidentin Nr. 8/13).

Das SEPA-Mandat muss dem DPMA immer im Original vorliegen. Bei einer Übermittlung per Fax muss das SEPA-Mandat im Original innerhalb eines Monats nachgereicht werden, damit der Zahlungstag gewahrt bleibt.

Kostenhinweise

Die jeweils gültigen Gebühren und Auslagen können Sie dem Kostenmerkblatt A 9510 entnehmen.

Anmeldegebühr	40,--	EUR	(Gebührennummer 321 150)
Rechercheantragsgebühr	250,--	EUR	(Gebührennummer 321 200)

Bei der Zahlung sind der Verwendungszweck in Form der **Gebührennummer** (s.o.) und, **soweit bekannt**, das **vollständige Aktenzeichen** anzugeben. Unkorrekte bzw. unvollständige Angaben führen zu Verzögerungen in der Bearbeitung.

G 6 0 0 7 5 . 1 9 4

Wird die Anmeldegebühr nicht innerhalb von 30 Monaten nach dem Prioritätsdatum gezahlt, verliert die internationale Anmeldung die Wirkung einer nationalen Anmeldung in Deutschland.

Bitte beachten Sie, dass außer der Empfangsbestätigung keine weitere Gebührenbenachrichtigung versandt wird.

Hinweis zur Datenweitergabe an Dritte

Das DPMA gibt veröffentlichte Daten auch an Dritte weiter.
Weitere Hinweise finden Sie unter https://www.dpma.de/recherche/datenabgabe/index.html.

	Postanschrift	Telefax	Telefon
Dienststelle München	80297 München	+49 89 2195-2221	**Zentraler Kundenservice:**
Dienststelle Jena	07738 Jena	+49 3641 40-5690	**+49 89 2195-1000**
Informations- und Dienstleistungszentrum Berlin	10958 Berlin	+49 30 25992-404	

Zahlungsempfänger: Bundeskasse Halle/DPMA
IBAN: DE84 7000 0000 0070 0010 54, BIC (SWIFT-Code): MARKDEF1700
Anschrift der Bank: Bundesbankfiliale München, Leopoldstr. 234, 80807 München

Internet:
https://www.dpma.de

Deutsches
Patent- und Markenamt

Erfinderbenennung

P 2792 7.18 1

Die Erfinderbenennung muss auch erfolgen, wenn der Anmelder selbst der Erfinder ist. Ist der Anmelder Miterfinder, so ist er auch mitzubenennen.

Amtliches Aktenzeichen *(wenn bereits bekannt)*

Platz für **Zeichen des Anmelders/Vertreters**

Bezeichnung der Erfindung *(bitte vollständig)*

Erfinder (1)

Vor- und Zuname

Straße, Hausnummer

Postleitzahl Ort

Erfinder (2)

Vor- und Zuname

Straße, Hausnummer

Postleitzahl Ort

Erfinder (3)

Vor- und Zuname

Straße, Hausnummer

Postleitzahl Ort

P 2 7 9 2 7. 18 2

Erfinder (4)

Vor- und Zuname

Straße, Hausnummer

Postleitzahl Ort

Achtung: bei mehr als vier Erfindern bitte gesondertes Blatt benutzen!

Das Recht auf das Patent ist **auf den Anmelder übergegangen durch**:

(z.B. Erfinder ist/sind der/die Anmelder, Inanspruchnahme aufgrund §§ 6 u. 7 ArbnErfG, Kaufvertrag mit Angabe des Datums, Erbschaft usw.)

Bitte beachten Sie hinsichtlich der Verarbeitung Ihrer personenbezogenen Daten unser Merkblatt A 9106 "Datenschutz bei Schutzrechtsanmeldungen". Dieses finden Sie unter www.dpma.de: Service – Formulare – Sonstige Formulare – Hinweise zum Datenschutz.

Es wird versichert, dass nach Wissen des/der Unterzeichner/s weitere Personen an der Erfindung nicht beteiligt sind.

_____ , den _____

Eigenhändige Unterschrift des Anmelders oder der Anmelder bzw. des Vertreters.
Bei Firmen genaue, eingetragene Firmenbezeichnung angeben.

Antrag auf Nichtnennung als Erfinder

Nur von denjenigen oben genannten Erfindern auszufüllen, die nach außen hin nicht bekanntgegeben werden wollen (§ 63 Abs. 1 S. 3 PatG).
Der Antrag kann jederzeit widerrufen werden. Ein Verzicht des Erfinders auf Nennung ist ohne rechtliche Wirksamkeit (§ 63 Abs. 1 S. 4 u. 5 PatG).

Es wird beantragt, den bzw. die Unterzeichner dieses Antrags in der oben angegebenen Patentanmeldung als Erfinder nicht öffentlich bekanntzugeben. Die Einsicht in die obige Erfinderbenennung wird nur bei Glaubhaftmachung eines berechtigten Interesses gewährt.

_____ , den _____

Eigenhändige Unterschrift des Erfinders oder der Erfinder

OFFICE OF INDUSTRIAL PROPERTY AND COMMERCE OF DJIBOUTI (ODPIC)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

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Statement of invention of an employee during the national phase . . . . . Annex DJ.III

List of abbreviations:

Office : Office of Industrial Property and Commerce of Djibouti (ODPIC)

DPL : Law No. 50/AN/09/6th L on the Protection of Industrial Property

DL 079 : Decree No. 2011-079/PR/MDCC implementing Law No. 50/AN/09/6th L

SUMMARY **Designated (or elected) Office** SUMMARY

DJ OFFICE OF INDUSTRIAL PROPERTY AND COMMERCE OF DJIBOUTI (ODPIC) DJ

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Arabic, English or French
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), 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: [1]	Currency: Djibouti franc (DJF) or equivalent in US dollar (USD) For patent: Filing fee: DJF 217,500 For certificate of addition: Filing fee: DJF 217,500
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2]	Appointment of an agent if the applicant is not resident in Djibouti Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3] Statement or notice as to the applicant's entitlement to apply for and be granted a patent[3] Statement or notice as to the applicant's entitlement to claim priority of the earlier application[3] Instrument of assignment of the international application if the applicant has changed after the international filing date
Who can act as agent?	Any natural or legal person resident in Djibouti
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

[1] Must be furnished or 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 of three months from the date of receipt of the invitation.

[3] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

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

PCT Art. 46

DJ.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).

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

DPL 18

DJ.04 **INVENTOR.** The indication of the name of the inventor is required and must be furnished, at the latest, at the time of entry into the national phase. If the applicant has not complied with the requirement within the prescribed time limit under PCT Article 22 or 39(1), the Office will invite him to comply within a time limit of three months from the receipt of the invitation. If the inventor is an employee, in the absence of any more favorable contractual provision for the employee, the inventions made by the employee belong to the employer if the employment contract specifies the inventive character of the employee's work.

DPL 41

DJ.05 **EXAMINATION.** The Office will base the grant of the patent on the results of the international search and examination.

DPL 47

DJ.06 **GRANT OF THE PATENT.** Patents are granted after expiry of the three-month time limit from the date of publication of the patent application, provided that there is no opposition.

DPL 4

DJ.07 **APPOINTMENT OF AN AGENT.** If the applicant does not reside in Djibouti, an agent domiciled or registered to practice in Djibouti, must be appointed. A power of attorney is required.

PCT Art. 28 41
DPL 41

DJ.08 **AMENDMENT OF THE APPLICATION.** Amendments or corrections may be made in the national phase up to the grant of the patent, provided that the scope of the subject matter of the application is not broadened thereby (subject to the payment of the fee for amendment indicated in Annex DJ.I).

DPL 30

DJ.09 **CERTIFICATE OF ADDITION.** The applicant may, upon entry into the national phase, apply for a certificate of addition or a patent. Upon request of the applicant, an application for a certificate of addition may be converted into an application for a patent at any time before grant of the certificate of addition. The conversion into an application for a patent takes effect from the date of the international filing date of the application.

DPL 81
DL079 Art. 39

DJ.10 **MAINTENANCE FEE.** A maintenance fee is due as from the sixth year after the international filing date until the expiration of the patent protection period. It has to be paid for each period of five years. The payment has to be made at the latest on the anniversary of the international filing date. Payment can be made together with a surcharge for late payment (see Annex DJ.I) within an additional period of six months from the date of anniversary of the international filing date.

DPL 81

DJ.11 **RESTORATION OF A LAPSED PATENT.** If a patent lapses through non-payment of maintenance fees, an application for restoration may be made within three months from the date when the patent has lapsed and subject to the payment of fees before the expiration of the three-month period.

PCT Art. 25
PCT Rule 51

DJ.12 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 24.2)
48.2)
PCT Rule 82*bis*

DJ.13 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PCT Art. 37
PCT Rule 49.6

DJ.14 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant, in spite of due care required by the circumstances having been taken, failed to perform the acts referred to in Article 22 within the applicable time limit. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit or 12 months from the date of expiration of the applicable time limit, whichever time limit expires earlier. Within the said two months, the omitted action must be completed.

FEES

(Currency : Djibouti franc (DJF) (unless indicated otherwise) or equivalent amount in US dollar (USD))

Patents

Filing fee (comprising examination fee, grant fee, publication fee and maintenance fees for the first 5 years)	217,500
Fee for amendment	10,000
Maintenance fees :	
– for the 6th to the 10th years	75,000
– for the11th to the 15th years	100,000
– for the 16th to the 20th years	125,000
Surcharge for late payment of maintenance fee	20,000
Fee for restoration of the right of priority	USD 500

Certificates of addition

Filing fee	217,500
Fee for amendment	10,000
Maintenance fees :	
– for the 6th to the 10th years	75,000
– for the 11th to the 15th years	100,000
– for the 16th to the 20th years	125,000
Surcharge for late payment of maintenance fees	20,000

How can payment of fees be effected ?

The payment of fees must be effected in Djibouti francs or the equivalent amount in US dollars. All payments must give the application number (national if already known ; international if the national number is not yet known), the name of the applicant and the category of fee being paid.

The payment of fees can be effected in cash, by check ou by bank transfer into the following account :

Beneficiary:	Office of Industrial Property and Commerce of Djibouti (ODPIC) – BP 2017 - Djibouti
Name of the bank:	Bank of Africa – mer Rouge
Account No.:	10760930000
IBAN :	DJ21 1000 2010 0110 7609 3000 007
SWIFT code:	MRINDJJD

OFFICE DJIBOUTIEN DE LA PROPRIETE

INDUSTRIELLE ET COMMERCIALE

(ODPIC)

Tel : 00 253 35 60 11 – Fax : 00 253 35 60 92

REPUBLIQUE DE DJIBOUTI

UNITE – EGALITE – PAIX

PATENT OF INVENTION OR CERTIFICATE OF ADDITION

Deposit

(Form for Request of Entry into National Phase under Articles 22 of the Patent Cooperation Treaty)

PCT BR1

This form is to be typewritten legibly without stripes no overwritten.

1. APPLICATION FOR :	**RESERVED FOR ODPIC**
Patent of invention ☐ Certificate of addition ☐	Date of entry of the national phase:
National patent applications N° or PCT N° or PCT publication N°:	
3. APPLICANT (S) :	
(Please specify the name or the legal name and full address).	
If there are multiple applicants (In the case of joint proprietorship), use the form « Suite » and check the box ☐	
4. INVENTOR(S) :	
Name & Surname :	
Full address :	
If there are multiple inventors, use the form « Suite » and check the box ☐	
5. The applicant has appointed as a representative (power attorney):	
(Please specify the name or legal name and the full address) .	

6. The changes that have not been registered to the International Office of the WIPO (please specify it on an additional sheet) :

7. Address for correspondence :

9. REQUIRED DOCUMENTS :

- ☐ 1-The original the main document (description, claims, abstract, and drawings)
- ☐ 2- Potential amended claims under Article 19 of PCT
- ☐ 3-A copy of the search report and written opinion
- ☐ 4- Receipt of the deposit of biological material
- ☐ 5- Confirmation of payment (In the case of a bank transfer)
- ☐ 6- Others documents (specify) :……..

10. SIGNATURE OF THE APPLICANT OR HIS REPRESENTATIVE :

(name and title of the signatory)

11. RESERVED FOR ODPIC

(stamp and signature)

OFFICE DJIBOUTIEN DE LA PROPRIETE

INDUSTRIELLE ET COMMERCIALE

(ODPIC)

Tel : 00 253 35 60 11 – Fax : 00 253 35 60 92

REPUBLIQUE DE DJIBOUTI

UNITE – EGALITE – PAIX

PATENT OF INVENTION OR CERTIFICATE OF ADDITION

Deposit

(Form for Request of Entry into National Phase under Article 22 of the Patent Cooperation Treaty)

PCT BR1

This form is to be typewritten legibly without stripes nor overwritten.

FORM « SUITE »

APPLICATION FOR :	**RESERVED FOR ODPIC**
Patent application ☐ Certificate of addition ☐	Date entry of national phase :
National patent applications N° or PCT N° or PCT publication N°:	
APPLICANT :	
Name &Surname **or** Legal name :	
Address **or** head office **:**	
Telephon : E-Mail address:	
APPLICANT :	
Name &Surname **or** Legal name :	
Address **or** head office **:**	
Telephon : Fax : E-Mail address :	
APPLICANT :	
Name &Surname **or** Legal name :	
Address **or** head office **:**	
Telephon : Fax : E-Mail address:	
APPLICANT :	
Name &Surname **or** Legal name :	
Address **or** head office **:**	
Telephon: Fax : E-Mail address :	
SIGNATURE OF APPLICANT OR HIS REPRESENTATIVE : **(name and title of the signator)**	**RESERVED FOR ODPIC** **(stamp and signature)**

OFFICE DJIBOUTIEN DE LA PROPRIETE

INDUSTRIELLE ET COMMERCIALE

(ODPIC)

Tel : 00 253 35 60 11 – Fax : 00 253 35 60 92

REPUBLIQUE DE DJIBOUTI

UNITE – EGALITE – PAIX

PATENT OF INVENTION OR CERTIFICATE OF ADDITION

Deposit

(Form for Request of Entry into National Phase under Article 22 of the Patent Cooperation Treaty)

BR1

This form is to be typewritten legibly without stripes nor overwritten

FORM « SUITE »

APPLICATION FOR :	**RESERVED FOR ODPIC**
Patent application ☐ Certificate of addition ☐	Date entry of national phase :
National patent applications N° or PCT N° or PCT publication N°:	
INVENTOR :	
Name & Surname :	
Address:	
INVENTOR :	
Name & Surname :	
Adress :	
INVENTOR :	
Name & Surname :	
Address :	
INVENTOR :	
Name & Surname :	
Address :	
INVENTOR :	
Name & Surname :	
Address :	
INVENTOR :	
Name & Surname :	
Address :	
SIGNATURE OF THE APPLICANT OR HIS REPRESENTATIVE : **(name and title of the signator)**	**RESERVED FOR ODPIC** **(stamp and signature)**

OFFICE DJIBOUTIEN DE LA PROPRIETE

INDUSTRIELLE ET COMMERCIALE

(ODPIC)

Tel : 00 253 35 60 11 – Fax : 00 253 35 60 92

REPUBLIQUE DE DJIBOUTI

UNITE – EGALITE – PAIX

PATENT OF INVENTION OR CERTIFICATE OF ADDITION

Deposit

(Form for Request of Entry into National Phase under Article 22 of the Patent Cooperation Treaty)

BR1

This form is to be typewritten legibly without stripes nor overwritten

FORM « SUITE »

APPLICATION FOR :	**RESERVED FOR ODPIC**
Patent application ☐ Certificate of addition ☐	Date entry of national phase :
National patent applications N° or PCT N° or PCT publication N°:	

PRIORITY CLAIM (When appropriate)**:**

	Filing N°	Filing Date	Country
Priority			
Priority			
Priority			
Priority			
Priority			
Priority			
Priority			
Priority			
Priority			

SIGNATURE OF THE APPLICANT OR HIS REPRESENTATIVE : **(name and title of the signator)**	**RESERVED FOR ODPIC** **(Stamp and signature)**

OFFICE DJIBOUTIEN DE LA PROPRIETE

INDUSTRIELLE ET COMMERCIALE

(ODPIC)

Tel : 00 253 35 60 11 – Fax : 00 253 35 60 92

REPUBLIQUE DE DJIBOUTI

UNITE – EGALITE – PAIX

Declaration of the employee invention during the national phase

This form is to be typewritten legibly without stripes nor overwritten.

PCT BR1

RESERVED FOR ODPIC
Date of entry of the national phase :
National patent applications N° , PCT N° or PCT publication N° :
1. The subject-matter of the invention and potential applications;
2. Circumstances of its achievement including: instructions or guidelines received , experiences, or works for deployed company, obtained collaborations :

3. Identification of inventor(s), in the case of several inventors their qualification(s) and duti(es) :

10. SIGNATURE OF THE APPLICANT OR HIS REPRESENTATIVE : **(name and title of signatory)**	**11. RESERVED FOR ODPIC** **(Stamp and signature)**

DANISH PATENT AND TRADEMARK OFFICE

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Danish Patent and Trademark Office

DPL: Patents Act (Denmark)

DPO: Patents Order (Denmark)

DUL: Utility Models Act (Denmark)

DUO: Utility Models Order (Denmark)

SUMMARY Designated (or elected) Office SUMMARY

DK DANISH PATENT AND TRADEMARK OFFICE DK

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:[1]	Danish or English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only), 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	The applicant should only send a copy of the international application if he/she has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee:	Currency: Danish krone (DKK) Filing fee:[2] Basic fee: DKK 3,000 Claim fee for each claim in excess of 10: DKK 300 Additional fee for late furnishing of translation or copy: [1] DKK 1,100 Annual fees for the first three years:[3] DKK 1,500
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

[1] Where the filing fee has been paid within the time limit applicable under PCT Article 22 or 39(1), the translation may be filed within two months from the expiration of that time limit, provided that the additional fee for late furnishing of the translation is also paid within those two months.

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

[3] These fees are due on the last day of the month containing the second anniversary (24 months) of the international filing date; where PCT Article 39(1) applies, they are payable within two months after performing the acts for entering the national phase, unless the 24-month time limit has not yet expired.

SUMMARY Designated (or elected) Office SUMMARY

DK DANISH PATENT AND TRADEMARK OFFICE DK

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[4]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[5]
Who can act as agent?	Any natural or legal person resident in the European Economic Area
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

[4] 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.

[5] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

DK.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase (see Annex DK.II; an editable version of this form is also available here). This form should preferably (but need not) be used.

DPO Sec. 6
103

DK.02 **LANGUAGE OF PROCEEDINGS.** The description, the claims, any text matter of drawings and the abstract of the international application must be in English or in Danish. The claims must be translated into Danish before a patent is granted.

DPL Sec. 31(2)
98(3)

DK.03 **TRANSLATION (LATE FURNISHING OF).** If the translation of the international application has not been furnished by the applicant within the time limit applicable under PCT Article 22 or 39(1) but the national fee indicated in the Summary has been paid within that time limit, the translation can still be furnished within a further period of two months, provided that the additional fee for late furnishing of the translation, indicated in the Summary, has been paid within those two months.

DPL Sec. 13

DK.04 **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).

DPO Sec. 90(2)

DK.05 **TRANSLATION (IN CASE OF LACK OF UNITY OF INVENTION).** Where a part of the international application was not subjected to an international search for reason of lack of unity of the invention, a translation is required only of those parts of the international application which were subjected to the international search. However, where the applicant wants to maintain the part which was not searched, a translation of this part must also be furnished. See also paragraph DK.08.

DPL Sec. 8(4)

DK.06 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex DK.I.

DPL Sec. 12
33

DK.07 **POWER OF ATTORNEY.** An agent may be appointed either by filing a separate power of attorney or in the special form referred to in paragraph DK.01 (see Annex DK.II). A model of a separate power of attorney is given in Annex DK.III.

PCT Art. 17(3)(b)
34(3)(c)
DPL Sec. 36
37

DK.08 **ADDITIONAL SEARCH OR EXAMINATION REPORT (IN CASE OF LACK OF UNITY OF INVENTION).** Where a part of the international application was not subjected to international search or preliminary examination because the international application did not comply with the requirement of unity of invention and the applicant did not pay the additional search or preliminary examination fee to the International Searching or Preliminary Examining Authority, the Office will decide whether the said finding as regards the application translated into Danish or English was correct. If this is found to be the case, the Office will invite the applicant to pay an additional fee within two months after mailing of the notification of this decision. The amount of the said fee is indicated in Annex DK.I. Where the applicant does not pay the additional fee, that part of the international application which was not subjected to international search or preliminary examination will be considered withdrawn.

DPL Sec. 19

DK.09 **PUBLICATION FEE.** A publication fee must be paid within two months after the date of the decision to grant. The amount of the fee is indicated in Annex DK.I.

DPL Sec. 8(5), 40 to 42

DK.10 **ANNUAL FEES.** Annual fees must be paid for each year following the international filing date. For the due date of the annual fees for the first three years, see the Summary. Payment of the subsequent annual fees must be made before the expiration of the month containing the anniversary of the international filing date. Payment can still be made, together with a 20% surcharge for late payment, before the expiration of the sixth month after the month containing the anniversary of the international filing date. The amounts of the annual fees are indicated in Annex DK.I.

PCT Art. 28, 41
DPL Sec. 13

DK.11 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make the following modifications before the Office, provided that the scope of the subject matter of the application is not broadened thereby:

DPL Sec. 34
DPO Sec. 91(1)

(i) within 24 months from the priority date or, where PCT Article 39(1) applies, within 35 months from the priority date: corrections of defects and voluntary amendments;

DPL Sec. 13, 19(2)

(ii) up to the decision that the application is to be allowed for public inspection: amendments or additions to the description and drawing(s) if they are necessary to comply with general requirements under PCT Articles 5 and 7; amendments or additions to the claims, which, unless the Office allows otherwise, must be made by filing a new document comprising all of the claims in sequence; where additions are made to the claims, the applicant must at the same time file a statement indicating the reference basis for these additions.

PCT Art. 25
PCT Rule 51
DPL Sec. 24, 25, 38
DPO Sec. 92

DK.12 **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, an appeal against this decision may be lodged, within two months from the date of the decision, with the Board of Appeal. Within the same two-month time limit, a fee for appeal must be paid (for the amount, see Annex DK.I).

PCT Art. 24(2), 48(2)

DK.13 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

DPL Sec. 72, 73

DK.14 Reestablishment of rights may be requested where the applicant, in spite of all due care reasonably required, was unable to observe a time limit before the Office, default of which is prejudicial to his rights. A request for reestablishment must be presented in writing within two months after the removal of the cause of the failure to perform the action but not later than one year from the expiration of the time limit which has not been observed. Within the said two months, the omitted action must be completed, the fee for reestablishment of rights (see Annex DK.I) must be paid and the request must state the grounds on which it is based and set out the facts on which it relies.

DPL Sec. 15(3)

DK.15 Resumption of proceedings concerning the application may be requested from the Office where the applicant missed a time limit which has been fixed for a certain action by the Office. Resumption of proceedings may not be requested where the missed time limit is fixed in the PCT, the PCT Regulations, the Danish Patents Act or the Danish Patents Order. A request for resumption of proceedings has the effect that the proceedings for grant will be resumed, provided that, within four months from the expiration of the missed time limit, the said request is presented in writing, the resumption fee (see Annex DK.I) is paid and the omitted act has been completed.

PCT Art. 4(3), 43, 44
PCT Rule 49*bis*.1 (a), (b), 76.5
DUL Sec. 17
DUO Sec. 1

DK.16 **UTILITY MODEL.** If the applicant wishes to obtain utility model registration in Denmark 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 DK.19, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

DUL Sec. 38

DK.17 If the international application is for a utility model instead of a patent, the requirements are basically the same as for patents. However the applicant is not required to pay a fee for publication or annual fees. Instead of annual fees, renewal fees have to be paid for utility models. The due dates and the amounts are indicated in Annex DK.I. By payment of the two renewal fees, the term of protection may be extended a first time from three to six years and a second time from six to 10 years.

DK.18 If the international application is for both a utility model and a patent, the applicant must, within the time limit applicable for entry into the national phase, comply with the following requirements:

(i) pay filing fees for both the patent and the utility model,

(ii) furnish a translation of the international application into Danish in duplicate,

(iii) file a power of attorney (if any) in duplicate.

DUL Sec. 12
DUO Sec. 13(1), (3) 14

DK.19 A utility model application concerning the subject matter of an earlier national, international or converted European patent application for Denmark filed after 8 July 1992 may use that earlier patent application as a basis for the utility model application, provided the utility model application, together with a request to that effect, is filed not later than two months after the earlier patent application has been withdrawn, abandoned or refused without possibility of reinstatement, at the latest, however, up to the end of the tenth year from the date of filing of the earlier patent application.

FEES

(Currency: Danish krone)

Patents

National fee	3,000
Additional fee for late furnishing of translation or copy	1,100
Claim fee for each claim in excess of 10	300
Publication fee	2,000
Resumption fee	700
Fee for reestablishment of rights	3,000
Appeal fee (see paragraph DK.13)	8,000
Fee for administrative re-examination	7,000
Fee for filing an opposition	2,500
Annual fees:	
— for the 1st to the 3rd year, per year	500
— for the 4th year	1,100
— for the 5th year	1,250
— for the 6th year	1,400
— for the 7th year	1,600
— for the 8th year	1,800
— for the 9th year	2,050
— for the 10th year	2,300
— for the 11th year	2,550
— for the 12th year	2,800
— for the 13th year	3,050
— for the 14th year	3,300
— for the 15th year	3,600
— for the 16th year	3,900
— for the 17th year	4,200
— for the 18th year	4,500
— for the 19th year	4,800
— for the 20th year	5,100
Supplement for late payment	20% of the applicable annual fee
Fee for restoration of the right of priority	3,000

Utility models

National fee	2,000
Additional fee for late furnishing of translation or copy	1,100
Fee for Examination	4,000
Publication fee for amended utility model registration	1,100
Appeal fee	5,000
Renewal fees:	
— for the 1st period	2,000
— for the 2nd period	3,000
Supplement for late payment	20% of the applicable renewal fee

How can payment of fees be effected?

The payment of fees has to be effected in Danish kroner. All payments must indicate the national application number (however, if that number is not yet known, the international application number may be used), the name of the applicant and the category of fee being paid.

Payment may be effected by transfer to the following bank:

Danske Bank
Holmens Kanal 2-12
DK-1092 København K.
Reg. No. 0216
Account No.: 4069056296
SWIFT: DABADKKK
IBAN: DK6602164069056296
EAN: 5798000025004

PATENT- OG VAREMÆRKESTYRELSEN

Patentansøgning

Patent- og
Varemærkestyrelsen

Helgeshøj Allé 81
2630 Taastrup

Tlf. : 43 50 80 00
Fax : 43 50 80 01
E-mail : pvs@dkpto.dk
Web : www.dkpto.dk
CVR-nr. : 17 03 94 15

Erhvervsministeriet

Læs venligst vejledningen til de enkelte punkter

2. Ansøgers/fuldmægtigs referencenr:

3. International indleveringsdag: ☐ Kapitel I
Internationalt ansøgningsnr: ☐ Kapitel II
Den danske oversættelse er indholdsmæssigt indentisk med ovennævnte PCT ansøgning ☐

4. Ansøger (fulde navn og adresse): ☐ Flere ansøgere på bagsiden

CVR-nr.: P-nr.: E-mail:
Tlf. privat: Tlf. arb.: Mobil:

4a ☐ Jeg/vi erklærer hermed, at jeg/vi har ret til opfindelsen, og at jeg/vi har informeret opfinder(ne) om at der indgives patentansøgning og at opfinder(ne) er indforstået med dette.

5. Fuldmægtig (navn, adresse og evt. CVR-nr.):

Telefon: Telefax:

6. Opfinder (fornavn, efternavn, adresse og evt. CVR-nr.): ☐ Flere opfindere på bagsiden

7. Opfindelsens titel:

8. Prioritetspåstand: ☐ Flere prioritetspåstande på bagsiden

Dato	Land	Nr.
Dato	Land	Nr.
Dato	Land	Nr.

9. ☐ Ansøgningen omfatter deponering af en prøve af biologisk materiale, som angivet i patentlovens § 8a, stk. 1.

10. ☐ Ansøgningen omfatter en sekvensliste.

11. ☐ Ansøgningen er fremkommet ved deling eller udskillelse.
Stamansøgningens nr.: Ansøgt løbedag:

13. ☐ Ansøgningen er tidligere indleveret pr. telefax den:

14. Dato og underskrift:

17. Underskrivers navn med blokbogstaver:

1. Gebyrer:
☐ Ansøgningsgebyr
☐ Kravgebyr

ITS-undersøgelse:
☐ NPI-nyhedsundersøgelsesgebyr
☐ SE-nyhedsundersøgelsesgebyr
☐ EPO-nyhedsundersøgelsesgbyr

12. Bilagsfortegnelse:
☐ Fremmedsproget beskrivelse
☐ Dansk beskrivelse
☐ Sammendrag
☐ Tegninger
☐ Antal tegningsark _____
☐ Antal krav _____
☐ Prioritetsdokument
☐ Fuldmagt
☐ Overdragelsesdokument
☐ Fig nr. _____ ønskes publiceret sammen med sammendraget.

15. Ansøgningen indleveres på

☐ dansk
☐ engelsk
☐ andet sprog end ovenstående

16. Engelsksproget
☐ korrespondance ønskes

Januar 2017

Ansøgere fortsat:

Ansøger (fulde navn og adresse):

CVR-nr.:	P-nr.:	E-mail:
Tlf. privat:	Tlf. arb.:	Mobil:

Ansøger (fulde navn og adresse):

CVR-nr.:	P-nr.:	E-mail:
Tlf. privat:	Tlf. arb.:	Mobil:

Opfindere fortsat:

Opfindere (fornavn, efternavn, adresse og evt. CVR-nr.):

Opfindere (fornavn, efternavn, adresse og evt. CVR-nr.):

Opfindere (fornavn, efternavn, adresse og evt. CVR-nr.):

Opfindere (fornavn, efternavn, adresse og evt. CVR-nr.):

Prioritetspåstande fortsat:

Dato	Land	Nr.
Dato	Land	Nr.
Dato	Land	Nr.
Dato	Land	Nr.
Dato	Land	Nr.
Dato	Land	Nr.

PATENT- OG VAREMÆRKESTYRELSEN

Vejledning

Vejledning til patentansøgning
Punkterne svarer til numrene på ansøgningsskemaet

Pkt 1. Ansøgningsgebyret er 3000 kr. Hvis der er flere end 10 krav, skal der betales et tillægsgebyr på 300 kr. for hvert krav ud over 10. Gebyret skal betales, når ansøgningen indleveres. Du kan ikke få pengene tilbage, heller ikke selv om du tilbagetager ansøgningen, eller den af andre grunde ikke fører til patent. En ITS undersøgelse (International Type Search) er en yderligere nyhedsundersøgelse af din danske ansøgning, du har mulighed for at få udført. Undersøgelsen udføres af en PCT-myndighed, som du vælger. Når du indleverer en national dansk ansøgning har du mulighed for at vælge mellem tre PCT-myndigheder, nemlig Nordisk Patent Institut (NPI), den svenske patentmyndighed (PRV) eller den europæiske patentmyndighed (EPO).

Pkt. 2. Denne rubrik er til eget brug.

Pkt. 3. Denne rubrik skal udfyldes, hvis ansøgningen er en videreførelse af en international ansøgning (PCT-ansøgning).

Pkt. 4. Såvel enkeltpersoner som virksomheder kan stå som ansøger. Flere kan også søge i fællesskab. Vi sender al korrespondance til den ansøger, der står først på ansøgningsskemaet. Denne ansøger anses herefter som bemyndiget til at modtage meddelser på de andres vegne. Du skal derfor være opmærksom på, at hvis du ønsker, at en anden ansøger, eller alle de andre ansøgere, skal modtage korrespondancen, så skal du markere det ved at understrege de pågældende navne på ansøgningen. Vi vil også gerne have, at du oplyser et telefonnummer og email, hvorpå du kan kontaktes. Såfremt du har udpeget en fuldmægtig jfr. pkt. 5, vil al korrespondance foregå med denne.

Pkt. 4a. Hvis ansøger og opfinder ikke er den samme, skal det fremgå af ansøgningen, at ansøgeren har ret til opfindelsen, at ansøger har informeret opfinder(ne)om, at der indgives patentansøgning og at opfinder(ne)er indforstået med dette. Dette skal gøres ved at afkrydse feltet. I særlige tilfælde kan vi dog kræve yderligere dokumentation.

Pkt. 5. Hvis en anden skal repræsentere dig under sagens behandling, skal du oplyse navn og adresse på denne fuldmægtig. En fuldmagt skal vedlægges. Formularer til fuldmagt kan du få hos os.

Pkt. 6. Kun fysiske personer kan være opfindere. Der må gerne stå flere opfindere, hvis flere har gjort opfindelsen i fællesskab.

Pkt. 7. Der skal gives en kortfattet og saglig titel for opfindelsen. Det er ikke meningen, at titlen skal afsløre opfindelsen. Den skal blot give et indtryk af, hvad ansøgningen handler om. Titlen må ikke indeholde fantasibetegnelser, fx et produkts salgsnavn.

Pkt. 8. Denne rubrik skal kun udfyldes, hvis du tidligere har søgt patentbeskyttelse eller lignende på den samme (eller delvis den samme) opfindelse, enten her i landet eller i udlandet. Man kan få prioritet fra en tidligere ansøgning, hvis den nye ansøgning indleveres senest et år efter den første. Når du indleverer en ansøgning, skal du inden 16 måneder fra prioritetsdagen (se Guidelines for patenter: Begæring om prioritet) oplyse, om du ønsker prioritet fra en sådan ældre ansøgning og oplyse dens nummer, hvornår den er indleveret (prioritetsdagen) og i hvilket land. Desuden skal du senest 16 måneder fra prioritetsdagen indlevere en kopi af den første ansøgning (prioritetdokument). Prioritetsdokument skal ikke indleveres, hvis den ønskede prioritet stammer fra en tidligere dansk ansøgning, eller hvis ansøgningen er en videreførelse af en PCT-ansøgning.

Pkt. 9. Hvis du ønsker, at ansøgningen skal omfatte deponerede prøver af biologisk materiale, skal du være opmærksom på, at der gælder særlige regler for deponeringen. Se Guidelines for patenter, Deponeringsoplysninger. En deponering kan være nødvendig for at opfindelsenkan anses for at være angivet tilstrækkelig tydeligt i ansøgningen.

Pkt. 10. Hvis opfindelsen angår sekvenser på ti eller flere nukleotider eller fire eller flere aminosyrer, skal du indlevere en sekvensliste. Sekvenslister skal udformes i overensstemmelse med en særlig standard, se Guidelines for patenter, Nukleotider og aminosyresekvenser.

Pkt. 11. Hvis en ansøgning er fremkommet ved deling eller udskillelse af en ældre ansøgning (stamansøgning), kan vi anerkende en tidligere indleveringsdag (løbedag) i kraft af bilagene i stamansøgningen. Du skal dog selv anmode om en sådan tidligere løbedag. Det er en betingelse for, at vi kan betragte ansøgningen som fremkommet ved deling eller udskillelse, at du allerede ved indleveringen oplyser dette og angiver stamansøgningens nummer. Du skal være opmærksom på, at en ansøgning, der er fremkommet ved deling af en anden ansøgning, offentliggøres samtidig med stamansøgningen. Hvis stamansøgningen allerede er offentliggjort, vil den afdelte ansøgning blive offentliggjort ved indleveringen, uanset at der først bliver taget stilling til om delingen kan accepteres ved den tekniske sagsbehandling.

Pkt. 12. Der gælder særlige regler for, hvordan beskrivelse (med patentkrav), tegninger og sammendrag skal udformes. Det er nærmere beskrevet i vores "Vejledning til ansøgning om patent". Beskrivelse, sammendrag og eventuelle tegninger skal følge med ved indleveringen. Vi beder dig være opmærksom på, at hvis der mangler beskrivelse (og i givet fald tegninger), kan det have betydning for, hvilken indleveringsdag ansøgningen kan få. Ved videreførelse af PCT-ansøgninger skal beskrivelsen bestå af en bekræftet oversættelse af den internationale ansøgning, inkl. sammendrag. Denne oversættelse skal følge med ved indleveringen. De øvrige bilag behøver ikke foreligge allerede ved indleveringen. Vi henviser dog til bemærkningerne under pkt. 8 om prioritetsdokument.

Pkt. 13. Hvis du tidligere har indsendt ansøgningen via telefax, beder vi dig sætte kryds i denne rubrik.

Pkt. 14. Ansøgningsskemaet skal underskrives af ansøgeren (eller ansøgerne, hvis der er flere). Er der udnævnt en fuldmægtig kan denne underskrive på ansøgers vegne.

Pkt. 15. Du har mulighed for at få foretaget nyhedsundersøgelsen og patenterbarhedsvurdingen på basis af norsk-, svensk- eller engelsksproget beskrivelse, patentkrav og sammendrag. Se Guidelines for patenter, Sprog - patent.

Pkt. 16. Du skal sætte kryds i denne rubrik, hvis du ønsker at vi skal foretage sagsbehandlingen og korrespondancen på engelsk. Hvis dette ikke er valgt, vil vi foretage behandlingen på dansk.

Pkt. 17. Underskrivers navn skrives med blokbogstaver.

Du er velkommen til at få yderligere oplysninger ved at ringe til os.

PATENT- OG VAREMÆRKESTYRELSEN

Patent- og
Varemærkestyrelsen

Helgeshøj Allé 81
2630 Taastrup

Tlf. : 43 50 80 00
Fax : 43 50 80 01
E-mail : pvs@dkpto.dk
Web : www.dkpto.dk
CVR-nr. : 17 03 94 15

Erhvervsministeriet

Fuldmagt/*Power of Attorney*

Patent

Undertegnede (navn, adresse og evt. CVR-nr):
The undersigned (name, address, and Central Business Registration No. where applicable):

der ansøger om patent i Danmark på (opfindelsens titel og evt. ansøgningsnummer):
who applies for patent in Denmark for (title and, if possible, application No.):

bemyndiger herved (navn, adresse og evt. CVR-nr.):
does hereby authorize (name, address and Central Business Registration No. where applicable):

til at repræsentere mig/os i alt vedrørende ansøgningen og det deraf følgende patent, herunder til at tilbagetage ansøgningen.
to act on my behalf in all matters concerning the application as well as the patent, including withdrawal of the application.

Fuldmagten er gyldig, indtil den erstattes af en anden fuldmagt eller tilbagekaldes skriftligt over for Patent- og Varemærkestyrelsen.
The power of attorney is valid until it is replaced by another power of attorney or is revoked in writing to the Danish Patent and Trademark Office.

Sted/*Place:*

Dato/*Date of signing:*

Ansøgers underskrift/*Signature of the applicant:*

Januar 2017

PATENT- OG VAREMÆRKESTYRELSEN

Patent- og
Varemærkestyrelsen

Helgeshøj Allé 81
2630 Taastrup

Tlf. : 43 50 80 00
Fax : 43 50 80 01
E-mail : pvs@dkpto.dk
Web : www.dkpto.dk
CVR-nr. : 17 03 94 15

Erhvervsministeriet

Overdragelse/*Assignment*

Patent

Undertegnede (navn, adresse og evt. CVR-nr):
The undersigned (name, address, and Central Business Registration No. where applicable):

som har opfundet (opfindelsens titel og evt. ansøgnings-/patentnummer):
who has made the invention (title and, if possible, application/patent No.):

overdrager herved ejendomsretten til opfindelsen/patentet til:
does hereby assign all rights to the invention/patent to:

Sted/*Place:*

Dato/*Date of signing:*

Underskrift/*Signature:*

Januar 2017

INTELLECTUAL PROPERTY OFFICE (DOMINICA)

AS

DESIGNATED (OR ELECTED) OFFICE

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Information not yet available

NATIONAL OFFICE OF INDUSTRIAL PROPERTY (DOMINICAN REPUBLIC)

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Fees . . . . . Annex DO.I

Form for entry into the national phase . . . . . Annex DO.II

List of abbreviations:

Office:	National Office of Industrial Property (Dominican Republic)
IPL:	Law No. 20-00 of May 8, 2000, on Industrial Property
RPL:	Decree No. 599-01 of June 1, 2001, on the Establishment of the Regulations for the Implementation of Law No. 20-00 on Industrial Property
Res. 001/2011:	Resolution No. 001-2011/DIR-ONAPI of August 26, 2011, on the Patent Cooperation Treaty (PCT)
Res. 003/2017:	Resolution No. 003-2017/DIR-ONAPI of December 8, 2017, on the Conversion of an Invention Patent Application to a Request for Utility Model

SUMMARY **Designated (or elected) Office** SUMMARY

DO NATIONAL OFFICE OF INDUSTRIAL PROPERTY (DOMINICAN REPUBLIC) DO

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), 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: Dominican peso (DOP) For patent: Filing fee:[1] – up to 30 sheets DOP 11,500 – for each additional sheet DOP 75 For utility model: Filing fee:[1] – up to 30 sheets DOP 8,050 – for each additional sheet DOP 75
Exemptions, reductions or refunds of the national fee:	The fees are reduced by up to 90% where the applicant is the inventor and he provides a declaration indicating that his economic situation prevents him from paying the full amount of the fees.
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[2, 3] Document evidencing a change of name of the applicant[3] Declaration as to the applicant's entitlement to apply for and be granted a patent[2, 3] Declaration as to the applicant's entitlement to claim priority where the applicant is not the applicant who filed the earlier application[2, 3] Translation of the international application to be furnished in two copies[3] Appointment of an agent if the applicant is not resident in the Dominican Republic Power of attorney if an agent is appointed Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form and paper

[Continued on next page]

1 Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
2 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.
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 of two months from the date of receipt of the invitation.

SUMMARY **Designated (or elected) Office** SUMMARY

DO **NATIONAL OFFICE OF INDUSTRIAL PROPERTY (DOMINICAN REPUBLIC)** DO

[Continued]

Who can act as agent?	Any natural or legal person resident in the Dominican Republic
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

THE PROCEDURE IN THE NATIONAL PHASE

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

DO.02 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is Spanish.

DO.03 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

IPL Art. 11.3

DO.04 **FEES (MANNER OF PAYMENT).** The applicant must submit proof of payment of the national filing fee with the application. The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex DO.I.

IPL Art. 18
RPL Art. 12

DO.05 **DIVISIONAL APPLICATIONS.** In case of lack of unity of invention, the applicant may file divisional applications in respect of the additional inventions claimed in the international application. These will benefit from the same filing date as the international application provided that they do not go beyond the original disclosure. Filing fees are due for each divisional application (see Annex DO.I).

IPL Art. 148
RPL Art. 3

DO.06 **POWER OF ATTORNEY.** If the applicant does not reside in the Dominican Republic, an agent must be appointed by filing a power of attorney.

IPL Art. 21
RPL Art. 74

DO.07 **PUBLICATION OF APPLICATIONS.** All applications are published 18 months after the expiration of the filing date or the earliest priority date and this is subject to payment of a fee (see Annex DO.I).

IPL Art. 22
RPL Art. 16

DO.08 **EXAMINATION.** A patent may be granted only after examination as to substance which is subject to payment of a fee (See Annex DO.I). The fee must be paid within 12 months after publication of the application by the Office. If the applicant fails to pay this fee within the prescribed time limit, the application shall be considered abandoned.

IPL Art. 24
RPL Art. 74

DO.09 **GRANT OF PATENT.** The grant of patent is published and this is subject to payment of a fee (see Annex DO.I).

PCT Art. 28
IPL Art. 149

DO.10 **AMENDMENTS AND CORRECTION OF THE APPLICATION.** The applicant may, at any time, make amendments or corrections to his application, provided that they do not go beyond the original disclosure. The amount of the fee for amendments or corrections is indicated in Annex DO.I.

IPL Art. 20
RPL Art. 74
Res. 003/2017

DO.11 **CONVERSION.** An international application for a patent may be converted into a utility model application and vice-versa. A fee for requesting conversion is due (see Annex DO.I)

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

DO.12 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

DO.13 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

IPL Art. 28
RPL Art. 22
Res. 001/2011
Sec. 6

DO.14 **ANNUAL FEES.** Annual fees for patents are payable for the second and each subsequent year following the international filing date. The first annual fee must be paid at the latest before the first anniversary of the date of entry into the national phase. Subsequent payments must be made at the latest before the anniversary of the international filing date.

IPL Art. 53
RPL Art. 22

Annual fees for utility models are payable for the fifth to the tenth year and each subsequent year. The first annual fee must be paid at the latest on the fifth anniversary of the international filing date and a subsequent payment of annual fees must be made at the latest on the tenth anniversary of the international filing date.

Two or more annual fees may be paid in advance. Payment of annual fees may still be made within six months from the due date, subject to the payment of a surcharge. The amounts of these fees are indicated in Annex DO.I.

PCT Rule 49.6
Res. 001/2011
Sec. 7-8
10

DO.15 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the delay in meeting the time limit referred to in Article 22 was unintentional or the applicant in spite of due care required by the circumstances having been taken, failed to perform the acts referred to in Article 22 within the applicable time limit. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit, or twelve months from the date of expiration of the applicable time limit, whichever time limit expires earlier. Within the said two months, the omitted action must be completed and the fee for reinstatement of rights must be paid (see Annex DO.I).

PCT Rule 49*ter*.2
Res. 001/2011
Sec. 7-9

DO.16 **REQUEST FOR RESTORATION OF RIGHT OF PRIORITY.** Where the international application was filed within two months from the end of the period for claiming priority of an earlier application, a request for restoration of the right of priority may be made to the Office in accordance with the national law (see National Phase, paragraphs 6.006 to 6.011). For the request to be granted, the Office must be satisfied that the failure to file the application within the 12-month priority period was unintentional or occurred in spite of due care required by the circumstances. The time limit for filing the request is one month from the date of entry into the national phase. A declaration or other evidence in support of a request for restoration of the right of priority should accompany the request. A fee for restoration of the right of priority must be paid (see Annex DO.I).

FEES[1]

(Currency: Dominican peso (DOP))

Patents

Filing fee:	
— up to 30 sheets	11,500
— for each additional sheet	75
Publication fee	3,450
Fee for priority claims, per priority	2,300
Examination fee	13,800
Fee for publication of grant of patent	4,600
Amendment fees:	
— correction of the applicant or patentee details	3,450
— claims:	
— for the 1st claim	3,910
— for any additional claim	2,300
Fee for reinstatement of rights	17,250
Fee for restoration of the right of priority	17,250
Fee for conversion of patent application into application for utility model, and vice versa	4,025
Fee for divisional application	11,500
Registration fee:	
— for a patent application not exceeding 30 pages	None
— for each additional page	75
Annual fees:	
— for the 2nd to the 4th years, per year	5,750
— for the 5th to the 9th years, per year	9,200
— for the 10th to the 15th years, per year	11,500
— for the 16th or more years, per year	13,800
Surcharge for late payment of annual fees (for each month or fraction thereof that the fee remains unpaid)	1,725

Utility models

Filing fee:	
— up to 30 sheets	8.050
— for each additional sheet	75
Publication fee	3,450
Fee for priority claims, per priority	2,300
Examination fee	9,200

[1] Fees are reduced by up to 90% where the applicant is the inventor and he provides a declaration indicating that his economic situation prevents him from paying the full amount of the fees.

Fee for publication of grant of utility model	4,600
Amendment fees:	
— correction of the applicant or patentee details	3,450
— claims:	
— for the 1st claim	3,910
— for any additional claim	2,300
Fee for divisional utility application	8,050
Registration fee:	
— for a utility model application not exceeding 30 pages	None
— for each additional page	75
Annual fees:	
— for the 5th to the 10th years	11,500
— for any additional year	13,800
Surcharge for late payment of annual fees (for each month or fraction thereof that the fee remains unpaid)	1,725

How can payment of fees be effected?

The payment of the fees has to be effected in Dominican peso. 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.

Filing and maintenance fees should be paid by check, credit card or cash directly at the Office.

ONAPI	**Departamento de Invenciones** **Solicitud de Patente de Invención y Modelo de Utilidad**	**FO-IN-00** **Versión: 02** **20/07/2017**	

Sección I. (Para uso exclusivo de ONAPI): **No. Solicitud:** **Clasificación Internacional de Patentes:**	**Fecha de Depósito:** **Fecha de Presentación:**	Hora: Minutos: Fecha de divulgación previa de presentación en lugar distinto a ONAPI:

Sección II. **Solicitud:** ☐ Patente de Invención. ☐ Modelo de Utilidad.	**Sección III.** **Tipo de solicitud :** ☐ Fase Nacional PCT ☐ Solicitud divisional. ☐ División de patente ☐ Cambio de modalidad. No. Solicitud/Patente Originaria:

Sección IV. Título.

Sección V. Solicitante. Nombres: Apellidos: Nacionalidad: País de residencia: Provincia / Estado: Municipio /Ciudad: Sector: Calle / Casa No.: Código Postal: Teléfono: Correo electrónico: Tipo de Identificación ☐ RNC ☐ Cédula ☐ Pasaporte: No.	Tipo de persona: ☐ Física ☐ Jurídica Esta persona es: ☐ Solicitante únicamente ☐ Solicitante e inventor Sexo: ☐ Masculino ☐ Femenino
Sección VI. Otros Solicitantes y/u (otros) Inventores. Nombres: Apellidos: Nacionalidad: País de residencia: Provincia / Estado: Municipio /Ciudad: Sector: Calle / Casa No.: Código Postal: Teléfono: Correo electrónico: Tipo de Identificación ☐ RNC ☐ Cédula ☐ Pasaporte: No.	Tipo de persona: ☐ Física ☐ Jurídica Esta persona es: ☐ Inventor únicamente ☐ Solicitante únicamente ☐ Solicitante e inventor Sexo: ☐ Masculino ☐ Femenino
Sección VII. Gestor o representante. Nombres: Apellidos: Nacionalidad: Provincia: Municipio /Ciudad: Sector: Calle / Casa No.: Código Postal: Teléfono: Correo electrónico: Tipo de Identificación ☐ RNC ☐ Cédula	Tipo de persona: ☐ Física ☐ Jurídica Sexo: ☐ Masculino ☐ Femenino Firma:

Página No. ___

Sección VIII. Otros Solicitantes y/o (otros) Inventores.	
Nombres: Apellidos: Nacionalidad: País de residencia: Provincia / Estado: Municipio /Ciudad: Sector: Calle / Casa No.: Código Postal: Teléfono: Correo electrónico: Tipo de Identificación ☐ RNC ☐ Cédula ☐ Pasaporte: No.	Tipo de persona: ☐ Física ☐ Jurídica Esta persona es: ☐ Inventor únicamente ☐ Solicitante únicamente ☐ Solicitante e inventor Sexo: ☐ Masculino ☐ Femenino
Sección IX. Otros Solicitantes y/o (otros) Inventores.	
Nombres: Apellidos: Nacionalidad: País de residencia: Provincia / Estado: Municipio /Ciudad: Sector: Calle / Casa No.: Código Postal: Teléfono: Correo electrónico: Tipo de Identificación RNC☐ Cédula☐ Pasaporte:☐ No.	Tipo de persona: ☐ Física ☐ Jurídica Esta persona es: ☐ Inventor únicamente ☐ Solicitante únicamente ☐ Solicitante e inventor Sexo: ☐ Masculino ☐ Femenino
Sección X. Otros Solicitantes y/o (otros) Inventores.	
Nombres: Apellidos: Nacionalidad: País de residencia: Provincia / Estado: Municipio /Ciudad: Sector: Calle / Casa No.: Código Postal: Teléfono: Correo electrónico: Tipo de Identificación☐ RNC☐ Cédula☐Pasaporte: No.	Tipo de persona: ☐ Física ☐ Jurídica Esta persona es: ☐ Inventor únicamente ☐ Solicitante únicamente ☐ Solicitante e inventor Sexo: ☐ Masculino ☐ Femenino

Página No. ___

Sección XI. Datos de la Solicitud Internacional en el marco del PCT.

Fecha solicitud internacional	No. solicitud internacional	No. publicación internacional	Fecha publicación internacional

Sección XII. Reivindicación de Prioridad del Convenio de París. (**APLICA A SOLICITUDES PCT**) (Si es necesario puede reproducir esta hoja).

País.	**Fecha Presentación.**	**No. Solicitud.**

Sección XIII. Lista de documentos depositados en esta solicitud. (Será verificada por la ONAPI)

Esta solicitud contiene los siguientes documentos:

1. Formulario de solicitud. _____ Cant. Págs.
2. Resumen. _____ Cant. Págs.
3. Descripción. _____ Cant. Págs.
4. Reivindicaciones. (Cant. _____) _____ Cant. Págs.
5. Dibujos. _____ Cant. Págs.
6. Relación de secuencia de nucleótido y Aminoácidos (en papel y DVD/CD). _____ Cant. Págs.
7. Comprobante de pago de tasa. _____ Cant. Págs.

Esta solicitud se acompaña además de:

- ☐ Ejemplar de la memoria descriptiva en español.
- ☐ Memoria descriptiva en soporte electrónico.
- ☐ Memoria descriptiva en otro idioma que no sea el español.
- ☐ Documento de Cesión.
- ☐ Traducción Documento de Cesión.
- ☐ Copia Certificada Prioridad Convencional.
- ☐ Traducción Copia Certificada Prioridad.
- ☐ Poder de Representación.
- ☐ Traducción del Poder de Representación.
- ☐ Certificado de depósito de microorganismo.

Otros documentos:

Sección XIV. Firma del solicitante o de su representante.

Sección XV. Personal de la ONAPI que recibe la solicitud.

Nombre (s) y Apellido(s) **Observaciones:**	Firma.	Sello ONAPI.

Sección XVI. Label ONAPI uso interno. (al dorso)

ALGERIAN NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY

AS

DESIGNATED (OR ELECTED) OFFICE

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Fees . . . . . Annex DZ.I

Request form for entry into the national phase . . . . . Annex DZ.II

List of abbreviations:

Institute:	Algerian National Institute of Industrial Property
Ordinance:	Ordinance No. 03.07 of 19 Joumada El Oula 1424, corresponding to 19 July 2003, relating to patents for inventions

SUMMARY **Designated (or elected) Office** SUMMARY

DZ ALGERIAN NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY DZ

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:[1]	Arabic
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, only as amended), 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Algerian dinar (DZD)

Filing fee and maintenance fee for the 1st year:[1]	DZD 7,500
Fee for priority claim, per priority:	DZD 2,000
Publication fee:[1]	DZ 5,000
— Surcharge for each set of 5 pages in excess of 10:	DZD 1,200
Maintenance fee: — from the 2nd to the 5th year, per year:	DZD 5,000

Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2]	Appointment of an agent if the applicant is not resident in Algeria Instrument of assignment of the international application if the applicant has changed after the international filing date Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Translation of the international application to be furnished in two copies

[Continued on next page]

[1] Must be furnished or 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.

SUMMARY **Designated (or elected) Office** SUMMARY

DZ ALGERIAN NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY DZ

[Continued]

Who can act as agent?	Any patent attorney or patent agent registered to practice before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No

THE PROCEDURE IN THE NATIONAL PHASE

DZ.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Institute has available a form for entering the national phase (see Annex DZ.II). This form should preferably be used.

DZ.02 **LANGUAGE OF PROCEEDINGS.** The language of proceedings can be either Arabic or French.

DZ.03 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

DZ.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in this Chapter is outlined in Annex DZ.I.

Ordinance Sec. 20

DZ.05 **REPRESENTATION.** Any applicant residing outside the national territory of Algeria must designate an agent registered to practice before the Institute. A list of registered agents is available at the Institute.

Ordinance Sec. 36

DZ.06 **DEED OF ASSIGNMENT.** When the applicant entering the national phase is different from the applicant in the international application, the applicant entering the national phase must produce a deed which authorizes him to enter the national phase. As of the time when the request for national phase entry has become effective, any transfer of property must be inscribed in the Registry of Patents.

PCT Sec. 28 41
PCT Rules 52 78

DZ.07 **AMENDMENT OF THE APPLICATION.** Amendments are authorized if they are submitted to the Institute within one month of the date of entry into the national phase of the relevant application. The amendments are authorized in conformity with the Treaty and its regulations. Amendments may be made to the description, the claims and the drawings. Amendments must not go beyond the disclosure of the invention.

Ordinance Sec. 26

Beyond the time limit given above, only purely physical errors may be corrected. Such corrections are subject to the payment of a fee for the rectification of physical errors.

Ordinance Sec. 31

DZ.08 **EXAMINATION.** Patents are granted, without examination, for any applications which have respected the due process. A certificate, established by the competent service, highlighting that the application has respected the due process, is delivered to the applicant and constitutes the patent.

Ordinance Sec. 9 54

DZ.09 **ANNUAL FEES.** An annual fee is due each year to keep the patent in force. The annual fees (including the second and third annuities) applying to the years that have passed since the international filing date must be paid, at the latest, upon the date of the third anniversary of the international filing. Payment may still be made within six months from the due date. In cases of late payment, the annual fees will be subject to the payment of a surcharge. The amounts of the annual fees are indicated in Annex DZ.I.

PCT Sec. 25
PCT Rule 51

DZ.10 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The general outline of the applicable procedure is given in paragraphs 6.018 to 6.021 of the National Phase.

PCT Sec. 24.2) 48.2)

DZ.11 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

FEES

(Currency: Algerian dinar)

[Patents]

Filing fee and 1st annual fee	7,500
Fee for priority claims	2,000
Publication fee	5,000
Publication fee for each 5 pages in addition to the 10 first pages	1,200
Publication fee for small format drawings in excess of 3	400

Annual fees:

– for the 2nd to the 5th years, per year	5,000
– for the 6th to the 10th years, per year	8,000
– for the 11th to the 15th years, per year	12,000
– for the 16th to the 20th years, per year	18,000

The surcharge for late payment of the annual fee is equal to the amount of the unpaid annual fee.

Fee for restoration	5,000

How can payment of fees be effected?

The payment of fees can be effected in cash, by check directly at the Institute or by bank transfer into account No. 32 64 180 E at Banque Extérieure d'Algérie, 12 avenue Amirouche, Algiers.

المعهد الوطني الجزائري للملكية الصناعية
INSTITUT NATIONAL ALGÉRIEN
DE LA PROPRIÉTÉ INDUSTRIELLE

الجمهورية الجزائرية الديمقراطية الشعبية
RÉPUBLIQUE ALGÉRIENNE
DÉMOCRATIQUE ET POPULAIRE

R2-FO-03
E1

Nature de la demande de protection *

Brevet d'invention ☐ Extension de la demande internationale selon le PCT ☐ Certificat d'addition ☐

[71] - **DEPOSANT[S]** : *Nom, Prénom, [dénomination], et Adresse complète*

Nationalité du ou des déposants

[72] - INVENTEUR[S] : *Nom, Prénom, Adresse*

[54] - **TITRE DE L'INVENTION** :

[30] – **REVENDICATION DE PRIORITE (S)**

[31] - N°[s] de dépôt	[32] - date[s] :	[33] - pays d'origine	Nature de la demande

Numéro de dépôt	**Date de dépôt**	**Heure**

N° de la demande internationale et date internationale de dépôt

Visa

Demande de certificat d'addition rattaché au brevet principale n° **du**

[74] - **MANDATAIRE** : *Nom, Prénom, Adresse*

Date du pouvoir

Le préposé à la réception

Fait à : le :

Signature et cachet

Qualité du signataire
pour les personnes morales

Autres informations

BORDEREAU DES PIECES DEPOSEES *

- ☐ Copie de la demande internationale
- ☐ Mémoire descriptif en langue nationale
- ☐ Mémoire descriptif original en langue française
- ☐ Mémoire descriptif duplicata en langue française
- ☐ Dessin(s) original (aux) Planche(s)
- ☐ Dessin(s) duplicata (aux) Planche(s)
- ☐ Abrégé descriptif
- ☐ Pouvoir
- ☐ Document de priorité
- ☐ Cession de priorité
- ☐ Titre ou justification du paiement de taxes

Les demandes doivent être remises ou adressées par pli postal recommandé avec demande d'avis de réception, à l'Institut National Algérien de la Propriété Industrielle (INAPI) dont les coordonnées sont indiquées ci-dessous.

Le paiement des taxes exigibles peut être effectué soit directement auprès de la caisse de l'INAPI soit par virement bancaire au compte: BEA 12 Avenue AMIROUCHE, Alger· n° 00200012120326418071

Coordonnées de l'INAPI :

Adresse : 42, rue Larbi BEN M'HIDI, 3ème étage, B.P. 403 Alger Gare
Tél. : (021) 73 57 74 Fax: (021) 73 96 44 et (021) 73 55 81
E-mail: brevet@inapi.dz, info@inapi.dz - Web : www.inapi.dz

Le présent formulaire doit être lithographié

A NE PAS PLIER

* Cocher les cases correspondantes.

EURASIAN PATENT OFFICE (EAPO)

AS

DESIGNATED (OR ELECTED) OFFICE

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National processing request form . . . . . Annex EA.II
Power of attorney . . . . . Annex EA.III

List of abbreviations:

EAPC: Eurasian Patent Convention of 9 September 1994[1]

EAPR: Patent Regulations under the Eurasian Patent Convention[1]

EASF: Statute on Fees of the Eurasian Patent Organization[1]

[1] The texts may be obtained on the Internet at https://www.eapo.org/en/?documents=norm

SUMMARY Designated (or elected) Office SUMMARY

EA EURASIAN PATENT OFFICE (EAPO) EA

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:[1]	Russian		
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), 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: Russian rouble (RUB)		
	Unitary procedural fee (for filing, search, publication and other processing):[2]	RUB	28,000[3]
	Claim fee for each claim:		
	– in excess of five:[1]	RUB	3,700[3]
	– in excess of 20:[1]	RUB	4,000[3]
	– in excess of 50:[1]	RUB	5,000[3]
	Examination fee:		
	– for one invention:	RUB	30,000[3]
	– for a group of inventions including one independent claim:	RUB	30,000[3]
	– additional fee for the second independent claim:	RUB	20,000[3]
	– additional fee for each independent claim in excess of two claims:	RUB	10,000[3]
Exemptions, reductions or refunds of the national fee:	The unitary procedural fee is reduced by 25% where an international search report has been established		

[Continued on next page]

[1] Must be furnished or paid within two months from the expiration of the time limit applicable under PCT Article 22 or 39(1) or within two months from the date on which the applicant files a special request for early entry into the national phase.

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

[3] This fee is reduced by 90% where the applicant or, if there are two or more applicants, each applicant is a natural person who is a national or resident of any of the States party to the Eurasian Patent Convention, by 70% where the applicant or, if there are two or more applicants, each applicant is a state science or a state educational organization of any of the States party to the Eurasian Patent Convention, by 10% where the applicant or, if there are two or more applicants, each applicant is a legal person with a principal place of business in any of the States party to the Eurasian Patent Convention and by 50% where the applicant or, if there are two or more applicants, each applicant is a natural person who is a national or resident of any of the states listed on the Office's website at: www.eapo.org/ru/documents/norm/prilposh_2019.html.

SUMMARY Designated (or elected) Office SUMMARY

EA EURASIAN PATENT OFFICE (EAPO) EA

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[4]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[5] Appointment of an agent if the applicant has neither a residence nor his principal place of business within the territory of one of the States party to the Eurasian Patent Convention Instrument of assignment of the priority right where the applicants are not identical[5]
Who can act as agent?	Any legal practitioner[6] qualified to practice in patent matters in one of the States party to the Eurasian Patent Convention and inscribed in the register of patent attorneys kept in the Office.
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies the "unintentional" criterion to such requests

[4] 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.

[5] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[6] The list of registered patent attorneys may be obtained on the Internet at: www.eapo.org/en/attorneys.php.

THE PROCEDURE IN THE NATIONAL PHASE

EA.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The EAPO has available a special form for entering the national (regional) phase (see Annex EA.II) which can also be obtained on the Internet at www.eapo.org/pdf/int2010.pdf. This form should preferably (but need not) be used.

EA.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).

EAPR Rule 21[1](6), 71(3)

EA.03 **LATE FURNISHING OF THE TRANSLATION.** If the translation of the international application has not been furnished within the 31-month time limit applicable under PCT Article 22(3) or 39(1)(b), it may still be furnished within a period of grace of two months from the expiration of the applicable time limit. The applicant shall have the right, within two months following the date of expiration of the initial two-month period, to furnish the translation, provided that an additional fee is paid.

EAPC Art. 15(12)
EAPR Rule 30

EA.04 **APPOINTMENT OF AN AGENT AND POWER OF ATTORNEY.** Natural and legal persons having their residence or their principal place of business within the territory of one of the EAPC Contracting States may act on their own behalf or through representatives, who need not be patent agents, in proceedings before the EAPO. Natural and legal persons having neither a residence nor their principal place of business within the territory of any of the EAPC Contracting States must be represented by an agent entitled to practice before the EAPO (see the Summary, "Who can act as agent?"). The list of registered patent agents is available upon request from the EAPO or can be obtained on the Internet at www.eapo.org/en/attorneys.php. A model of a power of attorney is given in Annex EA.III. In case of failure to appoint an agent within two months from the expiration of the time limit applicable under PCT Article 22(3) or 39(1)(b), if required, the applicant will be invited by the EAPO to do so within four months following the date of expiration of the initial two-month period, provided that an additional fee is paid.

EAPC Art. 18
EAPR Rule 40(1)

EA.05 **FEES (MANNER OF PAYMENT).** The manner of payment of fees indicated in the Summary and in this Chapter is outlined in Annex EA.I.

EAPR Rule 71(3)
EASF Rule 2(1)(iv)

EA.06 **LATE PAYMENT OF (NATIONAL) FEES.** If the unitary procedural fee indicated in the Summary has not been paid within the time limit applicable under PCT Article 22(3) or 39(1)(b), payment can still be made together with a 20% surcharge for late payment within a period of grace of two months from the expiration of the applicable time limit.

EAPR Rule 24(7)

EA.07 **CLAIM FEE.** The claim fee must be calculated on the basis of the number of claims existing on entry into the national phase (that is, where amendments have been filed, the claims as amended under PCT Article 19 or 34(2) or the claims as submitted by the applicant under PCT Article 28 or 41 upon entering the national phase), unless the applicant has used the opportunity to amend the claims according to EAPR Rule 49(2) or 71(5) (see paragraph EA.11), the claims thus amended being then used as the basis for calculation of the claim fee and for further proceedings. Where the applicant fails to pay the correct amount of the claim fee, the EAPO will invite him to pay the missing amount within a period fixed in the invitation.

EAPC Art. 15(5)
EAPR Rule 46

EA.08 **REQUEST FOR EXAMINATION.** The Eurasian patent is granted only after substantive examination, which starts only at the request of the applicant. There is no special form for requesting examination but the request must be made in writing. The request may be made by using the form referred to in paragraph EA.01 (see Annex EA.II). The request for examination is considered to have been filed only after the examination fee has been paid.

EAPC Art. 15(5)
EAPR Rule 46(1)

EA.09 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within six months from publication by the International Bureau of the international search report or before the expiration of the time limit applicable under PCT Article 22(3) or 39(1)(b) (31 months), whichever time limit expires later. The request for examination may still be validly filed within a period of grace of two months from the expiration of the applicable time limit, provided that an additional fee is paid.

EAPR Rule 23(8)

EA.10 **NUCLEOTIDE AND AMINO ACID SEQUENCES.** If, at the expiry of the 31-month time limit applicable under PCT Articles 22(3) and 39(1)(b), a sequence listing does not comply with the Standard contained in Annex C of the Administrative Instructions under the PCT, or has not been filed on the prescribed electronic data carrier (disc), the applicant will be invited to file a sequence listing complying with the prescribed standard or on the prescribed data carrier.

EAPR Rules 49(2)
71(5)

EA.11 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant has the right to amend any element of his application on his own initiative at any time before the decision to grant a patent is taken by the office; corrections may be made at any time before the completion of technical preparations for publication of the Eurasian patent, provided that the amendments or corrections do not go beyond the subject matter of the claimed invention as filed and that the prescribed fee for amendment is paid. If the amendments or corrections are made within the two-month period from the expiration of the time limit under PCT Article 22(3) or 39(1)(b), there is no need to pay the prescribed fee for amendment.

EAPC Art. 15(10)
EAPR Rule 51(1)

EA.12 **FEE FOR GRANT.** A fee for grant must be paid within four months from the date of transmittal to the applicant of the notice from the EAPO of its intention to grant the Eurasian patent. If the fee is not paid within the said time limit, granting and publication of the Eurasian patent will not take place and the corresponding Eurasian application will be considered withdrawn.

EAPC Art. 13(3)

EA.13 **TRANSLATION OF EURASIAN PATENT.** No translation of the Eurasian patent into the languages of the EAPC Contracting States is required after the grant of the Eurasian patent. A translation should be furnished only by the plaintiff to a national court or other competent national authority upon the latter's request in connection with a litigation procedure in a given EAPC Contracting State. Any decision of a court or other national authority in respect of the Eurasian patent has effect only in the territory of that Contracting State.

EAPC Art. 17(3)

EA.14 **EFFECT OF EURASIAN PATENT.** Upon grant, the Eurasian patent has effect in the territory of all EAPC Contracting States from the date of its publication by the EAPO. Its effect may, however, be discontinued at any time in any State through non-payment of the corresponding national annual maintenance fee.

EA.15 **MAINTENANCE OF EURASIAN PATENT.** The owner of a Eurasian patent must designate, by name, each EAPC Contracting State in which he wishes the effect of the Eurasian patent to be maintained. The designation concerned must be addressed to the EAPO and must be made at the same time as the corresponding annual fee is paid (see next paragraph).

EAPC Art. 17
18(3)
EAPR Rule 40(7)
EASF Rule 10

EA.16 **ANNUAL FEES.** The maintenance of a Eurasian patent is subject to the payment of annual fees. Such fees must be paid to the EAPO in respect of each EAPC Contracting State in which the applicant wishes to maintain protection. The fees are payable every year, following the grant of the Eurasian patent, not later than on the anniversary of the international filing date. Payment can still be made together with a 50% surcharge for late payment within a period of grace of six months computed from the said anniversary.

PCT Art. 25
PCT Rule 51

EA.17 **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 EAPO denies an error or omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged with the EAPO.

PCT Art. 24(2)
48(2)

EA.18 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

EAPR Rule 37
EASF Rule 8(1)

EA.19 **FURTHER PROCESSING.** Further processing of the application may be requested where the applicant has missed a time limit during the international or the national phase in respect of which further processing is not ruled out under EAPR Rule 37(4). If the request is granted, this has the effect that the legal consequence of the failure to observe the time limit is deemed not to have ensued. It must be made by completing the omitted act, as applicable, and payment of the fee for further processing within two months from the expiration of the time limit which has not been observed.

PCT Rule 49.6
82*bis*
EAPR Rule 39
EASF Rule 8(2)

EA.20 **REESTABLISHMENT OF RIGHTS.** Reestablishment of rights may be requested where the applicant lost his rights because he was unable to observe a time limit during the international phase or before the EAPO. The EAPO reinstates the rights if it finds that any delay in meeting that time limit was unintentional. A request for reestablishment must be filed in writing within two months from the removal of the cause of non-compliance with the time limit but not later than 12 months from the expiration of the time limit which has not been observed whichever time limit expires earlier. The right to the Eurasian patent lost by non-payment of maintenance fees may be reestablished on the request of the patent owner, filed prior to the expiry of a 3-year period, starting from the date of expiry of the period for payment of the maintenance fees which are due. Within the said time limits, the omitted act must be completed, the fee for reestablishment of rights (see Annex EA.I) must be paid and the request must state the grounds on which it is based and must set out the facts on which it relies. However, reestablishment of rights is not applicable to the time limits for requesting the reestablishment of rights or restoration of priority right as well as for the time limit for payment of the additional fee for a six-month period of grace for the payment of the annual fees for maintenance of the Eurasian patent and the time limit for filing with the EAPO a notice of opposition against a granted Eurasian patent.

PCT Rule 49*ter*
EAPR Rule 6(1)

EA.21 **RESTORATION OF THE RIGHT OF PRIORITY.** Where the international application was filed within two months from the end of the period for claiming priority on an earlier application, a request for restoration of the right of priority may be made to the EAPO in accordance with the national law (see National Phase, paragraphs 6.006 - 6.011). For the request to be granted, the EAPO must be satisfied that the failure to file the application within the 12-month priority period was unintentional. A fee for the restoration of the right of priority must be paid (see Annex EA.I).

EAPC Art. 16
EAPR Rule 60
EASF Rule 4(2)

EA.22 **CONVERSION OF EURASIAN APPLICATION: TIME LIMIT.** If the applicant receives a notice of refusal to grant a Eurasian patent or a notice of final refusal in appeal, he has the right to file a request with the EAPO designating those EAPC Contracting States in which he wishes to obtain national patents according to the applicable national procedures. There is no special form for such request. The request must be filed before the expiration of six months from the date on which the applicant receives notification of the refusal to grant a Eurasian patent or of the decision to reject the appeal.

EAPC Art. 16(2)

EA.23 The Eurasian patent application in respect of which the conversion has been made will be treated in each EAPC Contracting State in which national protection is sought as a regular national application filed with its national patent Office and having the filing date and the priority date, if any, of the Eurasian application. The application will be further processed by the national patent Offices concerned, provided that the applicant pays any prescribed national fees to the said patent Offices.

FEES[1]

(Currency: Russian rouble)

National fee for an international application, comprising:	
(i) unitary procedural fee (for filing, search, publication and other processing) for one invention	28,000
(ii) claim fee for each claim:	
— in excess of five	3,700
— in excess of 20	4,000
— in excess of 50	5,000
Examination fee:	
— for one invention	30,000
— for a group of inventions including one independent claim:	30,000
— additional fee for the second independent claim	20,000
— additional fee for each independent claim in excess of two claims	10,000
Fee for grant of a Eurasian patent	18,000
Fee for lodging an appeal	20,000
Maintenance fees[2]	amount equal to the sum of the fees payable for maintaining the Eurasian patent for the EAPC Contracting States concerned[3]
Fee for conversion of a Eurasian application into a national patent application	6,400
Fee for reestablishment of rights	25,000
Fee for restoration of the priority right	16,000

How can payment of fees be effected?

1. Payments should be effected in Russian Roubles. They may also be made in US dollars or euro for the equivalent amounts according to the official exchange rate set by the Central Bank of the Russian Federation on the date of payment.

2. All fees, including maintenance fees, are payable to the Eurasian Patent Organization.

3. All payments must indicate the complete application number (regional, if already known; international, if the regional number is not yet known), the name of the applicant and the type of fee being paid.

[1] Fees are subject to periodical changes. For the currently applicable amounts of fees, reference should be made to the Statute on Fees of the Eurasian Patent Organization. Fees are reduced by 90% where the applicant or, if there are two or more applicants, each applicant is a natural person who is a national or resident of any of the States party to the Eurasian Patent Convention, by 70% where the applicant or, if there are two or more applicants, each applicant is a state science or a state educational organization of any of the States party to the Eurasian Patent Convention, by 10% where the applicant or, if there are two or more applicants, each applicant is a legal person with a principal place of business in any of the States party to the Eurasian Patent Convention and by 50% where the applicant or, if there are two or more applicants, each applicant is a natural person who is a national or resident of any of the states listed on the Office's website at: www.eapo.org/ru/documents/norm/prilposh_2019.html.

[2] The amounts of the fees for maintenance of a Eurasian patent with respect to each State party to the Eurasian Patent Convention are as fixed by each State. These fees are payable to the Office for each State in which the patent owner wishes the effect of the patent to continue, in each of the years following the grant by the anniversary of the international filing date.

[3] Provisional reduced tariffs according to Rule 40(4) EAPR are not applicable.

4. Fees may be paid (mentioning the Eurasian Patent Organization as beneficiary) to the following accounts:
   (a) For payments in US dollars or euro:
   Account No. in USD: 40807840400010006521
   Account No. in EUR: 40807978900011675080
   at UNICREDIT BANK, MOSCOW, SWIFT – IMBKRUMM
   Address: 9 Prechistenskaya Emb., Moscow, 119034, Russian Federation.

   (b) For payments in Russian roubles:
   Beneficiary: The Eurasian Patent Organization INN 9909057949, KPP 773863001
   Bank code: AO UniCredit Bank Moscow
   Beneficiary account: 40807810400010493672
   Correspondent bank account: 30101810300000000545
   BIC number: 044525545

Перевод международной заявки на региональную стадию рассмотрения в Евразийском патентном ведомстве, действующем в качестве казанного или выбранного ведомства

° Евразийское патентное ведомство

Россия, 090 2, Москва, Малый Черкасский пер., 2/6

1 ☐ Является оригиналом ранее поданной формы, направленной по факсимильной связи — Дата направления

2

Заполняется Евразийским патентным ведомством (ЕАПВ)		
Входящий номер ЕАПВ	Номер евразийской заявки	Дата поступления заявки в ЕАПВ

Номер дела заявителя или его представителя:

3

Номер международной заявки	PCT/	Дата международной подачи	
Номер публикации международной заявки	WO	Дата публикации международной заявки	

4 Название изобретения:

5 Заявитель

Фамилия, имя, отчество (если оно используется) или наименование заявителя

Адрес:

Код страны местожительства или местонахождения по стандарту ВОИС ST.3

Номер телефона

Номер факса

Регистрационный номер заявителя в ЕАПВ

6 Другие заявители ☐ Заявители, не указанные на этом листе, указаны на дополнительном листе заявления

Фамилия, имя, отчество (если оно используется) или наименование заявителя

Адрес:

Код страны местожительства или местонахождения по стандарту ВОИС ST.3

Номер телефона

Номер факса

Регистрационный номер заявителя в ЕАПВ

Фамилия, имя, отчество (если оно используется) или наименование заявителя

Адрес:

Код страны местожительства или местонахождения по стандарту ВОИС ST.3

Номер телефона

Номер факса

Регистрационный номер заявителя в ЕАПВ

7 **Ходатайств ую(ем):**

☐ о более раннем начале рассмотрения международной заявки в ЕАПВ в соответствии с правилом 71(2) Патентной инструкции к ЕАПК

☐ с даты получения прилагаемой к этой форме документов либо ☐ с (указать дату)

☐ о проведении экспертизы евразийской заявки по существу (ст. 15(5) Конвенции)

8 Представитель(и) заявителя

Указанное(ые) ниже лицо(а) назначено (назначены) заявителем (заявителями) действовать от его (их) имени в ЕАПВ.

Является(ются): ☐ Патентным(и) поверенным(и) ☐ Общим представителем

Фамилия, имя, отчество (если оно используется)

Адрес:

Номер телефона

Номер факса

Регистрационный(е) номер(а) патентного(ых) поверенного(ых) в ЕАПВ

, , , , ,

9 Адрес для переписки (Полный почтовый адрес) ☐ **Прошу (ˇ росим) переписку вести по адресу представителя заявителя**

Фамилия, имя, отчество (если оно используется) или наименование адресата

Номер телефона

Номер факса

Изобретатель(и)	☐ Изобретатели, не указанные на этом листе, указаны на дополнительном листе к этой форме	10
Фамилия, имя, отчество (если оно используется)	Код страны местожительства по стандарту ВОИС ST. 3	

%(мы)

ˇрош (просим) не казывать меня (нас) как изобретателя(ей) приˇ бликации сведений о евразийской заявке, о выдаче евразийского патента на изобретение.

Подпись(и) изобретателя(ей)

Прош (просим) начать рассмотрение международной заявки вˇ П° на основе: 11

описания изобретения:	☐ первоначально поданного;	☐ измененного в соответствии со статьей 34(2)(b) Договора о патентной кооперации (PCT)	
формулы изобретения:	☐ первоначально поданной;	☐ измененной в соответствии со статьей 19 PCT;	☐ измененной в соответствии со статьей 34(2)(b) PCT
чертежей:	☐ первоначально поданных;	☐ измененных в соответствии со статьей 34(2)(b) PCT	
☐ изменений, сделанных при переводе международной заявки на региональную стадию:	☐ описания изобретения;	☐ формулы изобретения;	☐ чертежей

Прош (просим) опу¸ ликовать перевод международной заявки на русский язык, содержащий: 12

формулу изобретения: ☐ первоначально поданную; ☐ измененную в соответствии со статьей 19 PCT;

Пере˙ень прилагаемых документов: 13

Наименование документа *(нужное отметить)*	Кол-во листов в одном экземпляре	Кол-во экземпляров
Описание изобретения на русском языке: ☐ первоначально поданное; ☐ измененное в соответствии со статьей 34(2)(b) PCT		
Формула изобретения на русском языке: ☐ первоначально поданная; ☐ измененная в соответствии со статьёй 19 PCT; ☐ измененная в соответствии со статьёй 34(2)(b) PCT		
Чертеж(и) и иные материалы с надписями на русском языке: ☐ первоначально поданные; ☐ измененные в соответствии со статьей 34(2)(b) PCT		
Изменения на русском языке, сделанные при переводе международной заявки на региональную стадию: ☐ описания изобретения; ☐ формулы изобретения; ☐ чертежей		
Реферат на русском языке		
Заверенная в получающем ведомстве копия международной заявки		
Списки последовательностей нуклеотидов и/или аминокислот		
Перевод на русский язык документа о депонировании микроорганизма		
Перевод на русский язык деклараций, предусмотренных правилом 51*bis*.1 Инструкции к PCT *(указать)*		
Документ(ы), относящийся(еся) к передаче права на евразийскую заявку *(указать)*		
Документ, подтверждающий наличие оснований для уменьшения размера пошлины		
Доверенность, удостоверяющая полномочия представителя		
Лист расчета пошлин:		
Документ(ы) об уплате пошлин: ☐ единой процедурной пошлины ☐ за каждый пункт формулы изобретения свыше пятого ☐ за проведение экспертизы		
Иные документы *(указать)*		

☐ Сопровождается копией на машиночитаемом носителе 14

☐ Копия документов заявки на русском языке на машиночитаемом носителе является точной копией текста в печатном виде

Штамп ЕАПВ и дата поступления заявления 16

Подпись(и) и дата 15

(Подпись(и) заявителя(ей) или его (их) представителя(ей) с расшифровкой

Подпись лица, принявшего заявление

ДОВЕРЕННОСТЬ
POWER OF ATTORNEY

Я/Мы, нижеподписавшийся(еся)

_____

_____

настоящим уполномочиваю(аем) следующего(их) евразийского(их) патентного(ых) поверенного(ных)

_____

_____

представлять меня/нас перед Евразийским патентным ведомством и вести дела от моего/нашего имени в отношении евразийской(их) заявки(ок) №

_____

(и выдаваемого(ых) на основании указанной(ых) заявки(ок) евразийского(их) патента(ов)) и/или евразийского(их) патента(ов) №

_____.

В силу настоящей доверенности вышеупомянутый(ые) патентный(е) поверенный(е), в частности, уполномочивается(ются): совершать любые юридически значимые действия, связанные с подачей и делопроизводством по евразийской(им) заявке(ам); подписывать всякого рода заявления и ходатайства; уплачивать от моего/нашего имени необходимые пошлины и платежи; представлять и получать различные документы; вносить изменения и исправления в материалы евразийской(их) заявки(ок); заверять копии и переводы документов; отзывать евразийскую(ие) заявку(и); отказываться от ранее испрошенного приоритета; подавать предусмотренные евразийским патентным правом возражения и/или апелляции; ходатайствовать о продлении процедурных сроков и/или восстановлении прав в отношении евразийской(их) заявки(ок) и/или евразийского(их) патента(ов), утраченных в связи с несоблюдением установленных сроков; проводить все необходимые действия для сохранения евразийского(их) патента(ов) в силе в течение всего срока его/их действия; подавать заявления об отказе и/или об ограничении евразийского(их) патента(ов); продлевать срок действия евразийского(их) патента(ов); регистрировать изменение имени или наименования заявителя или патентовладельца; регистрировать передачу и/или залог права в отношении указанной(ых) евразийской(их) заявки(ок) и/или евразийского(их) патента(ов); получать копию(и) и/или дубликат(ы) евразийского(их) патента(ов), дубликат(ы) свидетельства(свидетельств) о передаче прав на евразийский(ие) патент(ы) и/или дубликат(ы) документа(ов) о продлении срока действия евразийского(их) патента(ов) и т.д.

Настоящая доверенность заменяет все выданные ранее доверенности, уполномочивающие представлять меня/нас в Евразийском патентном ведомстве. В случае назначения двух и более евразийских патентных поверенных полномочия по настоящей доверенности могут осуществляться совместно или независимо любым из вышеуказанных евразийских патентных поверенных.

Полномочия по настоящей доверенности могут быть передоверены другому(им) евразийскому(им) патентному(ным) поверенному(ным).

Настоящая доверенность оформлена в соответствии с законодательством страны происхождения и действует до ее отзыва.

I/We the undersigned

_____

_____

hereby authorize the following Eurasian patent attorney(s)

_____

_____

to represent me/us before the Eurasian Patent Office and to act for me/us in the matter of Eurasian patent application(s) №

_____

(and Eurasian patent(s) eventually granted thereon) and/or Eurasian patent(s) №

_____.

By virtue of this authorization the above-mentioned patent attorney(s) is/are empowered specifically: to perform any legal act(s) relating with the filing and prosecution of the Eurasian patent application(s); to sign any kind of requests and petitions; to make payments of necessary charges and fees; to submit and receive different documents; to make amendments and other alterations to Eurasian patent application(s) documents; to attest copies and translations of documents; to withdraw the Eurasian patent application(s); to renounce an earlier claimed priority; to file stipulated by the Eurasian Patent Law opposition(s) and/or appeal(s); to apply for the extension of procedural terms and/or of the reestablishment of rights in respect of Eurasian patent application(s) and/or Eurasian patent(s), which have lapsed as a result of the failure to respect the prescribed time limits; to undertake all necessary acts for maintaining in force of the Eurasian patent(s) during the term of the validity; to file declaration(s) for the abandonment of the Eurasian patent(s) or request(s) for its(their) limitation; to apply for the extension of the term of the validity of the Eurasian patent(s); to file request(s) to register the change of name with respect to applicant(s) and/or patent owner(s); to file request(s) to register the transfer, assignment or/and the pledge of right(s) to aforesaid Eurasian application(s) and/or Eurasian patent(s); to receive copy(copies) and/or duplicate(s) of the Eurasian patent(s), of the certificate(s) of transfer/assignment of rights to Eurasian patent(s) and/or of the certificate(s) of the extension of the term of the Eurasian patent(s) validity etc.

This power of attorney shall replace all previously issued powers of attorney to act before the Eurasian Patent Office. The powers granted in this power of attorney may be exercised by each of the above mentioned Eurasian patent attorneys jointly or independently if two or more appointed.

Sub-authorization may be given to other Eurasian patent attorneys.

This power of attorney is executed according to the laws of the country of origin and shall remain in force until revoked.

Подпись/Signature_____

Имя подписавшегося/Signatory's full name_____

Занимаемая должность в случае организации/Signatory's position in case of legal entity_____

Дата/Date_____

Место/Place_____

NATIONAL SERVICE OF INTELLECTUAL RIGHTS (SENADI) (ECUADOR)

AS

DESIGNATED (OR ELECTED) OFFICE

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Fees . . . . . Annex EC.I

List of abbreviations:

Office: National Service of Intellectual Rights (SENADI) (Ecuador)
IPL: Intellectual Property Law (Consolidation No. 2006-13)

SUMMARY **Designated (or elected) Office** SUMMARY

EC NATIONAL SERVICE OF INTELLECTUAL RIGHTS (SENADI) (ECUADOR) EC

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:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[1]	Currency: US dollar (USD) For patent: Filing fee:[2] USD 495.33 Additional fee for each claim in excess of 10: USD 55.07 For utility model: Filing fee:[3] USD 136.00
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[4]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[5] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Instrument of assignment of the priority right where the applicants are not identical[5] Instrument of assignment of the international application if the applicant has changed after the international filing date Appointment of an agent if the applicant is not resident in Ecuador

[Continued on next page]

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

2 This fee may be reduced by up to 90% for micro, small and medium enterprises, recognized national universities, independent researchers, public institutions, small and medium farmers and enterprises of popular and solidarity economy.

3 This fee may be reduced by up to 50% for micro, small and medium enterprises, recognized national universities, independent researchers, public institutions, small and medium farmers and enterprises of popular and solidarity economy.

4 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 of two months from the date of receipt of the invitation.

5 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

EC **NATIONAL SERVICE OF INTELLECTUAL RIGHTS (SENADI) (ECUADOR)** EC

[Continued]

Who can act as agent?	Any natural or legal person resident in Ecuador
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

THE PROCEDURE IN THE NATIONAL PHASE

EC.01 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is Spanish.

EC.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).

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

IPL Art. 144

EC.04 **EXAMINATION.** A patent will be granted only after examination as to patentability. The amounts of the examination fees are indicated in Annex EC.I.

PCT Art. 28
41

EC.05 **AMENDMENT OF THE APPLICATION.** The applicant may, at any time before the patent is granted, make amendments to his application, provided that the amendment does not go beyond the original disclosure.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

EC.06 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PCT Art. 25
PCT Rule 51

EC.07 **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, an appeal against this decision may be lodged with the Office.

PCT Art. 4(3)
43
PCT Rule 49*bis*.1 (a), (b)
76.5

EC.08 **UTILITY MODELS.** If the applicant wishes to obtain a utility model instead of a patent in Ecuador on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

FEES

(Currency: US dollars)

Patents[1]

Filing fee:	495.33
Additional fee for each claim in excess of 10	55.07
Search fee:	
— for a search of the national documentation	148.00
— request for a report on the state of the art	836.96
Examination fee (additional 10% for each page in excess of 20)	596.49
Fee for modification	227.25
Maintenance fees:	
— for the 1st year	125.00
— for the 2nd year	145.00
— for the 3rd year	158.20
— for the 4th year	195.11
— for the 5th year	226.33
— for the 6th year	262.54
— for the 7th year	304.55
— for the 8th year	353.28
— for the 9th year	409.80
— for the 10th year	475.37
— for the 11th year	551.43
— for the 12th year	639.66
— for the 13th year	742.00
— for the 14th year	860.72
— for the 15th year	998.44
— for the 16th year	1,158.19
— for the 17th year	1,343.50
— for the 18th year	1,558.46
— for the 19th year	1,807.81
— for the 20th year	2,097.06

Utility models[2]

Filing fee:	136.00
Search fee:	
— for a search of the national documentation	46.00
— for a search of the state of the art	48.00
Maintenance fees:	
— for the period from the 1st to the 5th year, per year	12.00
— for the period from the 6th to the 10th year, per year	16.00

[1] The fees may be reduced by up to 90% for micro, small and medium enterprises, recognized national universities, independent researchers, public institutions small and medium farmers and enterprises of popular and solidarity economy.

[2] The fees may be reduced by up to 50% for micro, small and medium enterprises, recognized national universities, independent researchers, public institutions, small and medium farmers and enterprises of popular and solidarity economy.

How can payment of fees be effected?

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

The payment of fees can be effected by bank transfer to the following account:

Beneficiary:	Servicio Nacional de Derechos Intelectuales (SENADI)
Name of the bank:	Banco del Pacífico
Account No.:	748529 (Cuenta Corriente)
SWIFT code:	PACIECEG

ESTONIAN PATENT OFFICE

(PATENDIAMET)
AS
DESIGNATED (OR ELECTED) OFFICE

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Declaration . . . . . Annex EE.II
Power of attorney . . . . . Annex EE.III

List of abbreviations:

Office: Estonian Patent Office

EPL: Estonian Patent Law

EUL: Estonian Utility Model Law

PAA: Patent Attorneys Act

SUMMARY Designated (or elected) Office SUMMARY

EE ESTONIAN PATENT OFFICE EE

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:[1]	Estonian			
Required contents of the translation for entry into the national phase:[1]	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)			
	For patent:			
	Basic fee:[2]	EUR	225	(56)[3]
	Claim fee for each claim in excess of 10:[4]	EUR	13	
	Additional fee for late furnishing of translation or copy:[1]	EUR	32	
	Annual fees for the first three years:[5]	EUR	116	
	For utility model:			
	Filing fee:	EUR	105	(26)[3]
Exemptions, reductions or refunds of the national fee:	The filing fee is reduced where all applicants are natural persons			

[Continued on next page]

1 Where the basic fee has been paid within the time limit applicable under PCT Article 22 or 39(1), the translation may be filed within two months from the expiration of that time limit, provided that the additional fee for late furnishing of the translation has been paid within those two months.

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

3 The amount in parentheses is applicable where all applicants are natural persons.

4 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.

5 These fees are due on the last day of the month containing the second anniversary (24 months) of the international filing date; where PCT Article 39(1) applies, they are payable within two months after performing the acts for entering the national phase, unless the 24-month time limit has not yet expired.

SUMMARY Designated (or elected) Office SUMMARY

EE ESTONIAN PATENT OFFICE EE

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[6]	Declaration concerning the right of the applicant to apply for a patent where the applicant is not an inventor or where the applicant is a legal entity[7] Appointment of an agent if the applicant is not resident in Estonia
Who can act as agent?	Any registered Estonian patent attorney resident in Estonia
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

[6] 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.

[7] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

EPL Sec. 33(3)

EE.01 **TRANSLATION (LATE FURNISHING OF).** If the translation of the international application has not been furnished by the applicant within the time limit applicable under PCT Article 22 or 39(1) but the national fee indicated in the Summary has been paid within that time limit, the translation can still be furnished within a further period of two months, provided that the additional fee for late furnishing of the translation, indicated in Annex EE.I, has been paid within those two months.

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

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

EE.04 **EXAMINATION.** The Office examines national patent applications as to substance. No request is necessary and no special fee is required.

EPL Sec. 12

EE.05 **DECLARATION CONCERNING THE RIGHT OF THE APPLICANT TO APPLY FOR A PATENT.** For details, see the model of such declaration in Annex EE.II. Legalization is not required.

EPL Sec. $13^{1}(2)$
PAA Sec. $3(1^{3})$

EE.06 **REPRESENTATION.** A person whose residence or seat is not located in Estonia shall authorize an Estonian patent attorney to represent the person. It is presumed that the patent attorney has the right of representation. Only in case of doubt about the existence of the right of representation, the Office is entitled to request the patent attorney to submit a power of attorney. A model of a power of attorney is given in Annex EE.III.

EPL Sec. 35(6)

EE.07 **FEE FOR GRANT.** A fee for grant must be paid within three months from the decision to grant the patent. Where the applicant fails to pay within that time limit, the application shall be deemed to be withdrawn.

EPL Sec. 33(1)
42

EE.08 **ANNUAL FEES.** Annual fees must be paid for each year following the international filing date. For the due date of annual fees for the first three years, see the Summary. Payment of the subsequent annual fees must be made before the expiration of the month containing the anniversary of the international filing date. Payment can still be made, together with a 10% surcharge for late payment, before the expiration of the sixth month after the month containing the anniversary of the international filing date. The amounts of the annual fees are indicated in Annex EE.I. It is to be noted that, where the time limit under PCT Article 22 or 39(1) applies, annual fees can be paid without surcharge within two months after performing the acts for entering the national phase.

PCT Art. 28
41
EPL Sec. 25
25(5)

EE.09 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make amendments to the claims, description, drawings, and other illustrative material up to the decision to grant a patent, provided that the scope of the subject matter of the application is not broadened thereby. Amendments may be additionally made after the decision to grant a patent within two months from the date of the decision and subject to the payment of the fee indicated in Annex EE.I.

PCT Art. 24(2) 48(2)
Rule 82*bis*

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

EPL Sec. 29(2) (3) 33(11)

EE.11 Reestablishment of rights may be requested where the applicant, in spite of all due care reasonable required, was unable to observe a time limit during the international phase or before the Office, default of which is prejudicial to his rights. A request for reestablishment must be presented in writing within two months after the removal of the cause of the failure to perform the action but not later than one year from the expiration of the time limit which has not been observed. Within the said two months, the omitted action must be completed, the fee for reestablishment of rights (see Annex EE.I) must be paid and the request must state the grounds on which it is based and set out the facts on which it relies.

PCT Art. 25
PCT Rule 51
EPL Sec. 30 52

EE.12 **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, an appeal against this decision may be lodged within two months from the date of the decision, with the Board of Appeals or in court. Within the same two month time limit, a fee for appeal must be paid, the amount of which is indicated in Annex EE.I.

PCT Art. 4(3) 43
PCT Rule 49*bis*.1 (a), (b) 76.5

EE.13 **UTILITY MODEL.** If the applicant wishes to obtain utility model registration on the basis of an international application

– instead of a patent, or

– in addition to a patent,

for international applications filed before 1 January 2004, this must have been indicated in the international application (in Box No. V of the request) when filed; for international applications filed on or after 1 January 2004, since the request form no longer provides for the furnishing of such an indication, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office. The term of a utility model certificate is generally four years from the date of filing the application, though the term may be extended (upon request and payment of a fee) initially for four years and later for two more years.

EE.14 Whether the international application is for a utility model instead of a patent, or for both a utility model and a patent, the application shall conform to the following requirements, which differ somewhat from those of patents:

EUL Sec. 6(1) 8

(a) the application may not be in respect of more than one invention; utility model protection does not cover biotechnological inventions;

EUL Sec. 9(3)

(b) the application may contain only one independent claim and a plurality of dependent claims;

PCT Art. 7(2)(ii)
PCT Rule 7.2

(c) if the application does not contain drawings, the Office will invite the applicant to furnish drawings within a specified period of time;

EUL Sec. 18(2) 34(2)

(d) a registration fee must be paid. The application will not be processed until the fee has been paid. A renewal fee is payable for extension of the term of protection from four to eight and from eight to 10 years. The fee for extending the term of the certificate should be paid within six months before the expiration of the previous term, although it may be paid (with a 10% surcharge) up to six months after the expiration of the previous term. The amounts of the registration fee and the renewal fees are indicated in Annex EE.I.

EE.15 If the international application is for both a utility model and a patent, the applicant must pay both the registration fee for the utility model and the national fee for a patent application. The power of attorney and declaration concerning the right to apply for a utility model and patent (if any) should be in duplicate for the utility model and the patent application.

EUL Sec. 19

EE.16 **CONVERSION.** An international application for a patent may be converted into a utility model application after the application complies with the requirements for a patent application for entry into the national phase. The utility model application shall be deemed as having been filed on the date the patent application was filed. After the conversion, the patent application will be deemed to have lapsed. The conversion is subject to payment of the utility model registration fee indicated in Annex EE.I. Conversion cannot be requested:

- after the expiration of 10 years from the international filing date;
- in respect of a refused, abandoned or lapsed patent application.

FEES

(Currency: Euro)

Patents

Basic fee	225	(56)[1]
Claim fee for each claim in excess of 10	13	
Additional fee for late furnishing of translation or copy	32	
Fee for grant	96	
Fee for making amendment after the decision to grant	96	
Fee for reestablishment of rights	32	
Appeal fee	159.77	
Annual fees:		
— for the 1st year	26	
— for the 2nd year	26	
— for the 3rd year	64	
— for the 4th year	77	
— for the 5th year	96	
— for the 6th year	120	
— for the 7th year	135	
— for the 8th year	155	
— for the 9th year	180	
— for the 10th year	205	
— for the 11th year	245	
— for the 12th year	285	
— for the 13th year	320	
— for the 14th year	360	
— for the 15th year	405	
— for the 16th year	450	
— for the 17th year	495	
— for the 18th year	540	
— for the 19th year	585	
— for the 20th year	630	
Surcharge for late payment of annual fees	10% of the applicable annual fee	
Fee for restoration of the right of priority	None	

Utility models

Filing fee	105	(26)[1]
First renewal fee (becomes due on the last day of the month containing the 4th anniversary of the filing date)	195	
Second renewal fee (becomes due on the last day of the month containing the 8th anniversary of the filing date)	260	

[1] The amount in parentheses is applicable where all applicants are natural persons.

How can payment of fees be effected?

Payment of fees must be effected in euros. All payments must indicate the national application number (however, if that number is not yet known, the international application number may be used), the name of the applicant and the category of the fee being paid, as well as the mandatory Office reference 2900082362.

Payment may be effected into one of the four accounts of the Rahandusministeerium [Ministry of Finance] at:

- SEB Pank, Tornimäe 2, 15010 Tallinn, account No. 10220034796011, IBAN: EE891010220034796011, SWIFT code EEUHEE2X;
- Swedbank, Liivalaia 8, 15040 Tallinn, account No. 221023778606, IBAN: EE932200221023778606, SWIFT code HABAEE2X;
- Luminor Bank, Liivalaia 45, 10145 Tallinn, account No.17001577198, IBAN: EE701700017001577198, SWIFT code RIKOEE22;
- LHV Pank, Tartu mnt 2, 10145 Tallinn, account No. 771003813400, IBAN: EE777700771003813400, SWIFT code LHVBEE22).

The fees are deemed to be paid upon receipt of a document by the Office certifying payment of the prescribed amount.

DEKLARATSIOON

patendi taotlemise/kasuliku mudeli registreerimise taotlemise õiguse kohta

DECLARATION

concerning the right to apply for a patent/utility model registration

Taotleja, (nimi ja aadress vastavalt patendi saamise/kasuliku mudeli registreerimise avaldusele)
Applicant (name and address as on the request form for grant of a patent/utility model registration)

kes taotleb patendiga/kasuliku mudelina õiguskaitset Eesti Vabariigis leiutisele (leiutise nimetus)
who applies for a patent/utility model registration in the Republic of Estonia for (title of invention)

on saanud autorilt õiguse taotleda patenti/kasuliku mudeli registreerimist ja saada patendi/kasuliku mudeli omanikuks kui:
has got the right from the author to apply for a patent /utility model registration and to become a patentee/proprietor of a utility model as:

☐ leiutise autori õigusjärglane;
the successor in title of the author of the invention;

☐ isik vastavalt töölepingule;
person in pursuance with the contract of employment;

☐ isik vastavalt lepingule, välja arvatud töölepingule.
person in pursuance with the contract, excluding the contract of employment.

Allikiri/*Signature*:

Koht/*Place*:

Kuupäev/*Date*:

Deklaratsioonile kirjutab alla taotleja või patendivolinik.
Allkirja juures peavad olema loetavalt esitatud ees- ja perekonnanimed ning ametinimetus (juriidilise isiku korral). Andmeid ei ole vaja kinnitada
Declaration shall be undersigned by the applicant or patent attorney.
First names and surnames of undersigned persons and their position within the company (in the case of legal person) are to be written in full.
No legalization required.

PATENDIAMET/*THE ESTONIAN PATENT OFFICE*
Toompuiestee 7
15041 Tallinn Estonia
Tel.: 372 62 77 900
Fax: 372 64 51 342

VOLIKIRI
POWER OF ATTORNEY

Mina, (taotleja nimi ja aadress)
The undersigned (name and address of the applicant)

taotledes patendiga/kasuliku mudelina õiguskaitset Eesti Vabariigis leiutisele (leiutise nimetus)
who applies for a patent/utility model registration in the Republic of Estonia for (title of invention)

volitan (patendivoliniku nimi)
does hereby authorize (name of the patent attorney)

tegema minu kui taotleja nimel kõiki taotluse ja patendiga/kasuliku mudeli registreeringuga seotud toiminguid, kaasa arvatud taotluse tagasivõtmine.
to act on behalf of the applicant in all matters concerning the application as well as the patent/utility model registration, including withdrawal of the application.

Volikiri on antud edasivolitamise õiguseta.
The power of attorney is issued without the right to issue sub-powers of attorney.

Volikiri on kehtiv selle asendamiseni teise volikirjaga või kirjaliku tühistamiseni, millest on teatatud Patendiametile.
The power of attorney is valid until it is replaced by another power of attorney or is revoked in writing to the Estonian Patent Office.

Allkiri/*Signature*:

Koht/*Place*:

Kuupäev/*Date*:

Allkirja juures peavad olema loetavalt esitatud ees- ja perekonnanimed ning ametinimetus (juriidilise isiku korral). Andmeid ei ole vaja kinnitada.
First names and surnames of undersigned persons and their position within the company (in the case of legal person) are to be written in full. No legalization required.

PATENDIAMET/*THE ESTONIAN PATENT OFFICE*
Toompuiestee 7
15041 Tallinn Estonia
Tel.: 372 62 77 900
Fax: 372 64 51 342

EGYPTIAN PATENT OFFICE

AS

DESIGNATED (OR ELECTED) OFFICE

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Fees . . . . . Annex EG.I

List of abbreviations:

Office:	Egyptian Patent Office
Law:	Egyptian Law No. 82 of 2002 on the Protection of Intellectual Property Rights
Regulations:	Implementing Regulations of Law No. 82 of 2002 on the Protection of Intellectual Property Rights

SUMMARY Designated (or elected) Office SUMMARY

EG EGYPTIAN PATENT OFFICE EG

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Arabic
Required contents of the translation for entry into the national phase:[1]	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: Egyptian pound (EGP)

For patent:				
Filing fee:[1]	EGP	150	0[2]	
Annual fee for the second year:	EGP	20	10[3]	2[2]
Annual fee for the third year:	EGP	40	20[3]	4[2]
Examination fee:[1]	EGP	17,000	0[2]	
For utility model:				
Filing fee:[1]	EGP	100	0[2]	
Annual fee for the second year:	EGP	20	10[3]	2[2]
Annual fee for the third year:	EGP	40	20[3]	4[2]

Exemptions, reductions or refunds of the national fee:	Reductions of the national fee are indicated under "National fee" above.

[Continued on next page]

1 Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
2 Applicable in case of filing by students.
3 Applicable in case of filing by individuals.

SUMMARY Designated (or elected) Office SUMMARY

EG EGYPTIAN PATENT OFFICE EG

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[4]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[5] Translation of the international application to be furnished in three copies[6] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Instrument of assignment of the international application if the applicant has changed after the international filing date Appointment of an agent if the applicant is not resident in Egypt
Who can act as agent?	Any patent attorney or patent agent registered before the Office
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

4 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 of two months from the date of receipt of the invitation.

5 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

6 Must be furnished within six months from the date of the invitation by the Office.

THE PROCEDURE IN THE NATIONAL PHASE

EG.01 **FORMS FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase. This form should preferably be used.

PCT Art. 46

EG.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).

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

Law Art. 6, 7, 8

EG.04 **INVENTOR.** The indication of the name and nationality of the inventor is required and must be furnished, at the latest, at the time of entry into the national phase. Where the invention is part of the activities of the public or private establishment to which the inventor is attached, the employer shall have the choice either to exploit the invention or to acquire the patent against a fair compensation paid to the inventor, provided that the choice is made within three months from the date of notifying the grant of the patent. In all cases, the invention shall be attributed to the inventor.

Law Art. 16

EG.05 **REQUEST FOR EXAMINATION.** No special form is needed to request substantive examination, but substantive examination will not take place before full payment of the examination fee. The Office shall examine the patent application and its accompanying documents in order to ascertain that the invention is new, involves an inventive step, is industrially applicable and is in conformity with the provisions of the law.

Regulations Art. 52

EG.06 **POWER OF ATTORNEY.** An agent must be appointed by means of a separate power of attorney. If the applicant is not resident in Egypt, an Egyptian patent agent shall be appointed to whom all notifications, documentation and submissions shall be sent.

PCT Art. 28, 41
Regulations Art. 19, 20, 21

EG.07 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The Office may request the applicant by notification, by registered mail with an acknowledgement of receipt, to amend or complete the application to comply with the provisions of the Law and the Regulations. If the applicant fails to comply within three months from the notification, the application will be considered withdrawn. An appeal against the decision that the application has been considered withdrawn may be filed within 30 days from the notification of the decision before a special committee established to examine appeals against decisions made by the Office. The applicant may amend or correct the international application before the publication of acceptance of the application according to the provisions of the law, provided the scope of the subject matter is not thereby broadened.

Law Art. 11
Regulations Art. 34

EG.08 **ANNUAL FEES.** An annual fee shall be paid as of the second year until the expiration of the patent protection period (see Annex EG.I). The Office shall notify the person concerned 30 days before the due date for payment of the annual fee. If the applicant fails to pay by the due date, a surcharge shall be imposed, amounting to 7% of such fees. Failure to pay annual fees or surcharges for a period of one year from the due date shall cause the rights conferred by patents for inventions to lapse and the invention to fall into the public domain.

Law Art. 13
Regulations Art. 3.3

EG.09 **DECLARATION OF ORIGIN.** Where the application relates to an invention involving plant or animal biological material, traditional medicinal, agricultural, industrial or handicraft knowledge, or cultural or environmental heritage, it shall be accompanied by documentation proving that the inventor has accessed the source from which the material was obtained in a legitimate manner according to the provisions of national law.

Law Art. 13
Regulations Art. 3.4

EG.10 **DEPOSIT OF BIOLOGICAL MATERIAL.** Where the invention involves biological material, the applicant shall disclose such biological material according to conventional scientific rules, including all necessary information for the identification of the nature, characteristics and uses of such biological material, shall deposit a live culture thereof with a laboratory authorized by decision of the competent minister for scientific research affairs, and shall furnish a certificate to the effect that such deposit was made.

Law Art. 13
Regulations Art. 3.1

EG.11 **INFORMATION ON EARLIER APPLICATIONS.** The applicant shall, in all cases, provide full data and information on any applications relating to the same invention or its subject matter that he previously filed abroad, including any decisions concerning the status of such applications.

Regulations Art. 14 to 17

EG.12 **SAMPLES.** Depending on the kind of invention, the Office may request that the applicant furnish samples.

PCT Art. 25
PCT Rule 51

EG.13 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 24(2) 48(2)

EG.14 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

Law Art. 36 37

EG.15 **APPEALS.** A committee established by a decision of the competent minister is empowered to examine appeals against decisions made by the Office in the application of the provisions of the Law. The decision of the committee may be subject to an appeal by the Office or any interested party before the Administrative Tribunal within 60 days from the date of notification of the decision.

Law Art. 27

EG.16 **TRIBUNAL.** The Administrative Tribunal shall be competent to consider claims relating to patent decisions.

Law Art. 29 30 31

EG.17 **UTILITY MODEL.** The applicant chooses, upon entry into the national phase, whether to apply for a utility model or for a patent. The choice is made by checking the appropriate box on the national phase entry form.

Law Art. 29

EG.18 **CONVERSION.** If the Office finds that an invention is novel but lacks inventive step, it must ask the applicant whether the latter wishes to convert the application for a patent to one for a utility model. If the Office finds that an application for a utility model possesses inventive step, it may convert the application to one for a patent.

FEES

(Currency: Egyptian pound)

Filing fee for a patent application	150[1]
Filing fee for a utility model	100[1]
Substantive examination fee	17,000[1]
Access to or obtaining a true copy of a patent application	100
Appeal fee	250
Request for objecting the grant of a patent.	500

	Patent[2]	Utility model[2]
Annual fees:		
— for the 2nd year	20	20
— for the 3rd year	40	40
— for the 4th year	80	80
— for the 5th year	100	100
— for the 6th year	150	150
— for the 7th year	200	200
— for the 8th year	250	250
— for the 9th year	300	—
— for the 10th year	350	—
— for the 11th year	400	—
— for the 12th year.	500	—
— for the 13th year	600	—
— for the 14th year	700	—
— for the 15th year	800	—
— for the 16th year	900	—
— for the 17th year	1,000	—
— for the 18th year	1,000	—
— for the 19th year	1,000	—
— for the 20th year	1,000	—

A surcharge of 7% shall be due for each year of delay.

Fee for restoration of the right of priority:

— individuals and research institutes	800
— companies with less than 10 employees	1,000
— companies with over 10 employees	1,500

How can payment of fees be effected?

The payment of fees must be effected in Egyptian pounds in cash or by check.

[1] Students are exempted from paying this fee.

[2] The annual fee shall be reduced to 10% for students and it shall be reduced to 50% for individuals or establishments with a maximum staff of 10 persons.

EUROPEAN PATENT OFFICE (EPO)

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Authorisation (EPO Form 1003) . . . . . Annex EP.IV
General Authorisation (EPO Form 1004) . . . . . Annex EP.V

List of abbreviations:

EPC: Convention on the Grant of European Patents (European Patent Convention)

Rfees: Rules relating to Fees (of the European Patent Office)

OJ EPO: Official Journal of the European Patent Office

Euro-PCT Guide (www.epo.org/applying/international.html)

SUMMARY Designated (or elected) Office SUMMARY

EP EUROPEAN PATENT OFFICE (EPO) EP

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:	English, French or German
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, if the applicant wishes the amendments to form the basis for the proceedings, together with any statement under PCT Article 19[1]), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary report on patentability (Chapter II) and claims amended under PCT Article 19, if the applicant wishes these amendments to form the basis for the proceedings, together with any statement under PCT Article 19[1]), abstract
Is a copy of the international application required?	No
National fee:	Currency: Euro (EUR) Filing fee:[2, 3] – for online filings: EUR 125 – for non-online filings: EUR 260 Additional fee for pages in excess of 35 for the 36th and each subsequent page: EUR 16 Designation fee for one or more EPO Contracting States designated:[4] EUR 610 Extension fee for each extension State (extension of the European patent to Bosnia and Herzegovina or Montenegro):[4] EUR 102

[Continued on next page]

[1] Where the applicant furnishes only one translation of the international application, or any part of it, either as originally filed or as amended, the Office will invite the applicant to furnish the missing translation within a reasonable time limit. If the translation of the amended part or of the international application as initially filed is missing and is not furnished, the international application will be considered withdrawn. However, it should be noted that, if the translation of the claims as amended under PCT Article 19(1) is not furnished in due time, only those claims will be disregarded (PCT Rule 49.5(c-*bis*)) and the international application will not be considered withdrawn.

[2] Must be paid within 31 months from the priority date. For claims fees see also paragraph EP.08 of National Chapter EP.

[3] See the Decision of the EPO's Administrative Council dated 12 December 2018 (CA/D 11/18), OJ EPO 2019, A3 and the corresponding Notice of the EPO, OJ EPO 2019, A6.

[4] The designation, extension and validation fees are payable within 31 months from the priority date or six months after the date of publication of the international search report, whichever expires later.

SUMMARY Designated (or elected) Office SUMMARY

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[Continued]

National fee (*cont'd*):	Fee for validation of the European patent in:	
	– Cambodia:[5, 6]	EUR 180
	– Morocco:[5, 7]	EUR 240
	– Republic of Moldova:[5, 8]	EUR 200
	– Tunisia:[5, 9]	EUR 180
	Claims fee:[10]	
	– for the 16th and each subsequent claim up to the limit of 50:	EUR 245
	– for the 51st and each subsequent claim:	EUR 610
	Search fee:[10]	
	– for (international) applications filed before 1 July 2005:	EUR 920
	– for (international) applications filed on or after 1 July 2005:	EUR 1,350
	Fee for further processing:	
	– in the event of late payment of a fee:	50% of the relevant fee
	– other cases:	EUR 265
	Fee for late furnishing of a sequence listing:	EUR 240
	Examination fee:[11]	
	– for (international) applications filed before 1 July 2005:	EUR 1,900
	– for (international) applications filed on or after 1 July 2005 for which no supplementary European search report is drawn up:	EUR 1,900
	– for all other (international) applications filed on or after 1 July 2005:	EUR 1,700
	Renewal fee for the third year:[12]	EUR 490

[Continued on next page]

5 See footnote 4.

6 Validation of the European patent in Cambodia is only available for international applications filed on or after 1 March 2018. See OJ EPO 2/2018, A16. (It should be noted that under the Law on Patents in force in Cambodia, pharmaceutical products are excluded from patent protection).

7 Validation of the European patent in Morocco is only available for international applications filed on or after 1 March 2015. See OJ EPO 2/2015, A18-A20.

8 Validation of the European patent in the Republic of Moldova is only available for international applications filed on or after 1 November 2015. See OJ EPO 10/2015, A85.

9 Validation of the European patent in Tunisia is only available for international applications filed on or after 1 December 2017. See OJ EPO 10/2017, A85.

10 See footnote 2.

11 A request for examination must be made and the examination fee must be paid within the time limit applicable under PCT Article 22 or 39(1) and EPC Rule 159(1) or six months after the date of publication of the international search report, whichever expires later.

12 This fee is due before the expiration of the month containing the second anniversary (24 months) of the international filing date; it is due within 31 months from the priority date if that 31-month time limit expires later.

SUMMARY Designated (or elected) Office SUMMARY

EP EUROPEAN PATENT OFFICE (EPO) EP

[Continued]

Exemptions, reductions or refunds of fees:[13]	No search fee is payable – where the international search report has been established by the EPO; – where the international application has been filed before 1 July 2005 and the international search report has been established by the Austrian Patent Office, the Spanish Patent and Trademark Office or the Swedish Patent and Registration Office; – where the international application has been filed between 1 April 2005 and 30 June 2005 and the international search report has been established by the Finnish Patent and Registration Office (PRH). The search fee is reduced – by EUR 1,150[14] for international applications for which the international search report or a supplementary international search report has been established by the Austrian Patent Office, or in accordance with the Protocol on Centralisation by the Finnish Patent and Registration Office (PRH), the Nordic Patent Institute, the Spanish Patent and Trademark Office, the Swedish Patent and Registration Office, the Turkish Patent and Trademark Office (Turkpatent) or the Visegrad Patent Institute. The search fee is refunded fully or in part where the supplementary European search report is based on an earlier search report prepared by the Office. The examination fee is reduced by 75% where the international preliminary report on patentability (Chapter II) has been established by the EPO.[15] Furthermore, in certain cases the examination fee is reduced by 30% for language reasons.[15]
Special requirements of the Office (PCT Rule 51*bis*):[16]	Name, country and place of residence of the inventor if they have not been furnished in the "Request" part of the international application or in a declaration in accordance with PCT Rule 4.17(i) Address, nationality and residence of the applicant if they have not been furnished in the "Request" part of the international application Appointment of an agent if the applicant has neither a residence nor his principal place of business within the territory of one of the Contracting States of the European Patent Convention Furnishing of a nucleotide and/or amino acid sequence listing in electronic form if it is not otherwise available to the EPO

[Continued on next page]

[13] See OJ EPO 2018, A4, OJ EPO 2018, A26 and OJ EPO 2019, A3.

[14] See the Decisions of the EPO's Administrative Council dated 12 December 2019 (CA/D 12/19), OJ EPO 2020, A3.

[15] See also paragraph EP.14 of National Chapter EP, OJ EPO 2/2014, A23 and OJ EPO 2018, A4.

[16] If not already complied with within the time limit applicable under PCT Article 22 or 39(1) (31 months from the priority date), the Office will invite the applicant to comply with the requirement within two months. In respect of nucleotide and/or amino acid sequence listings, see also OJ EPO 6/2011, page 372 and OJ EPO 11/2013, page 542.

SUMMARY Designated (or elected) Office SUMMARY

EP EUROPEAN PATENT OFFICE (EPO) EP

[Continued]

Who can act as agent?	Any professional representative entered on the relevant list maintained by the EPO (the directory of professional representatives can be consulted on the EPO website)[17] Any legal practitioner qualified to practice in patent matters in one of the States party to the European Patent Convention and who has his place of business in that State
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

[17] See www.epo.org/applying/online-services/representatives.html

THE PROCEDURE IN THE NATIONAL PHASE

Detailed information on the procedure before the EPO as designated Office and as elected Office can also be found in Chapter 5 of the "Euro-PCT Guide" ("PCT procedure before the EPO"), available on the EPO website www.epo.org/applying/international.html

Euro-PCT Guide, 5.1.016 *et seq.*

EP.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The EPO has available a special form for entering the national phase (EPO Form 1200–see Annex EP.II).

The EPO strongly recommends that applicants use the latest version of this form which contains detailed explanatory notes. The form is also available on the EPO's website: www.epo.org/applying/forms-fees/forms.html. The form may be filed electronically (using EPO Online Filing (OLF), the EPO case management system (CMS), Online Filing 2.0 or the EPO Web-Form Filing service (see OJ EPO 2021, A20).

EPC Art. 14
153(4)
Euro-PCT Guide, 5.1.014
5.1.015

EP.02 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is one of the EPO official languages (English, French or German). If the international application has been published in one of those languages, this language is the language of proceedings; if not, the language of the translation which must be submitted upon entry into the European phase will be the language of the proceedings (see paragraph EP.03). The language of proceedings cannot be changed subsequently.

EPC Rule 3(1), 3(2)
Euro-PCT Guide, 5.5.004

In written proceedings, the applicant may use any official language of the EPO. However, amendments (see paragraph EP.18) to the application itself must be filed in the language of the proceedings.

EPC Art. 153(4)
EPC Rule 159(1)(a)
Euro-PCT Guide, 5.5.001, 5.5.010 *et seq.*
PCT Art. 19(1)
PCT Rules 49.3
70.16
74(1)

EP.03 **TRANSLATION OF THE APPLICATION.** If the Euro-PCT application was not published by the International Bureau in an official language of the EPO (English, French, German), the applicant must, within the 31-month time limit, submit to the EPO a translation of the application into one of the official languages (Form 1200, Section 7). In addition to those elements of the translation which must be furnished within the time limit of 31 months from the priority date (the description, the claims and any text in the drawings as originally filed and the abstract as published), the following elements should also be included:

if the EPO acts as **designated** Office:

– any amendments made to the claims under PCT Article 19 in the form of a translation of the complete set of claims furnished in replacement of all claims originally filed only if the applicant wishes such amendments to form the basis of further proceedings. The amendments must be submitted together with, if submitted to the International Bureau, the statement under PCT Article 19(1) explaining the amendments and, in every case, the accompanying letter under PCT Rule 46.5(b) in an official language of the EPO. If a translation of the complete set of claims submitted under PCT Article 19 is not furnished or not accompanied by a translation of, if submitted to the International Bureau, the statement under PCT Article 19(1) and, in every case, the accompanying letter under PCT Rule 46.5(b), the amendments under PCT Article 19 will be disregarded for the further proceedings. If only the statement under PCT Article 19(1) is not available in an official language, only that document will be disregarded;

– any indication under PCT Rule 13*bis*.3 and 13*bis*.4, i.e., separately furnished reference to deposited biological material;

– any nucleotide and amino acid sequence listing under PCT Rule 5.2(a), unless the text in the sequence listing is available to the EPO in English;

– any request for rectification referred to in PCT Rule 91.3(d) as published in accordance with PCT Rule 48.2(a)(vii).

if the EPO acts as **elected** Office:

– translation of any annexes to the international preliminary report on patentability (Chapter II), i.e. regardless of whether protection is sought for the same version of the application documents as was the subject of that report. If any amendments under PCT Article 19 are annexed to the IPRP (Chapter II), a translation of those amendments must also always be filed.

If the applicant wishes the amendments to the claims made before the IB under PCT Article 19 to form the basis of the procedure before the EPO as elected Office, and these amendments are not annexed to the IPRP (Chapter II) (for instance because they were considered reversed by an amendment under PCT Article 34), then these amendments must also be furnished in translated form, as otherwise they will be disregarded for the further proceedings. Any statement under PCT Article 19(1) and, in every case, the letter under Rule PCT 46.5(b) must also be furnished in an official language of the EPO. If only the statement under PCT Article 19(1) is not available in an official language, only that document will be disregarded.

If the translation of all annexes to the IPRP (Chapter II) is not filed in due time, the applicant is invited to furnish the missing translation within two months of notification of a communication. If the applicant fails to comply, the Euro-PCT application is deemed to be withdrawn. The applicant may request further processing (or re-establishment of rights under PCT Rule 49.6 if the application is deemed withdrawn because the translation was not filed in due time. However, the fee is higher and stricter requirements apply. Therefore, this remedy has only advantages if the period for requesting further processing has already expired).

EP.04 **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).

RFees Art. 5

EP.05 **FEES (METHOD OF PAYMENT).** The method of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex EP.I. Payments via a deposit account held with the EPO are only accepted if made online, i.e. in an electronically processable format (XML), using, e.g. the electronic EPO filing forms or the Online Fee Payment in Online services. This also applies to automatic debit orders. Furthermore, any refund instructions to a deposit account must also be filed in an electronic processable format. For more details, see Extract from the Arrangements for deposit accounts (ADA) and their annexes in Annex EP.I and the Supplementary publication 4 to OJ EPO 2019.

PCT Art. 22(1), 39(1)
EPC Art. 78(2)
EPC Rule 159(1)(c)
165
RFees Art. 2(1).1
OJ EPO 2009, 118
Euro-PCT Guide, 5.7.001 *et seq.* 5.17.001

EP.05a **FILING FEE.** Within the 31-month time limit the European filing fee must be paid. This fee is composed of a basic fee and an additional fee which is due for the 36th and each subsequent page of the application. The additional fee is referred to as the "page fee". The basic fee is reduced where EPO Form 1200 is filed via EPO Online Filing, the EPO case management system or the EPO Web-Form Filing service. If the basic filing fee and/or, where applicable, the page fee, is not paid in full in due time, the application will be deemed withdrawn. In addition, the Euro-PCT application will not be considered as comprised in the state of the art under EPC Article 54(3).

EPC Rule 38(2)
RFees Art. 2(1).1a
OJ EPO 2009, 338
Euro-PCT Guide, 5.7.004 *et seq.*

EP.05b **PAGE FEE.** As a general rule, the page fee is based on the international application as published, regardless of the language of publication. The pages of the description, claims and drawings are counted, plus one page in total for any pages with the bibliographic data and the abstract. Amended claims under PCT Article 19 and/or PCT Article 34 are also considered part of the international publication and must be taken into account unless the applicant has indicated that the procedure in the European phase is not to be based on them. If (parts of) the description and/or claims are amended on entry into the European phase, the amended pages of the description and the amended set of claims replace the equivalent pages of the international application as published and, consequently, form then the basis for calculating the page fee.

However, the calculation of the page fee cannot be based on pages of the description or of the claims drafted partly in an official language of the EPO and partly in another language. Thus, special rules for calculating the page fee apply if the international application was not published in one of the official languages of the EPO **and** amendments are filed upon entry into the European phase. Detailed information regarding the correct calculation of the page fee in such case is provided in OJ EPO 2009, 338 and in the Guidelines for Examination in the EPO, A-III, 13.2. Completion of section 6 of EPO Form 1200 and the related table serves applicants to clearly indicate to the EPO the documents on which the further proceedings are to be based and to correctly compute the page fee.

Pages with amendments filed after expiry of the 31-month time limit are not taken into account in calculating the page fee. Furthermore, page fees will not be refunded if the number of pages is reduced during the proceedings before the EPO.

EPC Art. 79(2)
EPC Rules 39(1)
159(1)(d)

EP.06 **EUROPEAN DESIGNATION FEE.** A (flat) designation fee must be paid within six months from the publication by the International Bureau of the international search report

160
RFees Art. 2 No. 3
Euro-PCT Guide, 5.8.001 *et seq.*

or before the expiration of the time limit applicable under PCT Articles 22(3) and 39(1)(b) and EPC Rule 159 (31 months from the filing date or, if priority has been claimed, the earliest priority date), whichever time limit expires later. If the designation fee is not paid in due time, the Euro-PCT application will be deemed withdrawn.

Euro-PCT Guide, 5.8.009 *et seq.*
OJ EPO 2009, 603
OJ EPO 2015, A18-20
A84
A85
OJ EPO 2016, A5
A67
OJ EPO 2017, A85
OJ EPO 2018, A16

EP.07 **EXTENSION/VALIDATION.** International applications entering into the national phase at the EPO (European phase) can be extended to or validated in certain States which have concluded an Extension or Validation Agreement to that effect with the European Patent Organisation (they are indicated in the Summary), provided the Extension/Validation Agreement with the EPO was in force at the international filing date, the State concerned was designated for a national patent in the international application and the respective extension/validation fees have been paid, the amount of which is indicated in Annex EP.I. For payment of the extension/validation fee, the provisions for payment of the European designation fees apply *mutatis mutandis*. The request for extension/validation for a state is deemed withdrawn if the extension/validation fee is not paid to the EPO within the time limit laid down in the EPC for the payment of the designation fee (EPC Rule 159(1)(d) and EPC Rule 39(1), see paragraph EP.06). If the designation fee was paid but none of the extension/validation fees, no communication pointing out the failure to observe the time limit for payment of the extension/validation fees is issued. However, the applicant may still pay an extension/validation fee after expiry of the (basic) time limit for payment of the designation fee and the extension/validation fees with a 50% surcharge within a grace period of two months as from expiry of the basic time limit. Furthermore, where in the absence of payment of the designation fee in due time further processing can be requested in respect of the designation fee, the applicant may within two months from notification of the communication of the loss of rights also pay the extension/validation fee(s) with a 50% surcharge (see Guidelines for Examination in the EPO, A-III, 12.2). When an extension State accedes to the EPC, the Extension Agreement remains applicable to international applications filed prior to the date of accession.

EPC Rule 162
Euro-PCT Guide, 5.11.004 *et seq.*

EP.08 **CLAIMS FEES.** If the application documents on which the European grant procedure is to be based contain more than fifteen claims, a claims fee is payable within the 31-month period in respect of the sixteenth and each subsequent claim. A higher claims fee is payable in respect of the 51st and each subsequent claim. The claims fees must be calculated on the basis of the number of claims specified to form the basis for the further proceedings on entry into the national phase (that is, where amendments have been filed, the claims as amended under PCT Article 19 or 34(2) or the claims as submitted by the applicant under PCT Article 28 or 41 upon entering the national phase), unless the applicant uses the opportunity to amend the claims in response to the communication pursuant to EPC Rules 161 and 162 referred to in paragraph EP.18, the claims thus amended being then used as the basis for calculation of the claims fee and for the further proceedings. Where the applicant fails to pay the correct amount of the claims fees within the 31-month time limit, the EPO will invite him to pay the missing amount within the non-extendable six-month time limit set in the communication under EPC Rules 161 and 162. Where the number of claims changes as a consequence of a later (further) amendment filed in response to the communication pursuant to Rules 161 and 162, that number is to be used as the basis for calculating the amount of the claims fees to be paid. Where a claim fee is not paid in due time, a noting of loss of rights (EPC Rule 112(1)) is issued, giving the applicant the opportunity to request further processing (EPC Article 121) by paying the missing claims fee(s) together with the applicable fee for further processing within a period of two months from notification of the communication. If not paid within that period, the claim(s) concerned shall be deemed to be abandoned. Features of a claim deemed to have been abandoned and which are not otherwise to be found in the description or drawings cannot subsequently be reintroduced into the application and, in particular, the claims.

EPC Rule 163(1), (6)
Euro-PCT Guide, 5.12.001 *et seq.*
OJ EPO 2021, A3

EP.09 **DESIGNATION OF THE INVENTOR.** A designation of inventor must only be filed upon entry into the European phase if within the 31-month time limit the inventor has not been designated or certain information, e.g. the country or place of residence, is missing. If not filed upon entry, the EPO will invite the applicant to file the missing information within two months from the notification of a communication under Rule 163(1) or (4) EPC. If the missing information is not furnished within the two-month time limit, the application is refused. For further details, see the form for such designation in Annex EP.III. Legalization is not required.

EPC Art. 133, 134
EPC Rules 152, 163(5), (6)
OJ EPO 2007, Special Edition No. 3, page 128 *et seq.*
Euro-PCT Guide, 5.3.005 *et seq.*

EP.10 **APPOINTMENT OF AN AGENT AND POWER OF ATTORNEY.** Natural and legal persons having either their residence or their principal place of business within the territory of one of the EPC contracting states may act on their own behalf in proceedings before the EPO (EPC Article 133(1)). Natural and legal persons not having either a residence or their principal place of business within the territory of one of the EPC contracting states must be represented by a professional representative and act through him in all proceedings established by the EPC (see the Summary, "Who can act as agent?"). In case of failure to appoint the required professional representative, the applicant will be invited by the EPO to do so within two months. If the deficiency is not corrected in due time, the application is refused. Nevertheless, the applicant may act on his own behalf within the 31-month time limit applicable under PCT Articles 22(3) and 39(1)(b) and EPC Rule 159(1). Under no circumstances, however, may the applicant act through his agent appointed during the international phase if the latter is not an agent entitled to practice before the EPO. Payments can be made by anybody. A power of attorney ("Authorisation" or "General Authorisation", see samples given in Annexes EP.IV and EP.V, respectively), generally, need not be filed by an agent who is a professional representative entered on the list maintained by the EPO. It is, however, necessary that he informs the EPO of his appointment. This applies even if the professional representative was appointed for the international phase, unless he was at the same time also explicitly appointed for the European phase before the EPO acting as Receiving Office. Legal practitioners entitled to practice before the EPO and employees representing an applicant under EPC Article 133(3) who are not professional representatives must always file a signed authorization or a reference to a general authorization already on file (for details, see the Decision of the President of the EPO dated 12 July 2007 on the filing of authorizations, OJ EPO 2007, Special edition No. 3, 128 *et seq.*). Only where the EPO acted as receiving Office and the authorization expressly empowered the legal practitioner or employee to act before the EPO in the national phase, is a new authorization not required. In the cases where a power of attorney is required, the EPO will invite the applicant or agent to file it within a period to be specified. If the authorization is not filed in due time, any procedural steps taken by the agent will be deemed not to have been taken.

EPC Art. 86(1) and (2)
EPC Rules 51, 159(1)(g)
RFees Art. 2 No. 4, 5
Euro-PCT Guide, 5.11.001 *et seq.*
OJ EPO 2018, A2

EP.11 **RENEWAL FEES.** They are payable for the third and each subsequent year following the international filing date. Payment must be made before the expiration of the month containing the anniversary of the international filing date. Payment can then still be made, together with a 50% surcharge for late payment, before the expiration of the sixth month after the month containing the anniversary of the international filing date. It is to be noted that a renewal fee which is due within the 31-month time limit applicable under PCT Articles 22(3) and 39(1)(b) can be paid without surcharge up to the expiration of the 31-month time limit. The renewal fee can still validly be paid within six months after the expiration of the 31-month time limit, subject to the payment of the 50% surcharge. If the renewal fee is not paid within the six-month period, the application is deemed to be withdrawn. The failure to meet the time limit for paying the renewal fee with surcharge may be remedied by filing a request for re-establishment of rights (EPC Article 122, EPC Rule 136). The amounts of the renewal fees are indicated in Annex EP.I. For the calculation of aggregate time limits, see OJ EPO 1993, 229, point II-3. The renewal fee in respect of the third year may not be validly paid more than six months before it falls due. All other renewal fees may not be validly paid more than three months before they fall due.

EPC Art. 94
Euro-PCT Guide, 5.10.001-5.10.003

EP.12 **REQUEST FOR EXAMINATION.** A European patent will be granted only if the substantive examination of the application shows it to meet the requirements of the EPC. Examination will only start upon explicit request. The request may be made by using the form referred to in paragraph EP.01 (see pre-crossed box 4.1 of EPO Form 1200, Annex EP.II). The request for examination is not deemed to be filed until after the examination fee has been paid.

EPC Rules 70(1), 159(1)(f), 160(1)
Euro-PCT Guide, 5.10.004-5.10.007 and 5.10.011 *et seq.*

EP.13 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within six months from the publication by the International Bureau of the international search report or before the expiration of the time limit applicable under PCT Articles 22(3) and 39(1)(b) and EPC Rule 159(1) (31 months from the filing date or, if priority has been claimed, from the earliest priority date), whichever time limit expires later. If the request for examination is not filed or the examination fee (see paragraph EP.14) not paid in due time, the Euro-PCT application is deemed to be withdrawn.

EPC Art. 94(1)

EP.14 **FEE FOR EXAMINATION.** The request for examination is only effective if the

RFees Art. 14(2)
OJ EPO 2018, A4

examination fee has been paid. That fee must therefore be paid within the time limits set out in paragraph EP.13. The amount of the said fee is indicated in Annex EP.I.

Euro-PCT Guide, 5.10.009

(i) It is reduced by 75% where an international preliminary report on patentability (Chapter II) has been established by the EPO. If the report was established on certain parts of the international application, the reduction is allowed only if examination is to be performed on subject matter covered by the report.

EPC Art. 14(2)
EPC Rule 6(3)-(6)
RFees Art. 14(1)
Euro-PCT Guide, 5.10.008
OJ EPO 2014, A4, A23

(ii) Furthermore, a 30% reduction in the examination fee is available to SMEs, natural persons, non-profit organizations, universities or public research organizations having their residence or principal place of business in a EPC contracting state with an official language other than English, French or German if they file the request for examination in an official language of that state ("admissible non-EPO language") and declare themselves to be entitled to do so (EPC Rule 6(6)). Since the request for examination is only effective if the examination fee has been paid, the request for examination in an admissible non-EPO language may still be filed up until the examination fee is paid. If the request for examination in an admissible non-EPO language is filed subsequently, it must be accompanied by a translation of the request for examination in the procedural language. (See Annex EP.II, EPO Form 1200, page 2, box 4).

RFees Art. 11
Euro-PCT Guide, 5.10.010
OJ EPO 2013, 153

(iii) If the conditions for both reductions are fulfilled, the examination fee is first reduced by 75%. The 30% reduction is applied to the resulting total and not to the full fee. Therefore, the total reduction in relation to the full fee is 82.50%.

RFees Art. 11(a), (b)
Euro-PCT Guide, 5.9.014-5.9.015
OJ EPO 2016, A48, A49

The examination fee is refunded in full if the application is withdrawn, refused or deemed to be withdrawn before substantive examination has begun. Fifty percent of the examination fee is refunded if the application is withdrawn, refused or deemed to be withdrawn after the examining division has begun but before expiry of the time limit for replying to the first invitation under Article 94(3) EPC issued by the examining division, or if no such invitation has been issued, before the date of the communication under Rule 71(3) EPC.

EPC Art. 121
EPC Rules 135
160
Euro-PCT Guide, 5.19

EP.15 **CONSEQUENCES OF NON-FULFILMENT OF CERTAIN REQUIREMENTS.** EPC Rule 160 provides that if either the translation of the international application or the request for examination is not filed in due time or if the filing fee, including any additional fee for pages exceeding 35, the search fee, the examination fee or the designation fee is not paid in due time, the European patent application is deemed withdrawn. In these circumstances, the applicant will be informed of the deemed withdrawal and EPC Rule 112(2) shall apply. However, the loss of rights shall be deemed not to have occurred if, within two months of the EPO notification, further processing is requested by payment of the respective fee(s) for further processing and the omitted act is completed.

If the applicant neither filed the request for examination nor paid the examination fee in due time, further processing must be requested in respect of both omissions, i.e. in respect of filing the request for examination and payment of the examination fee. It follows that the applicant must file the request for examination and pay the examination fee together with two fees for further processing: a flat fee for further processing in respect of the request for examination and 50% of the examination fee.

EPC Art. 153(7)
EPC Rules 70(2)
70a(2)
161
Euro-PCT Guide, 5.9.001 *et seq.*

EP.16a **SUPPLEMENTARY EUROPEAN SEARCH.** As a rule, a supplementary European search must be performed for each international application entering the European phase and a search fee must be paid.

The supplementary European search will be based on the last set of (amended) claims available to the EPO on the date of expiry of the time limit set under EPC Rule 161(2). Thus, any amendment to the claims which has been filed up to that date will be taken into account (see paragraph EP.18).

OJ EPO 2015, A94

Where the request for examination was filed before transmittal of the supplementary European search report, which is usually the case, the EPO invites the applicant, after transmittal of the supplementary European search report, to indicate whether he wishes to proceed further with the application before the EPO. The applicant may waive the right to receive such communication by informing the EPO thereof in due time.

– If the applicant does not wish to proceed further, he may withdraw the application or he may simply refrain from answering the invitation within the time limit fixed in it and the application is deemed to be withdrawn. If the applicant wishes to proceed further, he must notify the EPO accordingly. He may, at the same time, respond to the supplementary European

search report by filing amendments and/or comments on his application. The applicant is required to reply to a search opinion within the time limit set by the EPO in its communication under EPC Rule 70a(2) if the EPO has issued a negative written opinion (see Guidelines for Examination in the EPO, B-XI, 8 and EP.18).

No supplementary European search performed:

Euro-PCT Guide, 5.9.007 *et seq.*

Dispensation applies and no search fee is to be paid if the international search report (or supplementary international search report)[1] was established by the EPO. In this case the applicant will be invited to comment on the written opinion of the ISA or on the IPRP (Chapter II), or on the supplementary international search report and to correct, if appropriate, any deficiencies noted therein and to amend the application within six months[2] from notification of the invitation (EPC Rule 161(1)); see Guidelines for Examination in the EPO, E-IX, 3.2 for more details.

Euro-PCT Guide, 5.9.016-5.9.017

EP.16b **SEARCH FEE.** If a supplementary European search report is to be established, the search fee must be paid within the 31-month time limit, and may be reduced as follows:

OJ EPO 2020, A3

by EUR 1,150 where the international search report was drawn up by the Austrian Patent Office, the Finnish Patent and Registration Office, the Nordic Patent Institute, the Spanish Patent and Trademark Office, the Swedish Patent and Registration Office, the Turkish Patent and Trademark Office (Turkpatent) or the Visegrad Patent Institute. This reduction also applies when a supplementary international search was established by the Austrian Patent Office, the Finnish Patent and Registration Office, the Nordic Patent Institute, the Swedish Patent and Registration Office, the Turkish Patent and Trademark Office (Turkpatent) or the Visegrad Patent Institute.

OJ EPO 2019, A4
Euro-PCT Guide, 5.9.018

If the application claims the priority of an earlier application for which a search was carried out by the EPO, (a part of) the fee paid for the supplementary European search may be refunded. The level of any refund depends on the type of the earlier search and the extent to which the EPO benefits from the earlier search report when carrying out the supplementary search.

EPC Rules 30 163(3)
Euro-PCT Guide, 5.6.006 *et seq.*
OJ EPO 11/2013, 542

EP.17 **NUCLEOTIDE AND AMINO ACID SEQUENCES**. If a Standard-compliant sequence listing in TXT format is contained in the international application under PCT Rule 5.2, furnished to the EPO acting as ISA/SISA or IPEA under PCT Rule 13*ter*.1(a) or made accessible to the EPO by other means, the applicant does not have to submit the Standard-compliant sequence listing again in TXT format on entry into the regional phase before the EPO as designated or elected Office.

Where, however, a Standard-compliant sequence listing in TXT format is not available to the EPO on the expiry of the period under Rule 159(1) EPC, the applicant will be invited to file a Standard-compliant sequence listing in TXT format within a non-extendable period of two months from the invitation and to pay the late furnishing fee. Furthermore, the applicant must enclose, together with the late filed sequence listing in TXT format, a declaration to the effect that the sequence listing does not extend beyond the content of the application as originally filed (see EPO Form 1200, Section 9.2). The filing of the sequence listing on paper / in PDF format is not required. However, if the sequence listing is also filed on paper / in PDF format, the applicant has to submit a statement that the sequence listing in electronic form and on paper or in PDF format are identical. EPC Rule 30(2) and (3) and Article 1 of the Decision of the President of the European Patent Office dated 28 April 2011 on the filing of sequence listings (OJ EPO 6/2011, 372) are to be applied accordingly (see EPC Rule 163(3) in conjunction with Article 5 of the above-mentioned decision of the President).

If any deficiencies are not remedied in due time after such an invitation – this also applies to the payment of the late furnishing fee – the application will be refused (EPC Rule 30(3)). The applicant may request further processing of the application under EPC Article 121 EPC (see also Notice from the European Patent Office dated 18 October 2013 concerning the filing of sequence listings, OJ EPO 11/2013, 542 *et seq.*).

EPC Rule 161(1), (2)
OJ EPO 2010, 634
Euro-PCT Guide, 5.4.011 *et seq.*

EP.18 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** For the purpose of the procedure before the EPO as designated/elected Office the applicant may always file (voluntary) amendments within the 31-month time limit, and if he subsequently changes his

[1] Applicable as from 1 July 2010 (see OJ EPO 12/2009, 594).

[2] Applicable as from 1 May 2011 (see OJ EPO 12/2010, 634).

mind he may file (further) amendments until expiry of the time limit set in the combined communication under EPC Rules 161 and 162. The applicant may also be required to file (mandatory) amendments to and/or comments on the application within the time limit set in the communication under EPC Rules 161 and 162. Whether or not a response is mandatory is clearly stated in the communication, its wording thus differing depending on the case (EPO Forms 1226AA, 1226BB or 1226CC).

The communication under EPC Rules 161 and 162 is issued for each application promptly once the application has entered the European phase and on condition that the ISR is available to the EPO. This means that it is also issued if the applicant has already filed, with Form 1200 or thereafter, amendments and/or comments to form the basis for the procedure in the European phase. Pursuant to EPC Rules 161 and 162 the time limit set in the communication is six months. This time limit cannot be extended.

OJ EPO 2015, A94

In order to accelerate the grant procedure the applicant can waive his right to the Rule 161/162 communication by crossing the box in Section 12.2, first checkbox, of EPO Form 1200. The waiver will only be effective if any claims fees due for the set of claims indicated as the basis for the procedure in the European phase have been paid and any mandatory substantive response to the WO-ISA / the IPRP (Chapter II) / the SISR, established by the EPO, was filed on entry into the European phase.

EPC Rule 70a(2) 70a(3) 137(3)

After expiry of the six-month time limit further possibilities for amending the application are limited. If no supplementary European search is carried out, it is at the discretion of the examining division to allow amendments. If a supplementary European search is carried out, the applicant always has one further opportunity to submit amendments upon receipt of the report. Thus, after issuance of the supplementary European search report the applicant may, first of all, comment on both the report and the search opinion and file (voluntary) amendments to the description, claims and drawings within the period specified in the communication under EPC Rule 70a(2) for indicating whether he wishes to proceed further with the application. Secondly, if any deficiencies are noted in the search opinion, the applicant will be required under EPC Rule 70a(2) to respond to the objections made. The application will be deemed withdrawn if the applicant does not submit a substantive reply to the communication under EPC Rule 70a(2) ("mandatory response"). The loss of rights can be remedied by requesting further processing. Amendments made thereafter require the consent of the examining division.

EPC Art. 123(2)

Amendments may under no circumstances go beyond the disclosure in the international application as filed.

EPC Rule 137(4)

Whenever amendments are filed, the applicant must identify them and indicate their basis in the application as filed. If he fails to do so, the examining division may issue a communication requesting correction of the omission within a non-extendable time limit of one month. If the deficiency is not remedied in due time, the application will be deemed withdrawn under EPC Article 94(4). The loss of rights can be remedied by requesting further processing.

EPC Art. 97(1)
EPC Rule 71(3)-(6)

EP.19 **GRANTING OF THE EUROPEAN PATENT.** Prior to the decision to grant the European patent, the applicant will receive a communication containing both the text in which the Examining Division intends to grant the European patent and an invitation to pay the grant and printing fees and to supply a translation of the claims in the two other official languages of the EPO. Performance of these acts implies approval of the text.[3] If applicable, the communication will also include an invitation to pay additional claims fees.

EPC Rule 71(3)

EP.20 **FEE FOR GRANT, INCLUDING FEE FOR PUBLISHING AND CLAIMS FEE.** The amounts of the fees are indicated in Annex EP.I. They must be paid within four months from the communication pursuant to EPC Rule 71(3) referred to in paragraph EP.19.

EPC Rule 71(3)

EP.21 **TRANSLATION OF CLAIMS.** Within the same period, the claims must be translated into the two official languages of the EPO which are not the language of proceedings (see paragraphs EP.02 and EP.19).

PCT Art. 23(2) 40(2)
EPC Rule 159(1)
Euro-PCT Guide, 5.1.023 *et seq.*

EP.22 **EARLY PROCESSING OF NATIONAL PHASE.** If the applicant wishes the processing and the examination of his application to start earlier than the expiration of the time limit applicable under PCT Article 22(3) or 39(1)(b), he must file an express request for early

[3] For information concerning amended Rule 71 and new Rule 71a EPC, see the Notice from the European Patent Office dated 13 December 2011, OJ EPO 2/2012, 52.

processing. The request can be made by ticking the checkbox in section 12.1 of EPO Form 1200. Moreover, the applicant must fulfill the requirements for entry into the European phase as if the 31-month time limit provided for in EPC Rule 159(1) expired on the date he requests early processing (see OJ EPO No. 3/2013, 156 *et seq*.).

PCT Art. 25
PCT Rule 51
82*bis*
EPC Rule 159(2)
Euro-PCT Guide, 5.14.002-5.14.003

EP.23 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. At the request of the applicant, the EPO may review whether a refusal by the receiving Office to accord a filing date, or a declaration on the part of the receiving Office that a Euro-PCT application or the designation of a state is considered withdrawn, or a finding by the International Bureau under PCT Article 12(3) is the result of an error or omission on the part of the authority concerned, in which case the Euro-PCT application can proceed as a European application.

To obtain such a review by the EPO as designated/elected Office, applicants must, within the two-month time limit under PCT Rule 51.1, request the International Bureau under PCT Article 25(1) to send copies of documents in the files promptly to the EPO as designated Office. Furthermore, the filing fee under EPC Rule 159(1)(c) must be paid and, where required, a translation of the Euro-PCT application furnished within the same two-month time limit (PCT Rule 51.3).

Applicants are recommended to undertake the remaining steps for entry into the European phase under EPC Rule 159(1) at the same time.

EPC Art. 106
108

If, upon review under PCT Article 25, the EPO denies an error or omission on the part of the receiving Office or the International Bureau, a notice of appeal against this decision may be lodged within two months from the date of receipt of the decision. Within the same two-month time limit, a fee for appeal must be paid (for the amount, see Annex EP.I). Within four months from the date of receipt of the decision, grounds substantiating the notice of appeal must be filed. The Board of Appeal will then decide on the appeal.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*
Euro-PCT Guide, 5.14.004

EP.24 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.028 of the National Phase and to paragraph EP.15.

PCT Rule 82*bis*.2
EPC Art. 121
EPC Rule 135

EP.25 **FURTHER PROCESSING.** Further processing of the application may be requested where the applicant has missed a time limit during the international or the national phase in respect of which further processing is not ruled out under Rule 135(2). If the request is granted, this has the effect that the legal consequence of the failure to observe the time limit is deemed not to have ensued. It must be made by completing the omitted act(s), as applicable, and payment of the fee(s) for further processing, the amount of which is indicated in Annex EP.I, within two months of the notification of the noting of loss of rights (EPC Rule 112(1)). The fee for further processing varies depending on whether the loss of rights occurred due to an omitted act (flat rate fee) or the late payment of a fee (50% of that fee). In some cases, both fees for further processing have to be paid, e.g. if further processing is requested for the late filing of the request for examination and the late payment of the examination fee (see paragraph EP.15).

PCT Rule 82*bis*.2
EPC Art. 122
EPC Rule 136

EP.26 **RE-ESTABLISHMENT OF RIGHTS.** Re-establishment of rights may be requested where the applicant lost any right because, in spite of all due care required by the circumstances having been taken, he was unable to observe a time limit during the international or the national phase. An application for re-establishment must be filed in writing within two months from the removal of the cause of non-compliance with the time limit(s) but not later than one year from the expiration of the time limit(s) which have not been observed. Within the said two months, the omitted act(s) must be completed, the respective fee(s) for re-establishment of rights (see Annex EP.I) must be paid and the request must state the grounds on which it is based and must set out the facts on which it relies. However, re-establishment of rights is ruled out in respect of any period for which further processing under EPC Article 121 is available. See Guidelines for Examination in the EPO, E-IX, 3 for more details.

EPC Rule 53(2)
OJ EPO 2020, A57
OJ EPO 2019, A27
Euro-PCT Guide, 5.13

EP.27 **PRIORITY DOCUMENTS.** Where the priority of an earlier application is claimed for a Euro-PCT application, the priority document is sent by the International Bureau to the EPO, if the International Bureau received the priority document from the receiving Office or directly from the applicant or was able to retrieve it from a digital library. The EPO will, at the request of the applicant, include free of charge in the file of the European patent application a copy of the previous application from which priority is claimed, if it can be retrieved via the

WIPO Digital Access Service (DAS), using the indicated DAS access code. Where for any reason the priority document has not been submitted by the time of entry into the national phase, the applicant will be invited to furnish the missing document(s) within two months from the date of a notification under EPC Rule 163(2). This time limit cannot be extended. If the priority document or the application number is not submitted within that time limit, the priority right is lost. The loss of rights may be remedied by requesting further processing.

EPC Rule 163(2)
OJ EPO 2018, A93
OJ EPO 2018, A94
OJ EPO 2018, A45
OJ EPO 2020, A58

A priority document may be filed in electronic form with the EPO only if it is digitally signed by the issuing authority and the signature is accepted by the EPO. A priority document cannot be filed by fax or Web-Form Filing.

No obligation to furnish the priority document:

The EPO as designated/elected Office will include a copy of the priority document free of charge in the file of a Euro-PCT application even without having received a copy from the International Bureau on condition that the applicant has informed the EPO of the application number and only if the priority application is:

- a European patent application;
- an international application filed with the EPO as receiving Office;
- a Chinese patent or utility model application;
- a Korean patent or utility model application;
- a United States provisional or non-provisional application.

For Euro-PCT applications having entered the European phase before 1 July 2020, the EPO will also include, free of charge, a copy of the priority document if the priority application is a Japanese patent or utility model.

For Euro-PCT applications entering the European phase on or after 1 July 2020, the EPO will discontinue to include Japanese priority documents in the file of the Euro-PCT application due to termination of the corresponding agreement with the Japan Patent Office (JPO). If for these cases the priority document is still missing on entry of the European phase, the applicant will be notified thereof and may submit the Japanese priority document via DAS or by filing the certified copy under Rule 53(1) EPC.

EPC Rule 53(3)
OJ EPO 2013, 150
Euro-PCT Guide, 5.13.012 *et seq.*

Where the language of priority documents is not one of the official languages of the EPO (English, French or German) and the validity of the priority claim is relevant to the determination of the patentability of the invention concerned, the applicant is invited to file, within the time limit specified by the EPO, a translation in one of these three languages or a declaration that the international application is a complete translation of the priority application. Failure to comply with this invitation will result in the loss of the right of the relevant priority. For further information see Guidelines for Examination in the EPO, A-III, 6.8.

PCT Rule 49*ter*.1 and .2
EPC Art. 122
OJ EPO 2007, 692
Euro-PCT Guide, 5.13.018 *et seq.*

EP.28 **RESTORATION OF PRIORITY.** If the international application was filed more than 12 months from the filing date of the earlier application whose priority is claimed, the applicant may file or resubmit a request for restoration of priority with the EPO as designated/elected Office.

A request for restoration of the right of priority under PCT Rule 49*ter*.2 may be granted provided the following requirements are met:

– the filing date is within two months from the date on which the priority period expired (PCT Rule 26*bis*.2(c)(iii));

– the failure to claim the right of priority within the priority period occurred in spite of all due care required by the circumstances having been taken; thus, the requirement of due care is applied by the EPO in accordance with its standing practice under EPC Article 122;

– the request for restoration of priority is filed within one month from the date on which the 31-month time limit for entry into the European phase expired (PCT Rule 49*ter*.2(b)(i)), or within one month from the receipt of a request for early processing (PCT Articles 23(2) or 40(2));

– the fee for restoration of priority levied by the EPO is duly paid within the same time limit (PCT Rule 49*ter*.2(b)(iii));

– the request for restoration of priority is accompanied by a statement of reasons for the failure and is preferably accompanied by any declaration or other evidence in support of the

statement of reasons (PCT Rule 49*ter*.2(b)(ii)).

EPC Art. 87(1)
Euro-PCT Guide, 2.14

EP.29 **PROOF OF ENTITLEMENT TO CLAIM PIORITY.** The applicant claiming the priority from a previous application must be the applicant of the latter or the successor in title to the applicant who filed the previous application. If the previous application was not filed by the applicant and the previous application or the priority right was transferred to him, the transfer (of the previous application or of the priority right) must have taken place before the filing date of the international application and must be a transfer valid under the applicable national law.

Euro-PCT Guide, 2.14

If the previous application was filed by several applicants, all the applicants for the previous application must be applicants for the international application or have transferred their rights to the applicant, or (at least) one of the applicants, of the international application. It is not sufficient if only one of several applicants of the previous application is named as applicant for the international application.

Proof of entitlement to claim the priority of an earlier application must be submitted in the proceedings before the EPO (only) if the validity of the priority right claimed becomes relevant. However, in order to enjoy in proceedings before the EPO a priority right as successor in title a transfer of the previous application or of the priority right must have taken place before the filing date of the international application. Any deficiencies cannot be remedied in the national phase before the EPO. Thus, applicants claiming the priority of a previous application and planning to enter the national phase before the EPO are strongly advised to ensure that on the international filing date all applicants of the previous application are either designated as applicants for the international application or have validly transferred their rights to the applicant, or (at least) one of the applicants, of the international application.

EPC Art. 82
EPC Rule 164
OJ EPO 2014, A70
Euro-PCT Guide, 5.15

EP.30 **LACK OF UNITY.** If upon expiry of the time limit set in the communication under EPC Rules 161 and 162 for filing amendments, the documents that serve as the basis for the supplementary European search or for examination contain claims relating to an invention that was not searched by the EPO, and the application documents do not meet the requirement of unity of invention, the procedure under EPC Rule 164 applies (see OJ EPO 2014, A70).

The EPO did not act as (S)ISA:

– In this case the EPO draws up a partial supplementary European search report on those parts of the application which relate to the invention first mentioned in the claims and informs the applicant that, for the supplementary European search report to cover the other inventions, a further search fee must be paid in respect of each invention involved, within two months.

The EPO acted as (S)ISA:

– Where the supplementary European search report is dispensed with (see EP.16a) and the examining division considers that in the application documents which are to serve as the basis for examination an invention is claimed which was not searched by the EPO as (S)ISA, the examining division shall inform the applicant that a search will be performed in respect of any such invention for which a search fee is paid within a period of two months.

PCT Rule 20.5*bis*(d)
20.8(b-*bis*)
OJ EPO 2020, A81

EP.31 **INCORPORATION BY REFERENCE OF CORRECT ELEMENTS OR PARTS UNDER PCT RULE 20.5*bis*(d).** In the international phase, under PCT Rule 20.5*bis*(d), it is possible to incorporate by reference correct elements or parts into the application as originally filed without changing the international filing date, provided the requirements of PCT Rule 20.5*bis*(d) are fulfilled. However, where the receiving Office has allowed the incorporation of correct elements or parts, such incorporation will not be effective before the EPO as designated or elected Office due to the incompatibility of PCT Rule 20.5*bis*(d) with the EPC (see "International Phase", paragraph 6.027).

In such cases, applicants may inform the EPO within the 31-month time limit under EPC Rule 159(1), or at the latest before a corresponding communication is issued, on the basis of which documents they wish to pursue the Euro-PCT application:

a) on documents containing the correct elements or parts and with the filing date changed to the date of receipt of those elements or parts, or

b) on the documents as originally filed and based on the initial filing date. In such case, the correct elements or parts incorporated by reference are disregarded.

If no such information is present on entry into the European phase, the EPO will send a

communication under PCT Rule 20.8(c) and Rule 82*ter*.1(c) and (d) to clarify the situation for the proceedings before the EPO as designated or elected Office.

FEES

(Currency: Euro)[1]

Filing fee:[2]	
– for online filings	125
– for non-online filings	260
Additional fee for pages in excess of 35, for the 36th and each subsequent page	16
Additional fee in the case of a divisional application filed in respect of any earlier application which is itself a divisional application	
– fee for a divisional application of second generation	220
– fee for a divisional application of third generation	440
– fee for a divisional application of fourth generation	660
– fee for a divisional application of fifth or any subsequent generation	885
Designation fee for one or more EPO Contracting States designated	440
Extension fee for each extension State (extension of the European patent to certain States which are not EPO Contracting States—see Summary)	102
Fee for validation of the European patent in:	
– Cambodia:[3]	180
– Morocco:[4]	240
– Republic of Moldova:[5]	200
– Tunisia:[6]	180
Claims fee:	
– for the 16th and each subsequent claim up to the limit of 50	245
– for the 51th and each subsequent claim	610
Search fee in respect of a European or supplementary European search:	
– for international applications filed before 1 July 2005	920
– for international applications filed on or after 1 July 2005	1,350
Fee for further processing:	
– in the event of late payment of a fee	50% of the relevant fee
– in the event of late performance of the acts under Rule 71(3) EPC	265
– other cases	265
Fee for late furnishing of a sequence listing	240
Examination fee:	
– for international applications filed before 1 July 2005	1,900
– for international applications filed on or after 1 July 2005 for which no supplementary European search report is drawn up	1,900
– for all other international applications filed on or after 1 July 2005	1,700
Renewal fees for European patent applications:[7]	
– for the 3rd year counted from the international filing date	490
– for the 4th year counted from the international filing date	610
– for the 5th year counted from the international filing date	855
– for the 6th year counted from the international filing date	1,090

[1] This list is based on the Schedule of fees and expenses of the European Patent Office. For the currently valid version of this Schedule reference is made to the Guidance for the payment of fees and expenses, in the latest issue of the OJ EPO on to the EPO's website.

[2] See the Decision of the EPO's Administrative Council dated 12 December 2018 (CA/D 11/18), OJ EPO 2019, A3 and the corresponding Notice of the EPO, OJ EPO 2019, A6.

[3] Validation of the European patent in Cambodia is only available for international applications filed on or after 1 March 2018.

[4] Validation of the European patent in Morocco is only available for international applications filed on or after 1 March 2015.

[5] Validation of the European patent in the Republic of Moldova is only available for international applications filed on or after 1 November 2015.

[6] Validation of the European patent in Tunisia is only available for international applications filed on or after 1 December 2017.

[7] The obligation to pay renewal fees to the EPO ceases with the payment of the renewal fee due in respect of the year during which the grant of the European patent has been published in the *European Patent Bulletin*.

- for the 7th year counted from the international filing date 1,210
- for the 8th year counted from the international filing date 1,330
- for the 9th year counted from the international filing date 1,450
- for the 10th and each subsequent year counted from the international filing date 1,640

Additional fee for late payment of a renewal fee . . . . . 50% of the relevant fee

Fee for grant,[8, 9] including fee for printing the European patent specification:
- where the application documents to be printed comprise not more than 35 pages 960
- where the application documents to be printed comprise more than 35 pages 960
- plus for the 36th and each subsequent page 16

Fee for grant,[9, 10] including fee for publication of the European patent specification 960

Fee for reestablishment of rights/fee for requesting restoration/fee for reinstatement of rights 665

Fee for appeal[11] for an appeal filed:
- by a natural person or an entity referred to in Rule 6, paragraphs 4 and 5 1,955
- by any other entity 2,705

Extract from the Rules Relating to Fees

Article 5
Payment of fees

(1) The fees due to the Office shall be paid in euro by payment or transfer to a bank account held by the Office.

(2) The President of the Office may allow other methods of paying fees than those set out in paragraph 1.

Article 6
Particulars concerning payments

(1) Every payment must indicate the name of the person making the payment and must contain the necessary particulars to enable the Office to establish immediately the purpose of the payment.

(2) If the purpose of the payment cannot immediately be established, the Office shall require the person making the payment to notify it in writing of this purpose within such period as it may specify. If he does not comply with this request in due time the payment shall be considered not to have been made.

Article 7
Date to be considered as the date on which payment is made

(1) The date on which any payment shall be considered to have been made to the Office shall be the date on which the amount of the payment or of the transfer is actually entered in a bank account held by the Office.

(2) Where the President of the Office allows, in accordance with the provisions of Article 5, paragraph 2, other methods of paying fees than those set out in Article 5, paragraph 1, he shall also lay down the date on which such payments shall be considered to have been made.

(3) Where, under the provisions of paragraphs 1 and 2, payment of a fee is not considered to have been made until after the expiry of the period in which it should have been made, it shall be considered that this period has been observed if evidence is provided to the Office that the person who made the paymentS fulfilled one of the following conditions in a Contracting State within the period within which the payment should have been made:
(i) he effected the payment through a banking establishment;
(ii) he duly gave an order to a banking establishment to transfer the amount of the payment

(4) The Office may request the person who made the payment to produce evidence as to the date on which a condition according to paragraph 3 was fulfilled within a period to be specified by it. If he fails to comply with this request or if the evidence is insufficient, the period for payment shall be considered not to have been observed.

8 Applicable to international applications entering the regional phase before 1 April 2009.
9 See footnote 2.
10 Applicable to international applications entering the regional phase on or after 1 April 2009.
11 See OJ EPO 2018, A4 and A5.

Article 8
Insufficiency of the amount paid

A time limit for payment shall in principle be deemed to have been observed only if the full amount of the fee has been paid in due time. If the fee is not paid in full, the amount which has been paid shall be refunded after the period for payment has expired. The Office may, however, in so far as this is possible within the time remaining before the end of the period, give the person making the payment the opportunity to pay the amount lacking. It may also, where this is considered justified, overlook any small amounts lacking without prejudice to the rights of the person making the payment.

Article 9
Refund of search fees

(1) The search fee paid for a European or supplementary European search shall be fully refunded if the European patent application is withdrawn or refused or deemed to be withdrawn at a time when the Office has not yet begun to draw up the search report.

(2) Where the European search report is based on an earlier search report prepared by the Office on an application whose priority is claimed or an earlier application within the meaning of Article 76 of the Convention or of Rule 17 of the Convention, the Office shall refund to the applicant, in accordance with a decision of its President, an amount which shall depend on the type of earlier search and the extent to which the Office benefits from the earlier search report when carrying out the subsequent search.

Article 11
Refund of examination fee

The examination fee shall be refunded:
(a) in full if the European patent application is withdrawn, refused or deemed to be withdrawn before substantive examination has begun;
(b) at a rate of 50% if the European patent application is withdrawn after substantive examination has begun and before expiry of the time limit for replying to the first invitation under Article 94, paragraph 3, of the Convention issued by the Examining Division proper or, if no such invitation has been issued by the Examining Division, before the date of the communication under Rule 71, paragraph 3, of the Convention.

Article 14
Reduction of fees

(1) The reduction laid down in Rule 6, paragraph 3, of the Convention shall be 30% of the filing fee or examination fee.

(2) Where the European Patent Office has drawn up an international preliminary examination report, the examination fee shall be reduced by 75%. If the report was established on certain parts of the international application in accordance with Article 34, paragraph 3(c), PCT, the fee shall not be reduced if subject-matter not covered by the report is to be examined.

Extract from the Arrangement for deposit accounts which may be used for the settlement of fees or the cost of publications and other services payable to the EPO [12]

1. General provisions

Under Articles 5(2) and 7(2) of its Rules relating to Fees (RFees), the EPO makes available, for any interested natural or legal person (or bodies equivalent to a legal person under the law applicable to them), deposit accounts for paying fees to the EPO. Deposit accounts are kept in euro only, at EPO headquarters in Munich.

2. Formalities for opening and closing an account

2.1 A deposit account may be opened at the request of the prospective account holder. He must provide all the necessary particulars about his person, occupation and address. This is done by completing and submitting the online request form on the EPO website under **Applying for a patent -> Fees -> Fee payments and refunds**. If his contact details change, the account holder must inform the EPO accordingly, also using the online request form.

2.2 A deposit account may be closed at the signed written request of the deposit account holder or his successors in title, filed by email attachment sent to support@epo.org, or by completing and submitting the online form available on the EPO website under **Applying for a patent -> Fees -> Fee payments and refunds** together with the

[12] Arrangements for deposit accounts (ADA) and their annexes (valid as from 1 October 2019): See Supplementary publication 4, OJ EPO 2019.

signed written request. From the request it must be evident that the requester and the deposit account holder are the same person.

Successors in title must provide the EPO with documentary proof of their entitlement.

2.5 A deposit account can be reopened at the request of the original account holder, made by selecting the appropriate option in the online request form referred to in point 2.1.

3. Replenishments, repayments of deposit account balances and transfers between deposit accounts

3.1 Once the deposit account has been opened, its number is communicated to the holder, who must then make an initial payment commensurate with his requirements and the intended frequency of replenishment, so as to ensure that there are sufficient funds in the account.

3.2 Payments to replenish deposit accounts must be made into the EPO's bank account.[13] The payment must include the following information in the reference field of the bank transfer: "replenishment" (or "repl" for short) or "deposit", followed by the eight-digit number (starting with 28) of the EPO deposit account concerned.[14] Replenishments are credited to the deposit account on the date on which the payment is actually entered in the EPO bank account.

5. Debiting the account

Subject to point 9, deposit accounts may be debited only in respect of fees payable to the EPO in connection with European and PCT proceedings.

5.1. Types of debit orders and accepted means of filing

5.1.1 Debiting occurs only on the basis of an electronic debit order signed by the account holder or the authorised representative. The signature may take the form of a text string signature, a facsimile signature, an enhanced electronic signature,[15] or authentication with smart card if payment is made via Online Fee Payment in Online services.

The debit order may be:
– a debit order for individual fees for one or more applications, i.e. a single or a batch debit order, or
– an automatic debit order[16] for a specific European or international patent application, authorising the EPO to debit fees automatically as the proceedings progress.

5.1.2 The debit order must be filed in an electronically processable format (XML) via one of the following:
– EPO Online Filing, new online filing (CMS), using EPO Forms 1001E, 1200E, 2300E or 1038E, or Online Filing 2.0 using EPO Forms 1001E, 1200E or 1038E;
– EPO Online Filing or PCT-SAFE, CMS, and ePCT using the PCT fee calculation and payment feature or Online Filing 2.0 using the PCT fee calculator and payment feature with Forms PCT/RO/101 and PCT/IPEA/401;
– Online Fee Payment in Online services.

5.1.3 Debit orders submitted in any other way, e.g. on paper, by fax, via the Web-Form Filing service or using a different format such as a PDF attachment or the annotation field in the online forms, are invalid and thus will not be carried out. The EPO will inform the party to the proceedings[17] accordingly as a courtesy service. The legal consequence of filing an invalid debit order is laid down in point 5.4.2.

5.4 Payment date

5.4.2 If a debit order is submitted via a non-accepted means of filing or in an invalid format, the date of receipt will not be regarded as the payment date. If this means that a time limit for paying a fee has expired, the party to the proceedings[18] may make use of any of the legal remedies available under the EPC or the PCT.

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13 The following account with the Commerzbank in Germany is available for payments and transfers: Nr. 3 338 800 00 (BLZ 700 800 00), IBAN DE20 7008 0000 0333 8800 00, BIC DRESDEFF700, Commerzbank AG, Leopoldstrasse 230, 80807 München, Germany.

14 E.g. "replenishment 28XXXXXX", "repl 28XXXXXX" or "deposit 28XXXXXX".

15 For further details, see the decision of the President dated 9 May 2018 concerning the electronic filing of documents (OJ EPO 2018, A45).

16 See point 7 ADA, the Arrangements for automatic debiting (Annex A.1 in this supplementary publication) and information from the EPO concerning the automatic debiting procedure (Annex A.2, loc. cit.).

17 A party to the proceedings may be e.g. an applicant, opponent, appellant or, if the party is represented, its international agent or European representative.

18 See footnote 17.

5.5 Unavailability of the accepted electronic means of filing debit orders

If a payment period expires on a day on which one of the accepted means of filing debit orders under point 5.1.2 is not available at the EPO,[19] the payment period is extended to the first day thereafter on which all such means as are available for the type of application concerned can be accessed again. In the event of a general unavailability of electronic communication services, or if other like reasons within the meaning of Rule 134(5) EPC or Rule 82*quater*.1 PCT arise, payment periods are extended in accordance with these provisions.

7. Automatic debiting procedure

Deposit account holders may have their accounts debited automatically on the basis of an automatic debit order. The conditions applicable, and in particular the types of proceedings and fees covered, are laid down in the Arrangements for the automatic debiting procedure (AAD).[20]

8. Refund of fees

8.1 Fees will be refunded to any deposit account that the applicant, proprietor or appellant (if applicant or proprietor)[21] indicates in its refund instructions.

8.2 Refund instructions must be filed in an electronically processable format, via one of the following accepted means of filing so EPO Online Filing, CMS, Online Filing 2.0 and ePCT using EPO Forms 1001E, 1200E, 1038E, PCT Form PCT/RO/101, PCT-SFD (eOLF) or PCT/IPEA/401 (eOLF and Online Filing 2.0).

8.3 Refund instructions submitted in any other way, e.g. on paper, by fax, via the Web-Form Filing service or using a different format such as a PDF attachment or the annotation field in the online forms, are invalid and thus will not be processed. The EPO will inform the party concerned accordingly, as a courtesy service. Until valid instructions are filed, the party concerned will be invited to claim any refunds online.[22]

Extract from the decision of the President of the European Patent Office concerning the payment of fees by credit card[23]

The President of the European Patent Office, having regard to Articles 5(2) and 7(2) of the Rules relating to Fees, has decided as follows:

Article 1
Credit card as a method of fee payment

Fees due to the EPO may be paid by credit card under the conditions set forth in the present decision.

Article 2
Conditions for use

Payments by credit card must be made in euro via the EPO's credit card fee payment service, using a credit card accepted by the EPO.

Article 3
Date of payment

Payment by credit card is deemed to have been made on the date on which the transaction is approved. This date is indicated in the transaction confirmation made available to the payer.

Article 5
Entry into force

This decision enters into force on 1 December 2017.

[19] See also notice from the EPO dated 18 January 2018 concerning the safeguards available under the EPC and the PCT in case of unavailability of means of electronic communication (OJ EPO 2018, A25).

[20] See Annex A.1 in this supplementary publication. See also Annex A.2 in this supplementary publication for information from the EPO concerning the automatic debiting procedure.

[21] If the party is represented, its international agent or European representative.

[22] See notice from the EPO dated 20 August 2019 concerning the revised fee refund procedures (OJ EPO 2019, A82).

[23] Decision of the President and Notice from the European Patent Office dated 22 August 2017 concerning the payment of fees by credit card: See OJ EPO 2017, A72 and A73.

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European Patent Office
Office européen des brevets

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An das Europäische Patentamt
To the European Patent Office
A l'Office européen des brevets

Eintritt in die europäische Phase (EPA als Bestimmungsamt oder ausgewähltes Amt)

Entry into the European phase (EPO as designated or elected Office)

Entrée dans la phase européenne (l'OEB agissant en qualité d'office désigné ou élu)

Europäische Anmeldenummer oder, falls nicht bekannt, PCT-Aktenzeichen oder PCT-Veröffentlichungsnummer / European application number or, if not known, PCT application or PCT publication number / Numéro de la demande de brevet européen ou, à défaut, numéro de dépôt PCT ou de publication PCT

Zeichen des Anmelders oder Vertreters (max. 15 Positionen) / Applicant's or representative's reference (max. 15 keystrokes) / Référence du demandeur ou du mandataire (15 caractères ou espaces au maximum)

1. Anmelder / Applicant / Demandeur

☒ Die Angaben über den (die) Anmelder sind in der internationalen Veröffentlichung enthalten oder vom Internationalen Büro nach der internationalen Veröffentlichung vermerkt worden. / Indications concerning the applicant(s) are contained in the international publication or recorded by the International Bureau after the international publication. / Les indications concernant le(s) demandeur(s) figurent dans la publication internationale ou ont été enregistrées par le Bureau international après la publication internationale.

☐ Änderungen, die das Internationale Büro noch nicht vermerkt hat, sind auf einem Zusatzblatt angegeben. / Changes which have not yet been recorded by the International Bureau are set out on an additional sheet. / Les changements qui n'ont pas encore été enregistrés par le Bureau international sont indiqués sur une feuille additionnelle.

☐ Fehlende Angaben über den oder die Anmelder sind auf einem Zusatzblatt angegeben. / Indications missing for the applicant(s) are given on an additional sheet. / Les indications manquantes concernant un ou plusieurs demandeurs sont mentionnées sur une feuille additionnelle.

Zustellanschrift *(siehe Merkblatt II, 1)* / **Address for correspondence** *(see Notes II, 1)* / **Adresse pour la correspondance** *(voir notice II, 1)*

Zeichen des Anmelders / Applicant's reference / Référence du demandeur

2. **Vertreter** / **Representative** / **Mandataire**

Name und **Geschäftsanschrift** (**Nur einen** Vertreter oder den Namen des Zusammenschlusses angeben, der in das Europäische Patentregister einzutragen ist und an den zugestellt wird) / **Name** and **address of place of business** (Name **only one** representative or association of representatives, to be listed in the Register of European Patents and to whom communications are to be notified) / **Nom** et **adresse professionnelle** (N'indiquer **qu'un seul** mandataire ou le nom du groupement de mandataires qui sera inscrit au Registre européen des brevets et auquel les significations seront faites)

Telefon / Telephone / Téléphone **Fax / Téléfax**

☐ Weitere(r) Vertreter auf Zusatzblatt / Additional representative(s) on additional sheet / Autre(s) mandataire(s) sur feuille supplémentaire

3. **Vollmacht** / **Authorisation** / **Pouvoir**

☐ Vollmacht ist beigefügt. / Authorisation is attached. / Un pouvoir est joint.

☐ Allgemeine Vollmacht ist registriert unter Nr: / General authorisation is registered under No.: / Un pouvoir général est enregistré sous le n° :

☐ Allgemeine Vollmacht ist eingereicht, aber noch nicht registriert. / A general authorisation has been filed, but not yet registered. / Un pouvoir général a été déposé, mais n'est pas encore enregistré.

☐ Die beim EPA als PCT-Anmeldeamt eingereichte Vollmacht schließt ausdrücklich die europäische Phase ein. / The authorisation filed with the EPO as PCT receiving Office expressly includes the European phase. / Le pouvoir déposé à l'OEB agissant en qualité d'office récepteur au titre du PCT inclut expressément la phase européenne.

4. **Prüfungsantrag** / **Request for examination** / **Requête en examen**

4.1 ☒ Hiermit wird die Prüfung der Anmeldung gemäß Artikel 94 EPÜ beantragt. Die Prüfungsgebühr wird (wurde) entrichtet. / Examination of the application under Article 94 EPC is hereby requested. The examination fee is being (has been, will be) paid. / Il est demandé par la présente que soit examinée la demande de brevet conformément à l'article 94 CBE. Il est (a été, sera) procédé au paiement de la taxe d'examen.

Prüfungsantrag in einer zugelassenen Nichtamtssprache / Request for examination in an admissible non-EPO language / Requête en examen dans une langue non officielle autorisée

☐ Der/Jeder Anmelder erklärt hiermit, eine Einheit oder eine natürliche Person nach Regel 6 (4) EPÜ zu sein. / The/Each applicant hereby declares that he is an entity or a natural person under Rule 6(4) EPC. / Le/Chaque demandeur déclare par la présente être une entité ou une personne physique au sens de la règle 6(4) CBE.

5. **Abschriften** / **Copies** / **Copies**

☐ Zusätzliche Abschriften der im ergänzenden europäischen Recherchenbericht angeführten Schriftstücke werden beantragt. / Additional copies of the documents cited in the supplementary European search report are requested. / Prière de fournir des copies supplémentaires des documents cités dans le rapport complémentaire de recherche européenne.

Anzahl der **zusätzlichen** Sätze von Abschriften / Number of **additional** sets of copies / Nombre de jeux **supplémentaires** de copies

Zeichen des Anmelders / Applicant's reference / Référence du demandeur

6.	**Für das Verfahren vor dem EPA bestimmte Unterlagen**	**Documents intended for proceedings before the EPO**	**Pièces destinées à la procédure devant l'OEB**
6.1	Dem Verfahren vor dem EPA als **Bestimmungsamt** (PCT I) sind folgende Unterlagen zugrunde zu legen:	Proceedings before the EPO as **designated Office** (PCT I) are to be based on the following documents:	La procédure devant l'OEB agissant en qualité d'**office désigné** (PCT I) doit se fonder sur les pièces suivantes :
☐	die vom Internationalen Büro **veröffentlichten Anmeldungsunterlagen;** falls die Veröffentlichung einen geänderten Anspruchssatz gemäss Artikel 19 PCT enthält, ersetzt dieser die ursprünglich eingereichten Ansprüche	the **application documents published** by the International Bureau; where the publication includes a set of claims amended under Article 19 PCT, the latter replaces the originally filed claims	les **pièces de la demande publiées** par le Bureau international; lorsque la publication contient des revendications modifiées conformément à l'article 19 PCT, ces dernières remplacent les revendications telles que déposées initialement
☐	soweit sie nicht ersetzt werden durch die beigefügten **Änderungen**.	unless replaced by the **amendments** enclosed.	dans la mesure où elles ne sont pas remplacées par les **modifications** jointes.
☐	Stellungnahmen zu dem vom EPA als Internationaler Recherchenbehörde erstellten schriftlichen Bescheid und/ oder Bemerkungen bzw. Stellungnahmen zu den Erläuterungen in dem vom EPA als mit der ergänzenden internationalen Recherche beauftragten Behörde erstellten ergänzenden internationalen Recherchenbericht (Regel 45*bis*.7 e) PCT)	Comments on the written opinion established by the EPO as the International Searching Authority and/or observations or, where applicable, on the explanations given in the Supplementary International Search Report established by the EPO as the Supplementary International Searching Authority (Rule 45*bis*.7(e) PCT)	Commentaires sur l'opinion écrite établie par l'OEB agissant en qualité d'administration chargée de la recherche internationale et/ou observations, ou, le cas échéant, commentaires sur les explications figurant dans le rapport de recherche internationale supplémentaire établi par l'OEB agissant en qualité d'administration chargée de la recherche internationale supplémentaire (règle 45*bis*.7e) PCT)
	Soweit erforderlich, sind weitere Angaben auf einem Zusatzblatt einzureichen.	*Where necessary, further details should be submitted on an additional sheet.*	*Le cas échéant, des informations complémentaires doivent être fournies sur une feuille additionnelle.*
6.2	☐ Dem Verfahren vor dem EPA als **ausgewähltem Amt** (PCT II) sind folgende Unterlagen zugrunde zu legen: die dem **internationalen vorläufigen Prüfungsbericht zugrunde gelegten Unterlagen**, einschließlich etwaiger **Anlagen**	Proceedings before the EPO as **elected Office** (PCT II) are to be based on the following documents: the **documents on which the international preliminary examination report is based**, including any **annexes**	La procédure devant l'OEB agissant en qualité d'**office élu** (PCT II) doit se fonder sur les pièces suivantes : les **pièces sur lesquelles se fonde le rapport d'examen préliminaire international**, y compris ses **annexes** éventuelles
☐	soweit sie nicht ersetzt werden durch die beigefügten **Änderungen**.	unless replaced by the **amendments** enclosed.	dans la mesure où elles ne sont pas remplacées par les **modifications** jointes.
☐	Stellungnahmen zu dem vom EPA als mit der internationalen vorläufigen Prüfung beauftragter Behörde erstellten internationalen vorläufigen Prüfungsbericht und/oder Bemerkungen sind beigefügt.	Comments on the international preliminary examination report established by the EPO as the International Preliminary Examining Authority and/or observations are enclosed.	Les commentaires sur le rapport d'examen préliminaire international établi par l'OEB agissant en qualité d'administration chargée de l'examen préliminaire international et/ou les observations sont joints.
	Soweit erforderlich, sind weitere Angaben auf einem Zusatzblatt einzureichen.	*Where necessary, further details should be submitted on an additional sheet.*	*Le cas échéant, des informations complémentaires doivent être fournies sur une feuille additionnelle.*
☒	Sind dem EPA als mit der internationalen vorläufigen Prüfung beauftragter Behörde **Versuchsberichte** zugegangen, dürfen diese dem Verfahren vor dem EPA zugrunde gelegt werden.	If the EPO as International Preliminary Examining Authority has received **test reports**, these may be used as the basis of proceedings before the EPO.	Si l'OEB, agissant en qualité d'administration chargée de l'examen préliminaire international, a reçu des **rapports d'essais**, ceux-ci peuvent être utilisés comme base dans la procédure devant l'OEB.
	Anmerkung zu den Feldern 6.1 und 6.2: *Bei Anmeldungen, die mehr als 35 Seiten umfassen, sollen in der Tabelle auf Seite 8 Angaben betreffend die Berechnung der Zusatzgebühren gemacht werden.*	***Note on sections 6.1 and 6.2:*** *For applications comprising more than 35 pages, indications regarding the calculation of the additional fee should be given in the table on page 8.*	***Remarque concernant les rubriques 6.1 et 6.2 :*** *pour les demandes comportant plus de 35 pages, des indications relatives au calcul de la taxe additionnelle doivent figurer dans la tableau de la page 8.*
6.3	☐ Eine Kopie der Recherchenergebnisse der Behörde, bei der die frühere(n) Anmeldung(en), deren Priorität beansprucht wird, eingereicht wurde(n), ist beigefügt (Regel 141 (1) EPÜ).	For each of the previous applications whose priority is claimed a copy is attached of the search results produced by the authority with which the application was filed (Rule 141(1) EPC).	Il est joint une copie des résultats de toute recherche effectuée par l'administration auprès de laquelle la (les) demande(s) antérieure(s) dont la priorité est revendiquée a (ont) été déposée(s) (règle 141(1) CBE).

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7.		**Übersetzungen**	**Translations**	**Traductions**
		Beigefügt sind die nachfolgend angekreuzten Übersetzungen in einer der Amtssprachen des EPA (Deutsch, Englisch, Französisch):	Translations in one of the official languages of the EPO (English, French, German) are enclosed as crossed below:	Vous trouverez, ci-joint, les traductions cochées ci-après dans l'une des langues officielles de l'OEB (allemand, anglais, français) :
		*a) Im Verfahren vor dem EPA als **Bestimmungsamt oder ausgewähltem Amt** (PCT I + II):*	*(a) In proceedings before the EPO as **designated or elected Office** (PCT I + II):*	*a) Dans la procédure devant l'OEB agissant en qualité d'**office désigné ou élu** (PCT I + II) :*
7.1	☐	Übersetzung der **internationalen Anmeldung in der ursprünglich eingereichten Fassung** (Beschreibung, Ansprüche, etwaige Textbestandteile in den Zeichnungen), der veröffentlichten Zusammenfassung und etwaiger Angaben über biologisches Material nach Regel 13*bis*.3 und 13*bis*.4 PCT	Translation of the **international application** (description, claims, any text in the drawings) **as originally filed**, of the abstract as published and of any indication under Rule 13*bis*.3 and 13*bis*.4 PCT regarding biological material	Traduction de la **demande internationale telle que déposée initialement** (description, revendications, textes figurant éventuellement dans les dessins), de l'abrégé publié et de toutes indications visées aux règles 13*bis*.3 et 13*bis*.4 PCT concernant le matériel biologique
7.2	☐	Übersetzung der **prioritätsbegründenden Anmeldung(en)** (nur nach Aufforderung durch das EPA, Regel 53 (3) EPÜ)	Translation of **the priority application(s)** (to be filed only at the EPO's request, Rule 53(3) EPC)	Traduction de la (des) **demande(s) dont la priorité est revendiquée** (à produire seulement sur invitation de l'OEB, règle 53(3) CBE)
7.3	☐	Es wird hiermit erklärt, dass die internationale Anmeldung in ihrer ursprünglich eingereichten Fassung eine vollständige Übersetzung der früheren Anmeldung ist (Regel 53 (3) EPÜ).	It is hereby declared that the international application as originally filed is a complete translation of the previous application (Rule 53(3) EPC).	Il est déclaré par la présente que la demande internationale telle que déposée initialement est une traduction intégrale de la demande antérieure (règle 53(3) CBE).
		*b) **Zusätzlich** im Verfahren vor dem EPA als **Bestimmungsamt** (PCT I):*	*(b) **In addition**, in proceedings before the EPO as **designated Office** (PCT I):*	*b) **De plus**, dans la procédure devant l'OEB agissant en qualité d'**office désigné** (PCT I) :*
7.4	☐	Übersetzung der nach Artikel 19 PCT ***geänderten Ansprüche*** nebst Erklärung, falls diese dem Verfahren vor dem EPA zugrunde gelegt werden sollen (siehe Feld 6).	Translation of **amended claims** and any statement under Article 19 PCT, if the claims as amended are to form the basis for the proceedings before the EPO (see Section 6).	Traduction des **revendications modifiées** et de la déclaration faite conformément à l'article 19 PCT, si la procédure devant l'OEB doit être fondée sur les revendications modifiées (voir la rubrique 6).
		*c) **Zusätzlich** im Verfahren vor dem EPA als **ausgewähltem Amt** (PCT II):*	*(c) **In addition**, in proceedings before the EPO as **elected Office** (PCT II):*	*c) **De plus**, dans la procédure devant l'OEB agissant en qualité d'**office élu** (PCT II) :*
7.5	☐	Übersetzung der **Anlagen zum internationalen vorläufigen Prüfungsbericht**	Translation of any **annexes to the international preliminary examination report**	Traduction des **annexes du rapport d'examen préliminaire international**

8.		**Biologisches Material**	**Biological material**	**Matière biologique**
	☐	Die Erfindung verwendet und/oder bezieht sich auf biologisches Material, das nach Regel 13*bis* PCT und Regel 31 EPÜ hinterlegt worden ist.	The invention uses and/or relates to biological material deposited under Rule 13*bis* PCT and Rule 31 EPC.	L'invention utilise et/ou concerne de la matière biologique déposée conformément à la règle 13*bis* PCT et à la règle 31 CBE.
		Bezugszeichen	Identification reference	Référence d'identification
		Hinterlegungsstelle (Name und Adresse)	Depositary institution (Name and address)	Autorié de dépôt (Nom et adresse)
		Eingangsnummer	Accession number	Numéro d'ordre

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☐ Die **Angaben nach Regel 31 (1) c) EPÜ** (falls noch nicht bekannt, die Hinterlegungsstelle und das (die) vom Hinterleger zugeteilte(n) Bezugszeichen [Nummer, Symbole usw.]) sind in der internationalen Veröffentlichung oder in der gemäß Feld 7 eingereichten Übersetzung enthalten auf Seite(n) / Zeile(n):

The **particulars referred to in Rule 31(1) (c) EPC** (if not yet known, the depository institution and the identification reference(s) [number, symbols, etc.] of the depositor) are given in the international publication or in the translation submitted under Section 7 on page(s) / line(s):

Les **indications visées à la règle 31(1)c) CBE** (si elles ne sont pas encore connues, l'autorité de dépôt et la (les) référence(s) d'identification [numéro ou symboles etc.] du déposant) figurent dans la publication internationale ou dans la traduction produite conformément à la rubrique 7 à la / aux page(s) / ligne(s) :

Die **Empfangsbescheinigung(en)** der Hinterlegungsstelle

The **receipt(s) of deposit** issued by the depositary institution

Le(s) **récépissé(s) de dépôt** délivré(s) par l'autorité de dépôt

☐ ist (sind) beigefügt.

is (are) enclosed.

est (sont) joint(s).

☐ wird (werden) nachgereicht.

will be filed later.

sera (seront) produit(s) ultérieurement.

☐ Verzicht auf die Verpflichtung des Antragstellers nach Regel 33 (2) EPÜ auf gesondertem Schriftstück

Waiver of the right to an undertaking from the requester pursuant to Rule 33(2) EPC attached

Renonciation, sur document distinct, à l'engagement du requérant au titre de la règle 33(2) CBE

9. Nucleotid- und Aminosäuresequenzen / Nucleotide and amino acid sequences / Séquences de nucléotides et d'acides aminés

9.1 ☐ Das Sequenzprotokoll wurde gemäß Regel 5.2 a) PCT eingereicht oder gemäß Regel 13*ter*.1 a) PCT beim EPA als ISA eingereicht oder dem EPA auf andere Weise in computerlesbarer Form gemäß WIPO-Standard ST.25 zugänglich gemacht

The sequence listing was filed under Rule 5.2(a) PCT, or furnished to the EPO as ISA under Rule 13*ter*.1(a) PCT, or is otherwise available to the EPO, in computer-readable format in accordance with WIPO Standard ST.25

Le listage de séquences a été déposé au titre de la règle 5.2 a) PCT, fourni à l'OEB agissant en tant qu'ISA au titre de la règle 13*ter*.1 a) PCT, ou mis à la disposition de l'OEB par un autre moyen, sous une forme lisible par ordinateur et conforme à la norme ST.25 de l'OMPI

9.2 ☐ Das Sequenzprotokoll wird anliegend in computerlesbarer Form gemäß WIPO-Standard ST.25 nachgereicht

The sequence listing is furnished herewith in computer-readable format in accordance with WIPO Standard ST.25

Le listage de séquences sous une forme lisible par ordinateur et conforme à la norme ST.25 de l'OMPI est fourni ci-joint

☐ Das Sequenzprotokoll geht nicht über den Inhalt der Anmeldung in der ursprünglich eingereichten Form hinaus.

The sequence listing does not include matter which goes beyond the application as filed.

Le listage des séquences ne s'étend pas au-delà du contenu de la demande telle qu'elle a été déposée.

10. Benennung von Vertragsstaaten / Designation of contracting states / Désignation d'Etats contractants

Alle Vertragsstaaten, die dem EPÜ **bei Einreichung der internationalen Patentanmeldung** angehören, gelten als benannt (siehe Artikel 79 (1) EPÜ), soweit sie in der internationalen Anmeldung bestimmt sind.

All the contracting states party to the EPC **at the time of filing of the international patent application** and designated in the international application are deemed to be designated (see Article 79(1) EPC).

Tous les Etats contractants qui sont parties à la CBE **lors du dépôt de la demande de brevet internationale** et sont désignés dans la demande internationale sont réputés désignés (voir article 79(1) CBE).

11. Erstreckung / Validierung / Extension / Validation / Extension / Validation

Diese Anmeldung gilt als Antrag, die europäische Patentanmeldung und das darauf erteilte europäische Patent auf alle in der internationalen Anmeldung bestimmten Nichtvertragsstaaten des EPÜ zu erstrecken, mit denen am Tag der Einreichung der internationalen Anmeldung Erstreckungs- oder Validierungsabkommen in Kraft waren. Der Antrag gilt jedoch als zurückgenommen, wenn die Erstreckungs- bzw. die Validierungsgebühr nicht fristgerecht entrichtet wird.

This application is deemed to be a request to extend the effects of the European patent application and the European patent granted in respect of it to all non-contracting states to the EPC designated in the international application with which extension or validation agreements were in force on the date on which the application was filed. However, the request is deemed withdrawn if the extension fee or validation fee, whichever is applicable, is not paid within the prescribed time limit.

La présente demande est réputée constituer une requête en extension des effets de la demande de brevet européen et du brevet européen délivré sur la base de cette demande à tous les Etats non parties à la CBE qui sont désignés dans la demande internationale et avec lesquels des accords d'extension ou de validation étaient en vigueur à la date du dépôt de la demande. Cette requête est toutefois réputée retirée si la taxe d'extension ou, le cas échéant, la taxe de validation n'est pas acquittée en temps utile.

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11.1

Es ist beabsichtigt, die Erstreckungsgebühr(en) für folgende Staaten zu entrichten:	It is intended to pay the extension fee(s) for the following state(s):	Il est envisagé de payer la(les) taxe(s) d'extension pour les Etats suivants :
Hinweis: Im automatischen Abbuchungsverfahren werden nur für die hier angekreuzten Staaten Erstreckungsgebühren abgebucht, sofern dem EPA nicht vor Ablauf der Zahlungsfrist ein anderslautender Auftrag zugeht.	**Note:** Under the automatic debiting procedure, extension fees will be debited only for states indicated here, unless the EPO is instructed otherwise before expiry of the period for payment.	**Veuillez noter** que dans le cadre de la procédure de prélèvement automatique des taxes d'extension, le compte est débité du montant dû seulement pour les Etats cochés ici, sauf instruction contraire reçue avant l'expiration du délai de paiement.
☐ **BA** Bosnien und Herzegowina	Bosnia and Herzegovina	Bosnie-Herzégovine
☐ **ME** Montenegro	Montenegro	Monténégro
☐		
☐		
(Platz für in der internationalen Anmeldung bestimmte Staaten, mit denen Erstreckungsabkommen am Anmeldetag der internationalen Anmeldung in Kraft waren)	*(Space for states which were designated in the international application and with which extension agreements existed on the date of filing of the international application)*	*(Espace prévu pour des Etats désignés dans la demande internationale avec lesquels des accords d'extension existaient à la date de dépôt de la demande internationale)*

11.2

Es ist beabsichtigt, die Validierungsgebühr(en) für folgende Staaten zu entrichten:	It is intended to pay the validation fee(s) for the following state(s):	Il est envisagé de payer la(les) taxe(s) de validation pour les Etats suivants :
Hinweis: Im automatischen Abbuchungsverfahren werden nur für die hier angekreuzten Staaten Validierungsgebühren abgebucht, sofern dem EPA nicht vor Ablauf der Zahlungsfrist ein anderslautender Auftrag zugeht.	**Note:** Under the automatic debiting procedure, validation fees will be debited only for states indicated here, unless the EPO is instructed otherwise before expiry of the period for payment.	**Veuillez noter** que dans le cadre de la procédure de prélèvement automatique des taxes de validation, le compte est débité du montant dû seulement pour les Etats cochés ici, sauf instruction contraire reçue avant l'expiration du délai de paiement.
☐ **KH** Kambodscha	Cambodia	Cambodge
➔ Beachten Sie bitte, dass derzeit Arzneimittel in Kambodscha bis 2033 vom Patentschutz ausgenommen sind: Siehe ABl EPA 2018, A16	➔ Note that pharmaceutical products are currently excluded from patent protection in Cambodia until 2033: see OJ EPO 2018, A16	➔ Veuillez noter que les produits pharmaceutiques sont actuellement exclus de la protection par brevet au Cambodge jusqu'en 2033, cf. JO OEB 2018, A16
☐ **MA** Marokko	Morocco	Maroc
☐ **MD** Republik Moldau	Republic of Moldova	République de Moldavie
☐ **TN** Tunesien	Tunisia	Tunisie
☐		
(Platz für in der internationalen Anmeldung bestimmte Staaten, mit denen Validierungsabkommen nach Drucklegung dieses Formblatts in Kraft treten)	*(Space for states which were designated in the international application and with which validation agreements enter into force after this form has been printed)*	*(Espace prévu pour des Etats désignés dans la demande internationale avec lesquels des accords de validation entreront en vigueur après l'impression du présent formulaire)*

12. Beschleunigung des Verfahrens / Acceleration of procedure / Accélération de la procédure

12.1

Vorzeitige Bearbeitung	**Early processing**	**Traitement anticipé**
☐ Hiermit wird die vorzeitige Bearbeitung der Anmeldung gemäß Artikel 23 (2) / 40 (2) PCT beantragt („vorzeitiger Eintritt in die europäische Phase").	Early processing of the application pursuant to Article 23(2) / 40(2) PCT is hereby requested ("early entry into the European phase").	Par la présente, le traitement anticipé de la demande selon les articles 23(2) / 40(2) PCT est demandé (« entrée anticipée dans la phase européenne »).
➔ Bitte beachten Sie die Erfordernisse, die für einen wirksamen Antrag auf vorzeitige Bearbeitung erfüllt werden müssen, sowie dessen rechtliche Konsequenzen (s. „Merkblatt zum Formblatt EPA 1200").	➔ Please take note of the further requirements for the request to be effective and the legal consequences (see "Notes on EPO Form 1200").	➔ Prière de noter les conditions requises à remplir pour qu'une requête en traitement anticipé soit valable, ainsi que les conséquences juridiques (voir la « Notice concernant le formulaire OEB 1200 »).

Zeichen des Anmelders / Applicant's reference / Référence du demandeur ☐

12.2

	Verzichtserklärungen	Waivers	Renonciations
☐	Der Anmelder verzichtet auf die Mitteilung nach Regel 161 (1) oder (2) und 162 EPÜ.	The applicant waives his right to the communication under Rules 161(1) or (2) and 162 EPC.	Le demandeur renonce au droit de recevoir la notification émise en vertu des règles 161(1) ou (2) et 162 CBE.
☐	Der Anmelder verzichtet auf die Aufforderung nach Regel 70 (2) EPÜ, zu erklären, ob die Anmeldung aufrechterhalten wird.	The applicant waives his right to be asked under Rule 70(2) EPC whether he wishes to proceed further with the application.	Le demandeur renonce à être invité, conformément à la règle 70(2) CBE, à déclarer s'il souhaite maintenir sa demande.

13.

Zahlungen	Payment	Paiement
Bezüglich der Gebührenentrichtung, insbesondere über das laufende Konto, wird auf Abschnitt 13 des Merkblatts zum Formblatt für den Eintritt in die europäische Phase (EPA als Bestimmungsamt oder ausgewähltes Amt) (Formblatt EPA/EPO/ OEB 1200) verwiesen.	With regard to the payment of fees, in particular via deposit account, reference is made to Section 13 of the Notes on Form EPA/EPO/OEB 1200 for entry into the European phase (EPO as designated or elected Office).	En ce qui concerne le paiement des taxes, en particulier via un compte courant, ii est fait reference a la rubrique 13 de la notice concernant le formulaire EPA/EPO/ OEB 1200 relatif a l'entree dans la phase europeenne (OEB agissant en quallte d'office designe ou elu).

14. gestrichen / deleted / supprimé

15.

Unterschrift(en) des (der) Anmelder(s) oder Vertreter	Signature(s) of applicant(s) or representative	Signature(s) du (des) demandeur(s) ou du mandataire
Name(n) des (der) Unterzeichneten bitte in Druckschrift wiederholen und bei juristischen Personen auch die Stellung des (der) Unterzeichneten innerhalb der Gesellschaft angeben.	Under signature please print name and, in the case of legal persons, position within the company.	Prière d'indiquer en caractères d'imprimerie le ou les noms des signataires ainsi que, s'il s'agit d'une personne morale, la position occupée au sein de celle-ci par le ou les signataires.

Für Angestellte (Art. 133 (3) EPÜ) mit allgemeiner Vollmacht Nr.:	For employees (Art. 133(3) EPC) with general authorisation No.:	Pour les employés (art. 133(3) CBE) disposant d'un pouvoir général n° :

Ort / Datum	Place / Date	Lieu / Date

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Tabelle zu Feld 6 des Formblatts 1200.3

Table for section 6 of Form 1200.3

Tableau afférent à la rubrique 6 du formulaire 1200.3

Der Berechnung der Zusatzgebühr zugrunde zu legende Unterlagen (Art. 2, Nr. 1a, GebO):[1] / Documents on which the calculation of the additional fee is based (Art. 2, item 1a, RFees):[1] / Pièces fondant le calcul de la taxe additionnelle (art. 2, point 1bis RRT) :[1]		Seite(n) von ... bis ...[2] / Page(s) from ... to ...[2] / Page(s) ... à ...[2]	Anzahl der Seiten[3] / Number of pages[3] / Nombre de pages[3]
Veröffentlichte Fassung der internationalen Anmeldung / International application as published / Demande internationale telle que publiée	Beschreibung / description / description		
	Ansprüche / claims / revendications		
	Zeichnungen / drawings / dessins		
	Zusammenfassung / abstract / abrégé		**1**
Geänderte Ansprüche nach Art. 19 PCT (veröffentlicht mit der internationalen Anmeldung oder gesondert veröffentlicht) / Amended claims under Art. 19 PCT (published with the international application or published separately) / Revendications modifiées en vertu de l'art. 19 PCT (telles que publiées avec la demande internationale ou telles que publiées séparément)			
Änderungen nach Art. 34 PCT / Amendments under Art. 34 PCT / Modifications en vertu de l'art. 34 PCT	Beschreibung / description / description		
	Ansprüche / claims / revendications		
	Zeichnungen / drawings / dessins		
Beim Eintritt in die europäische Phase eingereichte Änderungen / Amendments filed on entry into European phase / Modifications présentées lors de l'entrée dans la phase européenne	Beschreibung / description / description		
	Ansprüche / claims / revendications		
	Zeichnungen / drawings / dessins		
Anzahl der Seiten insgesamt / Total number of pages / Nombre total de pages			
Gebührenfreie Seiten (Art. 2 Nr. 1a GebO) / Fee-exempt pages (Art. 2, item 1a, RFees) / Pages exemptes de taxes (art. 2, point 1bis RRT)			**– 35**
Anzahl der gebührenpflichtigen Seiten / Number of pages to be paid for / Nombre de pages soumises au paiement de la taxe			
			(x 15 EUR pro Seite) / (x EUR 15 per page) / (x 15 euros par page)
Zu entrichtender Gesamtbetrag / Total amount payable / Montant total exigible en euros		**EUR**	

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Zeichen des Anmelders / Applicant's reference / Référence du demandeur

Fußnoten	Footnotes	Notes de bas de page
1 Zu Fällen, in denen die internationale Anmeldung nicht in einer Amtssprache des EPA veröffentlicht wurde, siehe die Mitteilung zur Ergänzung der Mitteilung des Europäischen Patentamts vom 26. Januar 2009 über die Gebührenstruktur 2009 (ABl. EPA 2009, 338).	For cases where the international application has not been published in an official language of the EPO, see the Notice supplementing the Notice from the European Patent Office dated 26 January 2009 concerning the 2009 fee structure (OJ EPO 2009, 338).	Pour les cas où à la demande internationale n'a pas été publiée dans une langue officielle de l'OEB, cf. Communiqué complétant le communiqué de l'Office européen des brevets, en date du 26 janvier 2009, relatif à la structure des taxes 2009 (JO OEB 2009, 338).
2 In dieser Spalte sind nur die Seiten anzugeben, die der Berechnung der Zusatzgebühr (Art. 2, Nr. 1a GebO) zugrunde zu legen sind. Verbleibende Seiten/Teile der veröffentlichten Fassung der Anmeldung und/oder der gemäß Artikel 19 PCT und/oder Artikel 34 PCT geänderten Anmeldung, die zu ersetzen sind, sind nicht in dieser Spalte anzugeben.	Only those pages to be taken into account for the calculation of the additional fee (Art. 2, item 1a, RFees) shall be indicated in this column. Any remaining pages/parts of the application as published and/or amended under Article 19 PCT and/or Article 34 PCT which are to be replaced shall not be indicated in this column.	Il convient de n'indiquer dans cette colonne que les pages devant être prises en considération pour le calcul de la taxe additionnelle (art. 2, point 1bis RRT). Si la demande telle que publiée et/ou modifiée au titre de l'article 19 PCT et/ou de l'article 34 PCT contient d'autres pages/parties qui doivent être remplacées, prière de ne pas mentionner les pages/parties en question dans cette colonne.
3 In dieser Spalte ist nur die Zahl der Seiten anzugeben, die der Berechnung der Zusatzgebühr (Art. 2, Nr. 1a GebO) zugrunde zu legen sind.	Only the number of pages to be taken into account for the calculation of the additional fee (Art. 2, item 1a, RFees) shall be indicated in this column.	Il convient de n'indiquer dans cette colonne que le nombre de pages devant être prises en considération pour le calcul de la taxe additionnelle (art. 2, point 1bis RRT).

EPA/EPO/OEB 1200.9 – 10.19

Europäisches Patentamt
European Patent Office
Office européen des brevets

Notes on EPA/EPO/OEB Form 1200 for entry into the European phase (EPO as designated or elected Office)

I. General instructions

These notes explain how to complete EPA/EPO/OEB Form 1200. To file international applications under the Patent Cooperation Treaty (PCT) Form PCT/RO/101 should be used. The appropriate form to request the grant of a European patent is EPA/EPO/OEB Form 1001.

The requirements for entry into the European phase are laid down in the European Patent Convention (EPC) and its Implementing Regulations. Further information on entry into the European phase can be obtained from the Euro-PCT Guide: PCT procedure at the EPO, in particular Chapter 5: Euro-PCT procedure before the EPO as a designated (PCT Chapter I) or elected (PCT Chapter II) Office.

Forms and brochures

Forms, brochures, schedules of fees and legal texts can be downloaded from the EPO's website at epo.org.

Accelerated prosecution

For those seeking faster search or examination for their applications, the "PACE" programme for accelerated prosecution of European patent applications (OJ EPO 2015, A93) offers effective options for shortening the processing time.

However, PACE requests filed before the end of the international phase will not be effective unless accompanied by an express request for early processing under Article 23(2) or 40(2) PCT (see point 12.1).

For other ways to expedite the European grant procedure, see Notice from the EPO dated 30 November 2015 (OJ EPO 2015, A94) and point 12.

Entry into the European phase – Form 1200

Under Rule 159(1) EPC, on entry into the European phase before the EPO as designated or elected Office applicants must perform the acts specified in Rules 159(1)(a) to (h) and 162(1) EPC within 31 months of the filing date or, if priority has been claimed, the (earliest) priority date.

Use of Form 1200 is recommended. The form should be typewritten or printed (Rule 50(2) EPC) to ensure that it is machine-readable.

If there is not enough space for the required information, an additional sheet should be filed, indicating the number and heading (e.g. "2 - Additional representative(s)"; "6 - Documents intended for proceedings before the EPO") of each section continued in this way.

Applicants should indicate their internal reference in the box above section 1 and in the corresponding box at the bottom of each page.

Filing of documents

Form 1200 and attachments must be filed direct with the EPO.

(a) Online

Form 1200, attached translations and amendments to the application documents may be filed in electronic form (OJ EPO 2021, A20), i.e. via EPO Online Filing, via the EPO case management system (CMS, also referred to as new online filing), via Online Filing 2.0 or via the EPO Web-Form Filing service. For more details go to epo.org. The online filing fee is less than the fee for filing in person, by post or by fax.

(b) By fax

The above documents may also be filed by fax. Confirmation on paper is required only if the EPO specifically requests it (see Special edition No. 3, OJ EPO 2007, A.3).

(c) By post or in person

Form 1200 need only be filed in one copy. The same applies to attached translations and amendments to the application documents. Special rules apply to sequence listings (see II.9).

II. Filling in the form

The numbering below corresponds to the sections of the form.

1. Applicant

If on entry into the European phase the address, nationality, or country of residence or of place of business is missing for any applicant (as may

occur under Rule 26.2*bis*(b) PCT), this information must be filed on a separate sheet.

An address for correspondence may be given only by applicants who are not obliged to appoint a professional representative authorised to act before the EPO (Article 133 EPC) and have not appointed one. It must be the applicant's own address, and in an EPC contracting state. Addresses for correspondence accepted for proceedings in the international phase but which do not fulfil those conditions will not be accepted in proceedings before the EPO in the European phase (see OJ EPO 2014, A99).

2. Representative (Articles 133 and 134 EPC)

Applicants not having their residence or principal place of business in an EPC contracting state must be represented by a professional representative and act through him in all proceedings established by the EPC (Article 133(2) EPC). Section 2 must always be completed if a professional representative or a legal practitioner entitled to act as such (Article 134(1) and (8)) is appointed.

3. Authorisation (Rule 152 EPC)

Under Rule 152(1) to (3) EPC in conjunction with the decision of the President of the EPO dated 12 July 2007, professional representatives who identify themselves as such are required to file a signed authorisation only in particular circumstances (see Special edition No. 3, OJ EPO 2007, L.1). However, a legal practitioner entitled to act as a professional representative under Article 134(8) EPC or an employee acting for an applicant under Article 133(3), first sentence, EPC who is not a professional representative must file a signed authorisation unless an authorisation which expressly empowers him to act in proceedings established by the EPC has previously been filed with the EPO as receiving Office.

If an association registered with the EPO is appointed as representative (Rule 152(11) EPC) (see OJ EPO 2013, 535), the association's registered name and registration number must be indicated.

If an authorisation is required, the use of EPA/EPO/OEB Form 1003 is recommended for individual authorisations and EPO Form 1004 for general authorisations.

4. Request for examination (Articles 150(2) and 94 and Rule 70 EPC)

4.1 First check box

The request for examination is not deemed to be filed until the examination fee has been paid (Article 94(1) and Rule 70(1) EPC). The box for the request is pre-crossed in section 4.1 of Form 1200.

Persons having their residence or principal place of business in an EPC contracting state with an official language other than English, French or German, and nationals of that state who are resident abroad, may file the request for examination in an admissible non-EPO language (Article 14(4) EPC), using the space provided.

4.1 Second check box

For applicants who file the request for examination in an admissible non-EPO language in addition to the (pre-crossed) request in the language of the proceedings, the examination fee is reduced by 30% provided they are an SME, a natural person, a non-profit organisation, a university or a public research organisation (Rule 6(4) EPC, Article 14(1) RFees).

Under Rule 6(6) EPC, applicants wishing to benefit from the fee reduction must declare that they are an entity or natural person covered by Rule 6(4) EPC. They must file this declaration at the latest by the time of payment of the fee in question, either by crossing this box or separately (for this purpose, non-mandatory EPA/EPO/OEB Form 1011 is available from the EPO website). If there are multiple applicants, for the reduction to apply, each one must be an entity or a natural person within the meaning of Rule 6(4) EPC. In such cases, it is however sufficient for only one of the multiple applicants to be entitled to file documents in an admissible non-EPO language (Article 14(4), Rule 6(3) EPC). For more details see Notice from the EPO dated 10 January 2014 concerning amended Rule 6 EPC and Article 14(1) RFees (OJ EPO 2014, A23).

The request for examination is available in all admissible non-EPO languages on the EPO website.

The request for examination (i.e. written request plus payment of the examination fee) must be filed either up to six months from the date on which the international search report (or the declaration under Article 17(2)(a) PCT) was published (Article 153(6) EPC) or within 31 months from the filing date or, where applicable, the (earliest) priority date, whichever period ends later. In practice this means that the request for examination must be submitted within the 31-month period (Rule 159(1)(f) EPC), unless the international search report was published late.

5. Additional copies of the documents cited in the supplementary European search report

One or more additional sets of copies of the documents cited in the supplementary European search report (see Rule 65 EPC) can be ordered against payment of the flat-rate fee(s).

6. Documents intended for proceedings before the EPO (Rule 159(1)(b) EPC) and response to the written opinion established by the EPO (Rule 161(1) EPC)

When an application enters the European phase applicants must specify the application documents, as originally filed or as amended, on which the European grant procedure is to be based (Rule 159(1)(b) EPC). Section 6 allows them to clarify whether they wish to proceed with

- the **published documents,** whereby any amended claims filed with the International Bureau under Article 19 PCT replace the originally filed claims, unless expressly stated to the contrary – in proceedings before the EPO as **designated Office** without PCT Chapter II (section 6.1), or
- the documents on which the **international preliminary examination report is based** – in proceedings before the EPO as **elected Office** under PCT Chapter II (section 6.2).

Sections 6.1 and 6.2 also provide the possibility to indicate that amended documents filed on entry into the European phase are to form the basis for the grant procedure.

For Euro-PCT applications where a supplementary European search report will not be prepared, the following applies (see Guidelines for Examination in the EPO, E-IX, 3.2, for details):

Where the EPO has acted as the International Searching Authority (ISA) and, if a demand under Article 31 PCT was filed, also as the International Preliminary Examining Authority (IPEA), or as the Supplementary International Searching Authority (SISA), the applicant will be required to respond to any negative written opinion (WO-ISA) prepared by the EPO as ISA, or, where applicable, to the negative international preliminary examination report (IPER) prepared by the EPO as IPEA, or to the objections raised in the explanations given in the Supplementary International Search Report (SISR) under Rule 45*bis*.7(e) PCT, as the case may be. The time limit for response is six months from the invitation under Rule 161(1) EPC (see OJ EPO 2010, 634). Failure to respond in due time will lead to the application being deemed to be withdrawn (Rule 161(1) EPC).

New amendments (Articles 28 and 41 PCT) and/or comments which are filed on entry into the regional phase before the EPO will be considered to constitute a response to the WO-ISA, or to the IPER or the explanations given in the SISR, as the case may be, if the applicant indicates on Form 1200 that such amendments and/or comments are to form the basis for further prosecution of the application. Similarly, amendments under Article 19 and/or 34 PCT filed in the international phase and maintained on entry into the European phase by making the appropriate entries on Form 1200 may constitute a response, subject to certain requirements (see Guidelines for Examination in the EPO, C-III, 2.2, and E-IX, 3, for details).

The applicant must therefore clearly indicate the documents which are to form the basis for further prosecution of the application by crossing the appropriate boxes in section 6.1 or 6.2 as applicable.

In all cases, the applicant should specify in the **table on page 8** of Form 1200 the documents which are to be used for the European phase and therefore form the basis for calculation of any additional fee. Any exceptional circumstances which may need further explanation must be clarified on an **additional sheet**.

The applicant can also amend the application at any time within a non-extendable period of six months from the communication (Forms 1226AA, 1226BB, 1226CC) under Rule 161(1) and (2) EPC, which is issued shortly after effective entry into the European phase.

Pages of amendments filed during the six-month period under Rule 161 EPC are not taken into account in the calculation of the additional fee as part of the filing fee. Consequently, if amendments are filed at this stage which reduce the number of pages already paid for, no refund of the additional fee will be made.

If application documents filed on entry into the European phase contain handwritten amendments, an invitation to remedy this deficiency will be issued, and in case of non-compliance the application will be refused (see Notice from the EPO dated 8 November 2013 concerning application of Rules 49 and 50 EPC to handwritten amendments, OJ EPO 2013, 603).

Whenever amendments are filed, the applicant must identify them and indicate the basis for them in the application as filed (Rule 137(4) EPC) (see Guidelines for Examination in the EPO, E-IX, 3.4, and H-III, 2.1 and 2.1.1). If he fails to do so, the examining division may issue a communication under Rule 137(4) EPC requesting the correction of the deficiency within a non-extendable period of one month. If he then fails to reply within that period, the application will be deemed to be withdrawn under Article 94(4) EPC.

If the applicant has supplied **test reports** in proceedings before the EPO as International Preliminary Examining Authority, the EPO assumes that it may also use them in the European grant proceedings.

6.3 Copies of the search results (Rule 141(1) EPC)

For each of the previous applications whose priority is claimed, a copy of the search results produced by the authority with which the application was filed (Rule 141(1) EPC) has to be supplied. This obligation applies to European patent applications and international applications filed on or after 1 January 2011 (see OJ EPO 2010, 410, OJ EPO 2011, 64, and OJ EPO 2013, 217).

This box is to be crossed only if the copies of the documents are indeed supplied when filing the form for entry into the European phase. If, however, a copy of the search results is included in the file by the EPO, no action is required on the part of the applicant (see OJ EPO 2016, A19).

7. Translations

7.1 Translation of the international application

If the international application was **not** published in an EPO official language, the applicant must furnish the EPO with a translation of that application in such a language within 31 months of the filing date or, where applicable, the (earliest) priority date.

The proceedings in the European phase will be conducted in the language of the translation. The translation must include the description, the claims as originally filed, any text in the drawings, and the abstract. It must also include any indications under Rule 13*bis*.3 and 13*bis*.4 PCT in the case of inventions relating to biological material and any published request for rectification (Rule 91.3(d) PCT).

7.2 Translation of the priority application

Under Rule 53(3) EPC, applicants may be invited by the EPO to file a translation of the previous (priority) application (see also OJ EPO 2013, 150).

Alternatively, they can submit a declaration under Rule 53(3) that the European patent application is a complete translation of the previous application. They can do this by crossing the box in section 7.3. In this case, no invitation to file a translation of the priority application will be issued.

7.4 Claims amended under Article 19 PCT

If the applicant wishes the subsequent proceedings to be based on the claims as amended under Article 19 PCT, the translation must also include those claims, together with any explanatory statement (Rule 49.5(a)(ii), 49.5(c) and (c-*bis*) PCT) and, in any event, the accompanying letter under Rule 46.5(b) PCT.

7.5 Translation of annexes

Where **PCT Chapter II** applies, applicants must prepare and file translations of all annexes to the international preliminary examination report (Article 36(2)(b) and (3)(b), Rule 70.16(a) PCT, Rule 74.1 PCT), regardless of whether they are seeking patent protection for the same version of the application documents as was the subject of that report.

8. Biological material

To enable the EPO to check compliance with the requirements under Rule 13*bis* PCT in conjunction with Rule 31(1)(c) EPC, applicants should indicate the name and address of the depositary institution and the accession number of the deposited biological material in section 8. In addition, the identification reference of the biological material can be specified.

Applicants should also indicate where in the description the information required under Rule 31(1)(c) EPC (depositary institution and the deposit accession number) or the depositor's identification reference can be found.

To further enable the EPO to check compliance with Rule 31 EPC, the receipt issued by the depositary institution is to be submitted to the EPO. Applicants are strongly advised to submit the receipt when filing this form.

Waiver under Rule 33(1) and (2) EPC

Applicants may waive their right under Rule 33(1) and (2) EPC to an undertaking from the requester to issue a sample of the biological material, provided that they are the depositor of the biological material concerned. This waiver must be expressly declared to the EPO in the form of a separate, signed statement. It must specify the biological material concerned (depositary institution and accession number or depositor's reference number as shown in the application documents). It may be submitted at any time.

9. Nucleotide and amino acid sequences

9.1 If the application discloses one or more nucleotide and/or amino acid sequences, a sequence listing in electronic form complying with the Administrative Instructions under the PCT (WIPO Standard ST.25) is normally available to the EPO as designated/elected Office if such sequence listing was contained in the international application in accordance with Rule 5.2(a) PCT, furnished to the EPO as International Authority under Rule 13*ter*.1(a) PCT, or otherwise made available to it, e.g. by WIPO.

9.2 If the application discloses one or more nucleotide and/or amino acid sequences and a sequence listing in electronic form complying with the Administrative Instructions under the PCT (WIPO Standard ST.25) is not available to the EPO as

designated/elected Office, a standardised electronic sequence listing must be filed on entry into the European phase; otherwise, the EPO will invite the applicant to file the sequence listing (Rule 163(3) EPC). In this case, a late furnishing fee is payable. For further information, see Rules 163(3) and 30(3) EPC, as well as the decision of the President of the EPO dated 28 April 2011 and the Notice from the EPO dated 18 October 2013 concerning the filing of sequence listings (OJ EPO 2011, 372, and OJ EPO 2013, 542).

If the standardised sequence listing is submitted on entry into the European phase, the applicant must declare that the subsequently filed sequence listing does not include matter which goes beyond the content of the application as originally filed. The declaration can be made by crossing the relevant box in section 9.2.

10. Designation of contracting states

All the contracting states designated in the international patent application and party to the EPC at the time of its filing are deemed to be designated (see Article 79(1) EPC). Thus the EPC contracting states that can be validly designated on entry into the European phase are already specified in the international phase (Rule 4.9(a) PCT). For international applications entering the regional phase on or after 1 April 2009, payment of the flat-rate designation fee covers all the EPC contracting states, unless individual designations are expressly withdrawn (Article 2, item 3, RFees) (see OJ EPO 2009, 118).

11. Extension/validation

The application and the European patent granted in respect of it are extended or validated, in accordance with section 11 of Form 1200, to or in those non-EPC contracting states designated for a national patent in the international application with which extension or validation agreements were in force at the time of filing of the international application.

The request for extension or validation for a state is deemed withdrawn if the extension/validation fee is not paid to the EPO within the time limit laid down in the EPC for paying the designation fee (Rule 159(1)(d) EPC) (see Guidelines for Examination in the EPO, A-III, 12).

11.1 Extension of European patent applications and the resulting European patents may be requested for countries with which the EPO has extension agreements (as at November 2018: Bosnia and Herzegovina and Montenegro).

11.2 Validation of European patent applications and the resulting European patents may be requested for countries with which the EPO has validation agreements (as at November 2018: Morocco, the Republic of Moldova, Tunisia and Cambodia). The EPO publishes the necessary information about such agreements on its website and in its Official Journal in good time before their entry into force. With regard to Cambodia, please note that pharmaceutical products are currently excluded from patent protection until 2033 (OJ EPO 2018, A16).

12. Acceleration of procedure

The ways in which the European grant procedure can be expedited in addition to the "PACE" request are listed in the Notice from the EPO dated 30 November 2015 (OJ EPO 2015, A94). The options available on entry into the European phase are gathered together in this section for ease of selection.

12.1 Early processing

Request for the early start of processing in the European phase ("early entry")

Applicants who wish the EPO as designated or elected Office to start processing an application before expiry of the 31-month time limit under Rule 159(1) EPC must file an express request for early processing. The request can be made by crossing box 12.1.

A request for early processing is effective on the date of its filing only if the requirements of Rule 159(1) EPC applicable on that date have been complied with. The nature of the requirements to be met depends on the date on which the request for early processing is filed (see Notice from the EPO dated 21 February 2013 concerning the request for early processing, OJ EPO 2013, 156, II.7 and 8).

Applicants must take note of the **consequences** of an effective request for early processing (see OJ EPO 2013, 156, III.9 and 10). Crossing box 12.1 must therefore be carefully considered.

An effective request for early processing **terminates the international phase** in respect of the EPO as designated/elected Office. This means that the application will be processed **immediately** as a European application as from the date the request for early processing is effective, and reversion to the 31-month time limit is excluded. This implies, for instance, that the time limits for filing the request for examination and paying the examination fee, the designation fee and the third renewal fee are those applying to a European application, and are no longer deferred to expiry of the 31-month time limit under Rule 159(1) EPC.

The automatic debiting of all relevant fees is available for requests for early processing filed on or after 1 November 2017 (see Arrangements for the automatic debiting procedure (AAD,

Annexes A.1 and A.2 to the ADA)). However, automatic debiting can only be performed if the documents referred to in Article 20 PCT are available to the EPO, so that it can establish whether or not a page fee for the 36th and each subsequent page must be debited. These documents are normally available to the EPO if

– the international application has already been published,

– the EPO is the receiving Office, or

– the EPO acts as (S)ISA or IPEA.

In all other cases, if they want the request to take effect immediately, applicants must pay the relevant fees due on filing the request for early processing by a means of payment other than automatic debiting. Otherwise the request will only take effect on the day on which the EPO receives the documents referred to in Article 20 PCT from the IB in accordance with Rule 47.4 PCT.

Applicants are recommended to read the Notice from the EPO dated 21 February 2013 concerning the request for early processing (OJ EPO 2013, 156). Further information is available in the Guidelines for Examination in the EPO, E-IX, 2.8, and the Euro-PCT Guide.

12.2 Waivers

Waiver of communication pursuant to Rules 161 and 162 EPC

The time limit under Rules 161 and 162 EPC is **six months** (see OJ EPO 2010, 634).

In order to accelerate the European grant procedure applicants can, in addition to filing a "PACE" request, expressly **waive their right to the communication under Rules 161(1) or (2) and 162 EPC** by crossing the first box in section 12.2.

The EPO will not issue a communication under Rules 161(1) or (2) and 162 EPC only if, in addition to the "waiver", on entry into the European phase the applicant has also fulfilled all the requirements of Rules 161 and 162 EPC (i.e. payment of any claims fees due and, where required, submission of a response under Rule 161(1) EPC) for the application to proceed directly to the supplementary European search or to examination. To accelerate the processing of the application further, the applicant can request accelerated search or examination under the PACE programme (see Notice from the EPO dated 30 November 2015 concerning the programme for accelerated prosecution of European patent applications ("PACE"), OJ EPO 2015, A93).

Where the right to the communication under Rules 161(1) or (2) and 162 EPC has not been validly waived, the communication will be issued and the application will be processed only after expiry of the six-month period provided for under those rules, even if a request under the PACE programme has been filed.

See also Notices from the EPO dated 5 April 2011 and 30 November 2015 (OJ EPO 2011, 354 and OJ EPO 2015, A94).

Waiver of the invitation under Rule 70(2) EPC

Applicants who file the request for examination before receiving the supplementary European search report are asked by the EPO, after the search report has been sent, to confirm within a six-month period that they wish to proceed further with the application (Rule 70(2) EPC). Where they also have to respond to the search opinion, their response is required within this same period (Rule 70a(2) EPC). To accelerate the procedure, they can waive their right to be asked for such confirmation by crossing the second box in section 12.2, in which case confirmation is deemed to be given when the supplementary European search report is transmitted to them. With regard to the legal consequences, see Guidelines for Examination in the EPO, C-VI, 3.

13. Payment

Fees due in respect of a patent application can be paid in a number of different ways, i.e. by debiting a deposit account, by credit card or by bank transfer. For more information, including information on how to claim refunds, see "Fee payments and refunds" on the EPO website.

Debiting a deposit account/automatic debiting

The procedure for paying by debiting a deposit account or by automatic debiting is set out in detail in the Arrangements for deposit accounts (ADA), the Arrangements for the automatic debiting procedure (AAD, Annex A.1 to the ADA) and the Information from the EPO concerning the automatic debiting procedure (Annex A.2 to the ADA) published in the supplementary publication to the EPO's Official Journal.

Careful attention should be paid to the conditions applicable to the filing of debit orders.

Payment by credit card

Payments by credit card must be made via the EPO's credit card fee payment service available on the EPO website, using a credit card accepted by the EPO (as at December 2017: Master Card and VISA). The procedure is set out in detail in the Notice from the European Patent Office concerning the payment of fees by credit card published in the EPO's Official Journal.

Bank transfers

The procedure for paying by bank transfer is set out in detail in the Notice from the European Patent Office concerning fee payments via bank transfer published in the EPO's Official Journal.

Payments by bank transfer should be made to the following account with the Commerzbank in Germany:

Account No. 3 338 800 00 / Sort code 700 800 00

IBAN DE20 7008 0000 0333 8800 00

BIC DRESDEFF700

Commerzbank AG
Leopoldstrasse 230
80807 Munich
Germany

For fee information, see "Guidance for the payment of fees, costs and prices", which is published regularly in the EPO's Official Journal.

For the fee amounts, see the publication "Schedule of fees and expenses" or the "Interactive schedule of fees" available on the EPO website under "European (EPC) fees".

III. Table for section 6 of Form 1200.3 – Documents intended for proceedings before the EPO

The table is used for calculating the additional fee for applications comprising more than 35 pages (Article 2, item 1a, RFees).

Europäisches Patentamt
European Patent Office
Office européen des brevets

Erfindernennung
Designation of inventor
Désignation de l'inventeur

(falls Anmelder nicht oder nicht allein der Erfinder ist) /
(where the applicant is not the inventor or is not the sole inventor) /
(si le demandeur n'est pas l'inventeur ou l'unique inventeur)

Zeichen des Anmelders / Applicant's reference /
Référence du demandeur

Anmeldenummer oder, falls noch nicht bekannt, Bezeichnung der Erfindung: /
Application No. or, if not yet known, title of the invention: /
N° de la demande ou, s'il n'est pas encore connu, titre de l'invention :

In Sachen der oben bezeichneten europäischen Patentanmeldung nennt (nennen) der (die) Unterzeichnete(n)[1] / In respect of the above European patent application I (we), the undersigned[1] / En ce qui concerne la demande de brevet européen susmentionnée, le(s) soussigné(s)[1]

als Erfinder[2]: / do hereby designate as inventor(s)[2]: / désigne(nt) en tant qu'inventeur(s)[2] :

☐ Weitere Erfinder sind auf einem gesonderten Blatt angegeben. / Additional inventors are indicated on a supplementary sheet. / D'autres inventeurs sont mentionnés sur une feuille supplémentaire.

Der (Die) Anmelder hat (haben) das Recht auf das europäische Patent erlangt[3] / The applicant(s) has (have) acquired the right to the European patent[3] / Le(s) demandeur(s) a (ont) acquis le droit au brevet européen[3]

☐ gemäß Vertrag vom / by an agreement dated / en vertu du contrat passé le

☐ als Arbeitgeber / as employer(s) / en qualité d'employeur(s)

☐ durch Erbfolge / as successor(s) in title / par succession

Ort / Place / Lieu

Datum / Date

Unterschrift(en) des (der) Anmelder(s) oder Vertreter(s): /
Signature(s) of applicant(s) or representative(s): /
Signature(s) du (des) demandeur(s) ou du (des) mandataire(s) :

Name des (der) Unterzeichneten bitte in Druckschrift wiederholen. Bei juristischen Personen bitte die Stellung des (der) Unterzeichneten innerhalb der Gesellschaft in Druckschrift angeben. / Please print name(s) under signature(s). In the case of legal persons, the position of the signatory within the company should also be printed. / Le ou les noms des signataires doivent être indiqués en caractères d'imprimerie. S'il s'agit d'une personne morale, la position occupée au sein de celle-ci par le ou les signataires doit également être indiquée en caractères d'imprimerie.

EPA/EPO/OEB 1002 02.21

bitte wenden / P.T.O. / T.S.V.P.

Fußnoten zur Vorderseite

1 Name(n) des (der) Unterzeichneten nach Maßgabe der Regel 41 (2) c) und d) EPÜ:

Bei natürlichen Personen ist der Familienname vor den Vornamen anzugeben.
Bei juristischen Personen und Gesellschaften, die juristischen Personen gemäß dem für sie maßgebenden Recht gleichgestellt sind, ist die amtliche Bezeichnung anzugeben.

2 Name(n), Vorname(n), Wohnsitzstaat und Wohnort des Erfinders (der Erfinder) gemäß Regel 19 (1) EPÜ.
Der Wohnort entspricht der Stadt oder Gemeinde in der der Erfinder seinen Wohnsitz hat und schließt die Postleitzahl ein (sofern vorhanden).

3 Ist der Anmelder nicht oder nicht allein der Erfinder, so hat die Erfindernennung eine Erklärung darüber zu enthalten, wie der Anmelder das Recht auf das europäische Patent erlangt hat (Artikel 81, Regel 19 (1) EPÜ).

Bei rechtsgeschäftlicher Übertragung genügt die Angabe „gemäß Vertrag vom ...".

Bei Arbeitnehmererfindungen genügt der Hinweis, dass der oder die Erfinder Arbeitnehmer des Anmelders/der Anmelder ist bzw. sind.

Bei Erbfolge genügt die Angabe, dass der oder die Anmelder Erbe(n) des Erfinders/der Erfinder ist bzw. sind.

Footnotes to text overleaf

1 Name(s) of the undersigned in accordance with Rule 41(2)(c) and (d) EPC:

Names of natural persons shall be indicated by the person's family name, followed by his given names.
Names of legal persons, and of bodies equivalent to legal persons under the relevant law, shall be indicated by their official designations.

2 Family name(s), given name(s) and country and place(s) of residence of the inventor(s) in accordance with Rule 19(1) EPC.
The place of residence is the city or other municipality where the inventor permanently resides, and includes the postal code (where available).

3 If the applicant is not the inventor or is not the sole inventor, the designation shall contain a statement indicating the origin of the right to the European patent (Article 81, Rule 19(1) EPC).

In the case of assignment the words "by agreement dated ..." suffice.

In the case of inventions by employees a mention that the inventor(s) is/are employee(s) of the applicant(s) is sufficient.

In the case of succession a mention that the applicant(s) is/are heir(s) of the inventor(s) is sufficient.

Renvois concernant le texte figurant au recto

1 Nom(s) du (des) soussigné(s), conformément à la règle 41(2)c) et d) CBE :

Les personnnes physiques doivent être désignées par leurs noms suivis de leurs prénoms.
Les personnes morales et les sociétés assimilées aux personnes morales en vertu du droit dont elles relèvent doivent figurer sous leur désignation officielle.

2 Nom(s), prénom(s) de l'(des) inventeur(s) ainsi que le pays et le lieu de son (leur) domicile, conformément à la règle 19(1) CBE.
Le lieu de domicile correspond à la ville ou autre entité administrative où l'inventeur réside de façon permanente et inclut le code postal (lorsqu'il est disponible).

3 Si le demandeur n'est pas l'inventeur, ou l'unique inventeur, la désignation de l'inventeur doit comporter une déclaration indiquant l'origine de l'acquisition du droit au brevet européen (article 81 et règle 19(1) CBE).

En cas de transfert contractuel, il suffit de mentionner « en vertu du contrat passé le ... ».

Pour les inventions de salariés, il suffit d'indiquer que le ou les inventeurs sont des employés du ou des demandeurs.

En cas de transfert successoral, il suffit d'indiquer que le ou les demandeurs sont les héritiers du ou des inventeurs.

EPA/EPO/OEB 1002 02.21

Europäisches Patentamt
European Patent Office
Office européen des brevets

Vollmacht[1]
Au horisation[1]
Pouvoir[1]

Bitte vor dem Ausfüllen des Formblatts Rückseite beachten.
Please read the notes overleaf before completing the form.
" euillez lire les remarques au verso avant de remplir le formulaire.

Zeichen des Anmelders / Applicant's reference / Référence du demandeur
(max. 15 Positionen / max. 15 spaces / 15 caractères au maximum)

Anmelde Patentnummer / Application Patent No. /
N° de la demande (du brevet)

Ich (Wir)[2]
I (We)[2]
Je (Nous)[2]

bevollmächtige(n) hiermit[3]
do hereby authorise[3]
autorise (autorisons) par la présente[3]

☐ sowie weitere auf einem gesonderten Blatt angegebene Vertreter / and additional representatives indicated on a separate sheet / ainsi que d'autres mandataires mentionnés sur une feuille supplémentaire

mich (uns) zu vertreten als / to represent me (us) as / à me (nous) représenter en tant que

☐ Anmelder oder Patentinhaber, / applicant(s) or patent proprietor(s), / demandeur(s) ou titulaire(s) du brevet,

☐ Einsprechenden (Einsprechende), / opponent(s), / opposant(s),

und in den durch das Europäische Patentübereinkommen geschaffenen Verfahren betreffend die folgende(n) europäische(n) Patentanmeldung(en) oder das (die) folgende(n) europäische(n) Patent(e)[4] für mich (uns) zu handeln und Zahlungen für mich (uns) in Empfang zu nehmen: /
to act for me (us) in all proceedings established by the European Patent Convention concerning the following European patent application(s) or patent(s)[4] and to receive payments on my (our) behalf: /
à agir en mon (notre) nom dans toute procédure instituée par la Convention sur le brevet européen et concernant la (les) demande(s) de brevet ou le (les) brevet(s) européen(s)[4] suivant(s) et à recevoir des paiements en mon (notre) nom .

☐ Fortsetzung auf einem gesonderten Blatt. / Additional applications or patents are indicated on a supplementary sheet. / Suite sur une feuille supplémentaire.

☐ Diese Vollmacht gilt auch für Verfahren nach dem Vertrag über die internationale Zusammenarbeit auf dem Gebiet des Patentwesens. /
This authorisation also applies to any proceedings established by the Patent Cooperation 3reaty
Ce pouvoir s'applique également à toute procédure instituée par le 3raité de coopération en matière de brevets.

☒ Diese Vollmacht gilt auch für etwaige europäische 3eilanmeldungen. / This authorisation also covers any European divisional applications. /
Ce pouvoir vaut également pour toute demande divisionnaire européenne.

☐ Es kann eine Untervollmacht erteilt werden. / ' sub-authorisation may be given. / Ce pouvoir peut être délégué.

☐ Ich (Wir) widerrufe(n) hiermit frühere Vollmachten in Bezug auf die oben genannte(n) Anmeldung(en) oder das (die) oben genannte(n) Patent(e)[5]
I (We) hereby revoke all previous authorisations in respect of the above application(s) or patent(s)[5]
Je révoque (Nous révoquons) par la présente tout pouvoir antérieur, donné pour la (les) demande(s) ou le (les) brevet(s) mentionné(e)(s) ci-dessus[5]

Ort / Place / Lieu

Datum / Date

Unterschrift(en)[6] / Signature(s)[6]

Das Formblatt muss vom (von den) Vollmachtgeber(n) eigenhändig unterzeichnet sein (bei juristischen Personen vom Unterschriftsberechtigten). Nach der Unterschrift bitte den (die) Namen des (der) Unterzeichneten in Druckschrift wiederholen und bei juristischen Personen die Stellung des Unterschriftsberechtigten innerhalb der Gesellschaft angeben. /
The form must bear the personal signature(s) of the authoriser(s) (in the case of legal persons, that of the officer empowered to sign). After the signature, please print the name(s) of the signatory(ies) adding, in the case of legal persons, his (their) position within the company
Le formulaire doit être signé de la propre main du (des) mandant(s) (dans le cas de personnes morales, de la personne ayant qualité pour signer).
" euillez ajouter en caractères d'imprimerie, après la signature, le (les) nom(s) du (des) signataire(s) en mentionnant, dans le cas de personnes morales, ses (leurs) fonctions au sein de la société.

bitte wenden / P

*(A/EPO/OEB 1003 11.11

I. Fußnoten zur Vorderseite

1 a) Die Verwendung dieses Formblatts wird empfohlen für die Bevollmächtigung von Vertretern vor dem Europäischen Patentamt – zugelassene Vertreter, Rechtsanwälte im Sinne des Artikels 134 (8) und Zusammenschlüsse von Vertretern nach Regel 152 (11) – sowie für die Bevollmächtigung von Angestellten im Sinne des Artikels 133 (3) Satz 1; zu Satz 2 sind bisher keine Ausführungsbestimmungen ergangen.
Zugelassene Vertreter, die sich als solche zu erkennen geben, müssen nach Regel 152 (1) in Verbindung mit dem Beschluss der Präsidentin des EPA vom 12. Juli 2007 nur in bestimmten Fällen eine unterzeichnete Vollmacht einreichen (Sonderausgabe Nr. 3, ABl. EPA 2007, L.1.). Hingegen müssen nach Artikel 134 (8) vertretungsberechtigte Rechtsanwälte sowie Angestellte, die für einen Anmelder gemäß Artikel 133 (3) Satz 1 handeln und keine zugelassenen Vertreter sind, eine unterzeichnete Vollmacht einreichen.
b) Zutreffendes ist anzukreuzen.

2 Name(n) und Anschrift(en) sowie Staat des Sitzes oder Wohnsitzes des Vollmachtgebers (der Vollmachtgeber) nach Maßgabe der nachstehenden Regel 41 (2) c): „Bei natürlichen Personen ist der Familienname vor den Vornamen anzugeben. Bei juristischen Personen und Gesellschaften, die juristischen Personen gemäß dem für sie maßgebenden Recht gleichgestellt sind, ist die amtliche Bezeichnung anzugeben. Anschriften sind gemäß den üblichen Anforderungen für eine schnelle Postzustellung an die angegebene Anschrift anzugeben und müssen in jedem Fall alle maßgeblichen Verwaltungseinheiten, gegebenenfalls bis zur Hausnummer einschließlich, enthalten."

3 Name(n) und Geschäftsanschrift des Vertreters (der Vertreter) nach Maßgabe der in Ziff. 2 wiedergegebenen Regel 41 (2) c).

4 Nummer der Anmeldung(en) (falls bekannt) oder des Patents (der Patente) und Bezeichnung(en) der Erfindung(en).

5 Der Widerruf erfasst nicht eine gegebenenfalls erteilte allgemeine Vollmacht.

6 Übliche Unterschrift des (der) Vollmachtgeber(s). Wird die Vollmacht für eine juristische Person unterzeichnet, so dürfen nur solche Personen unterzeichnen, die nach Gesetz und/oder Satzung der juristischen Person dazu berechtigt sind (Artikel 58, Regel 152 (1)). Es ist ein Hinweis auf die Unterschriftsberechtigung des Unterzeichneten zu geben (z. B. Geschäftsführer, Prokurist, Handlungsbevollmächtigter; président, director, company secretary; président, directeur, fondé de pouvoir).
Unterzeichnet ein sonstiger Angestellter einer juristischen Person aufgrund einer speziellen Vollmacht der juristischen Person, so ist dies anzugeben; von der speziellen Vollmacht ist eine Kopie, die nicht beglaubigt zu sein braucht, beizufügen. Eine Vollmacht mit der Unterschrift einer nicht zeichnungsberechtigten Person wird als nicht unterzeichnete Vollmacht behandelt.

II. Hinweise

a) Erstreckt sich die Vollmacht auf mehrere Anmeldungen oder Patente, so ist sie in der entsprechenden Stückzahl einzureichen (vgl. Regel 152 (2)).
b) Alle Entscheidungen, Ladungen, Bescheide und Mitteilungen werden an den Vertreter übersandt (vgl. Regel 130). Im Fall der Bevollmächtigung von Angestellten im Sinne des Artikels 133 (3) werden die genannten Schriftstücke dem Anmelder übersandt.
c) Regel 152 (9) bestimmt: „Sofern die Vollmacht nichts anderes bestimmt, erlischt sie gegenüber dem Europäischen Patentamt nicht mit dem Tod des Vollmachtgebers."
d) Im Übrigen vgl. die Mitteilung zu Fragen der Vertretung vor dem EPA im Amtsblatt EPA 4/1978, 281 ff.

I. Footnotes to text overleaf

1 (a) The use of this form is recommended for authorising representatives before the European Patent Office – professional representatives, legal practitioners under Article 134(8) and associations of representatives pursuant to Rule 152(11) – and for authorising employees under Article 133(3), first sentence; as regards the second sentence, no implementing regulation has yet been issued.
Professional representatives who identify themselves as such are required under Rule 152(1), in conjunction with the decision of the President of the EPO dated 12 July 2007, to file a signed authorisation only in particular cases (Special edition No. 3, OJ EPO 2007, L.1.). However, a legal practitioner entitled to act as a professional representative in accordance with Article 134(8), or an employee acting for an applicant in accordance with Article 133(3), first sentence, but who is not a professional representative, must file a signed authorisation.
(b) Where applicable place a cross in the box.

2 Name(s) and address(es) of the party (parties) giving the authorisation and the State in which his (their) residence or principal place of business is located, in accordance with Rule 41(2) (c): „Names of natural persons shall be indicated by the person's family name, followed by his given names. Names of legal persons, as well as of bodies equivalent to legal persons under the law governing them, shall be indicated by their official designations. Addresses shall be indicated in accordance with applicable customary requirements for prompt postal delivery and shall comprise all the relevant administrative units, including the house number, if any."

3 Name(s) and address of place of business of the representative(s) in accordance with Rule 41(2)(c) (cf. note 2 above).

4 Application No(s). or patent No(s). (if known) and title(s) of the invention(s).

5 The revocation does not extend to any general authorisation which may have been given.

6 Usual signature(s) of person(s) giving the authorisation. Where the authorisation is signed on behalf of a legal person, only such persons as are entitled to sign by law and/or in accordance with the articles of association or equivalent of the legal person may do so (Article 58, Rule 152(1)). An indication is to be given of the signatory's entitlement to sign (e.g. president, director, company secretary; Geschäftsführer, Prokurist, Handlungsbevollmächtigter; président, directeur, fondé de pouvoir). If any other employee of a legal person signs by virtue of a special authorisation conferred by the legal person, this is to be indicated and a copy of the special authorisation, which need not be certified, is to be supplied. An authorisation bearing the signature of a person not entitled so to sign will be treated as an unsigned authorisation.

II. Notices

(a) Authorisations covering more than one application or patent are to be filed in the corresponding number of copies (cf. Rule 152(2)).
(b) All decisions, summonses and communications will be sent to the representative (cf. Rule 130). In cases where employees are authorised under Article 133(3), these documents will be sent to the applicant.
(c) Rule 152(9) states: "Unless it expressly provides otherwise, an authorisation shall not terminate vis-à-vis the European Patent Office upon the death of the person who gave it."
(d) See also Communication on matters concerning representation before the EPO in the Official Journal EPO 4/1978, 281 ff.

I. Renvois concernant le texte figurant au recto

1 a) Il est recommandé d'utiliser ce formulaire pour mandater des représentants devant l'Office européen des brevets – mandataires agréés, avocats au sens de l'article 134(8) et groupements de mandataires conformément à la règle 152(11) – ainsi que pour mandater des employés au sens de l'article 133(3), première phrase; il n'a pas encore été arrêté de dispositions d'application relatives à la deuxième phrase. En vertu de la règle 152(1) en liaison avec la décision de la Présidente de l'OEB en date du 12 juillet 2007, les mandataires agréés qui se font connaître comme tels ne sont tenus de déposer un pouvoir signé que dans certains cas (Edition spéciale n° 3, JO OEB 2007, L.1.). En revanche, les avocats habilités à agir en qualité de mandataires en vertu de l'article 134(8), ainsi que les employés qui agissent pour le compte d'un demandeur conformément à l'article 133(3), 1ère phrase, et qui ne sont pas des mandataires agréés, doivent déposer un pouvoir signé.
b) Faire une croix dans la case si nécessaire.

2 Nom(s) et adresse(s), Etat du siège ou du domicile du (des) mandant(s), dans les conditions prévues à la règle 41(2) c) et reproduites ci-après : «Les personnes physiques doivent être désignées par leur nom suivi de leurs prénoms. Les personnes morales et les sociétés assimilées aux personnes morales en vertu du droit dont elles relèvent doivent figurer sous leur désignation officielle. Les adresses doivent être indiquées selon les exigences usuelles en vue d'une distribution postale rapide à l'adresse indiquée et comporter en tout état de cause toutes les indications administratives pertinentes, y compris, le cas échéant, le numéro de la maison.»

3 Nom(s) et adresse professionelle du (des) mandataire(s), dans les conditions prévues à la règle 41(2) c) et mentionnées au point 2.

4 Numéro de la (des) demande(s) (s'il est connu) ou du (des) brevet(s) et titre(s) de l'invention (des inventions).

5 La révocation ne s'étend pas à un pouvoir général éventuellement donné.

6 Signature(s) habituelle(s) du (des) mandant(s). Lorsque le pouvoir est signé au nom d'une personne morale, seules sont habilitées à signer les personnes auxquelles cette qualité est reconnue en vertu de la loi et/ou du statut de la personne morale concernée (article 58, règle 152(1)). Il convient d'indiquer la qualité du signataire (par exemple: président, directeur, fondé de pouvoir; Geschäftsführer, Prokurist, Handlungsbevollmächtigter; president, director, company secretary).
Il y a lieu de signaler les cas où un autre employé d'une personne morale signe en vertu d'un pouvoir spécial conféré par la personne morale et de fournir alors une copie, qui peut ne pas être certifiée conforme, de ce pouvoir spécial. Un pouvoir portant la signature d'une personne non habilitée à signer sera considéré comme non signé.

II. Notes

a) Si le pouvoir est donné pour plusieurs demandes ou plusieurs brevets, il doit être fourni un nombre correspondant d'exemplaires (cf. règle 152(2)).
b) Toutes les décisions, citations, notifications seront adressées au mandataire (voir règle 130). Dans le cas où des employés au sens de l'article 133(3) sont mandatés, les pièces mentionnées sont envoyées au demandeur.
c) La règle 152(9) stipule: «Sauf s'il en dispose autrement, le pouvoir ne prend pas fin, à l'égard de l'Office européen des brevets, au décès du mandant.»
d) Pour le reste, se reporter à la Communication concernant les questions relatives à la représentation près l'OEB, parue au Journal officiel de l'OEB, 4/1978, 281 s.

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Europäisches Patentamt
European Patent Office
Office européen des brevets

General authorisation

Please forward the **original** direct to the EPO, Legal Division (Dir. 5.2.3) in Munich.
Please read the attached notes before completing the form.

1 General authorisation No. (for official use only)

2 **I (We)**
Full name and address of authorisor(s)

3 **do hereby authorise**

Full name and address of authorisee: professional representative, legal practitioner, employee, association of representatives – **please specify**

4 **to represent me (us) in all proceedings established by the European Patent Convention and to act for me (us) in all patent transactions.**

☐ This authorisation includes the power to receive payments on my (our) behalf.

☐ This authorisation shall also apply to the same extent to any proceedings established by the Patent Cooperation Treaty.

5 ☐ Sub-authorisation may be given.

☐ Additional representatives indicated on supplementary sheet.

6 ☐ Please return a copy, supplemented by the general authorisation number, to the authorisor.

Name (printed)

Position within the company (where relevant)

Place, Date

Signature*

7 * The form must bear the personal signature(s) of the authorisor(s). In the case of legal persons, the signature must be that of the person empowered to sign on behalf of the company. If possible, please sign in blue.

EPO 1004 09.11

Notes

to the General authorisation Form (EPO 1004)

1 The use of this form is recommended when authorising representatives before the European Patent Office (EPO): **professional representatives** and **legal practitioners** under Article 134(8) EPC; **employees** under Article 133(3), first sentence, EPC and **associations of representatives** under Rule 152(11) EPC. As to Article 133(3), second sentence, EPC no implementing regulation has been issued up to the present time. If the authorisee is an employee who is not a professional representative or a legal practitioner, the authorisor must make a declaration in the general authorisation or in a covering letter that the authorisee is his employee.

2 The name and address of the party giving the authorisation (hereafter **"authorisor"**) and the state in which their residence or principal place of business is located must be given, in accordance with Rule 41(2)(c) below, in the address box:
"Names of natural persons shall be indicated by the person's family name, followed by his given names. Names of legal persons, as well as of bodies equivalent to legal persons under the law governing them, shall be indicated by their official designations. Addresses shall be indicated in accordance with applicable customary requirements for prompt postal delivery and shall comprise all the relevant administrative units, including the house number, if any."

Where the authorisation is being given by more than one party, the relevant information regarding the additional authorisors must be indicated to the right of the address box.

Where there are several authorisors, a general authorisation can also be used when only one or more of them are to be represented. If one of several authorisors cancels a general authorisation, it remains valid for the other authorisors under the old registration number. This applies equally to general authorisations already registered.

3 The name(s) and address of the place of business of the **authorisee(s)** must be given in accordance with Rule 41(2)(c) (see note 2 above). Please specify whether it is a professional representative, a legal practitioner, an employee or an association of representatives. As regards the authorisation of an association of representatives, within the meaning of Rule 152(11) EPC, the name and the number of the association must be given. **If there is more than one authorisee, please insert in the address box the name and address of the place of business of the authorisee to whom the EPO is to send a copy of the form bearing the general authorisation number.**

A communication regarding the registration of the general authorisation is **not** inserted in the files relating to the application for which the authorisee is or is to be appointed as representative. Therefore, it is not permissible to revoke earlier specific authorisations in a general authorisation. When a general authorisation is intended to supersede an earlier one, the earlier authorisation's number must be stated.

The general authorisation of one or more authorisees terminates as soon as the authorisor or the authorisee concerned – **not another authorisee** – has **communicated the termination** to the EPO in Munich (Directorate 5.2.3). The communication must be clear and unambiguous. It is not sufficient to file a new general authorisation omitting the name of the authorisee concerned (Rule 152(7) and (8) EPC).

4 The **powers** mentioned separately in the form (to receive payments, to act in PCT proceedings and to give sub-authorisation) must be expressly granted (eg by placing a cross in the appropriate box on the form). Powers other than those three mentioned above may not be excluded in a general authorisation.

5 The EPC provisions regarding authorisations are to be applied to **sub-authorisations** (Article 133(3), first sentence, Rule 152 EPC), be it
(a) a **specific sub-authorisation** (Rule 152(2), second sentence, EPC), or
(b) a **general sub-authorisation** (Rule 152(4) EPC).
When issuing a general sub-authorisation, Form EPO 1004 can for example be used and the sub-authorisor must indicate the general authorisation number from which he derives his power. When it is registered, the general sub-authorisation keeps the same number as the general authorisation by virtue of which it has been granted.

Subject to any provisions to the contrary contained therein, a general sub-authorisation does not terminate vis-à-vis the EPO upon the death of the person who gave it (Rule 152(9) EPC), nor upon the termination of the authorisation given to the sub-authorisor for any other reason.

6 The EPO returns a copy, supplemented by the general authorisation number, to the authorisor if the appropriate box is crossed (see 4). In any case the EPO will transmit a copy to the authorisee (see 3 above).

7 Where the authorisation is signed on behalf of a legal person, **only such persons as are entitled to sign by law and/or in accordance with the articles of association or equivalent of the legal person may do so** (Article 58 EPC).
An indication is to be given of the signatory's entitlement to sign, eg president, director, company secretary; Geschäftsführer, Prokurist, Handlungs-bevollmächtigter; président, directeur, fondé de pouvoir. If any other employee of a legal person signs by virtue of a special authorisation conferred by the legal person, this is to be indicated and a copy of the special authorisation, which need not be certified, is to be supplied. **An authorisation bearing the signature of a person not entitled to sign will be treated as an unsigned authorisation.**

EPO 1004 09.11

SPANISH PATENT AND TRADEMARK OFFICE

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex ES.I
Request for entry into the national phase . . . . . Annex ES.II
Power of attorney . . . . . Annex ES.III
Deed of assignment . . . . . Annex ES.IV

List of abbreviations:

Office: Spanish Patent and Trademark Office

SPL: Law No. 24/2015 of 24 July 2015 on Patents

SRD: Royal Decree 316/2017 of 31 March 2017

SUMMARY Designated (or elected) Office SUMMARY

ES SPANISH PATENT AND TRADEMARK OFFICE ES

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	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) *Online* / *On paper* For patent or utility model: Filing fee: EUR 85.32 / 100.38
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2]	Name of the inventor if it has not been furnished in the "Request" part of the international application[3] Instrument of assignment of the priority right where the applicants are not identical[3, 4] Instrument of assignment of the international application if the applicant has changed after the international filing date Appointment of an agent if the applicant is not resident in Spain or in another country of the European Union
Who can act as agent?	Any patent attorney whose name appears on a list maintained by the Office
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

[1] Shall be furnished within 30 months from the priority date. If not furnished within that time limit, the Office will invite the applicant to comply with the requirement within two months from the date of the invitation.

[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.

[4] Where the applicant uses the form for national phase entry, it is not necessary to submit a deed of assignment with regard to the applicant's entitlement to claim priority of the earlier application as that form contains a statement in this regard (see Box 6 of form for national phase entry (Annex ES.II)).

THE PROCEDURE IN THE NATIONAL PHASE

ES.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a form for entering the national phase (see Annex ES.II) and strongly recommends the use of this form.

ES.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).

SPL Art. 184

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

SPL Art. 175
SRD Art. 108

ES.04 **APPOINTMENT OF AN AGENT.** An agent must be appointed by filing a power of attorney if the applicant is not resident in Spain or in a country of the European Union. However, the submission of a separate power of attorney or a copy of a general power of attorney is not required, except in case of reasonable doubt regarding the agent's entitlement to act; upon appointment of, or for any paper submitted by, an agent who was not indicated in the request form at the time of filing; or when filing an assignment, a change in the name of the applicant or the proprietor of the patent, a license, a withdrawal, a limitation or revocation or an opposition to a patent or to a utility model. A model of power of attorney is given in Annex ES.III.

SPL Art. 184
185

ES.05 **ANNUAL FEES.** After a patent has been granted, a fee must be paid for maintaining the patent in force. Payment must be made for the third, and each following year after the international filing date which has expired at the time of granting the patent, within three months after publication in the Industrial Property Bulletin of a mention of the grant of the patent. Payment of the subsequent annual fees must be made within three months after the due date, namely the expiration of the month containing the anniversary of the international filing date. Payment can still be made, together with a 25% surcharge, within three months or, together with a 50% surcharge, before the expiration of the sixth month after the due date. Once the sixth month has expired, the patent may still be maintained in force by paying, before the due date for the next annual fee, the corresponding fee with a 50% surcharge and the regularization fee. The amounts of the annual fees are indicated in Annex ES.I.

SRD Art. 101

ES.06 **DEED OF ASSIGNMENT.** When the applicant claims the priority of an earlier application filed by an applicant who is not identical with the applicant of the international application, a deed (or deeds) of assignment must be furnished. For details, see the sample of such deed (not an official form) in Annex ES.III. Legalization is not required. For time limits, see the Summary. When the applicant is not the inventor, it is sufficient to designate the inventor and to indicate how the applicant acquired the right to the patent. Where the applicant uses the form for national phase entry, it is not necessary to submit a deed of assignment with regard to the applicant's entitlement to claim priority of the earlier application as that form contains a statement in this regard (see Box 6 of form for national phase entry (Annex ES.II)).

SPL Art. 48
PCT Art. 28
41

ES.07 **AMENDMENT OF THE APPLICATION.** The applicant may amend or correct the international application before the grant of a patent according to the provisions of the law, provided the scope of the subject matter of the application is not broadened thereby. Any request for amendment is subject to the payment of a fee for modification indicated in Annex ES.I.

SPL Art. 44, 54
PCT Art. 25
PCT Rule 51

ES.08 **REVIEW UNDER PCT ARTICLE 25.** 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 petition against this decision may be lodged within one month from the date of publication of the decision in the Industrial Property Bulletin. Within the same one-month time limit, a fee for petition must be paid (for the amount, see Annex ES.I). If the Office confirms its decision, an administrative appeal may be lodged with the competent court.

SPL Art. 44, 53, 54
SRD Art. 69
PCT Art. 24(2), 48(2)

ES.09 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reestablishment of rights may be requested where the applicant was unable to observe a time limit during the international phase or before the Office, in spite all due care required by the circumstances having been taken. A request for reestablishment must be filed with the Office in writing and the omitted act must be completed. The request must state the grounds on which it is based and must set out the facts to which it refers. If the Office refuses the reestablishment of rights, an administrative appeal may be lodged within one month after the publication of the final decision of the Office in the Industrial Property Bulletin. Nevertheless, certain matters are excluded from the reestablishment of rights. Time limits may be extended for two months by the Office provided that the request for extension is made before the expiration of the time limit. Any proceeding whose time limit falls on a Saturday, a Sunday or a public holiday will be considered fulfilled in due time if it is done on the first working day following that Saturday, Sunday or public holiday.

SPL Art. 141
PCT Art. 4(3), 43
PCT Rules 49*bis*.1(a), (b), 76.5

ES.10 **UTILITY MODEL.** If the applicant wishes to obtain a utility model instead of a patent in Spain, on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

SRD Art. 58

ES.11 The requirements for the national phase are basically the same as for patents.

PCT Art. 7(2)(ii)
PCT Rule 7.2

ES.12 Where the international application does not contain drawings, the applicant must furnish the drawing(s) within the time limit applicable under PCT Article 22 or 39(1). Where the applicant does not furnish the drawing(s) within that time limit, the Office will invite him to furnish the drawing(s) within a time limit fixed in the invitation. Where an international patent application is converted into a utility model application (see the next paragraph), the drawing(s) must be submitted together with the request for conversion.

SPL Art. 51
SRD Art. 46

ES.13 **CONVERSION.** An international application for a patent may be converted into a utility model application after the applicant has complied with the requirements for entry into the national phase for a patent application, as indicated in the Summary. The conversion is subject to the payment of a fee for conversion indicated in Annex ES.I and may be requested until the end of the substantive examination of the patent application.

SRD Art. 46

ES.14 An international application for a utility model may be converted into a patent application after the applicant has complied with the requirements for the entry into the national phase for a utility model application, as indicated in the Summary. The conversion is subject to the payment of a fee for conversion indicated in Annex ES.I and may be requested before the grant of the utility model.

FEES

Currency: Euro

	Online	*On paper*
National fee for patent or utility model:		
— filing fee	85.32	100.38
Fee for conversion	8.76	10.30
Fee for amendment	19.71	23.19
Request for prior art report[1]	581.95	684.65
Request for examination:[2]	331.30	389.77
Annual fees:		
— for the 3rd year counted from the international filing date		18.48
— for the 4th year counted from the international filing date		23.06
— for the 5th year counted from the international filing date		44.11
— for the 6th year counted from the international filing date		65.10
— for the 7th year counted from the international filing date		107.47
— for the 8th year counted from the international filing date		133.78
— for the 9th year counted from the international filing date		167.88
— for the 10th year counted from the international filing date		216.06
— for the 11th year counted from the international filing date		270.82
— for the 12th year counted from the international filing date		317.98
— for the 13th year counted from the international filing date		365.05
— for the 14th year counted from the international filing date		412.56
— for the 15th year counted from the international filing date		440.59
— for the 16th year counted from the international filing date		458.85
— for the 17th to the 20th year counted from the international filing date, per year		490.00
Fee for regularization of an annual fee	—	100.00
Appeal fee	74.88	88.09
Request for reestablishment of rights	89.55	105.35

How can payment of fees be effected?

The payment of fees must be effected in cash, in euro. 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.

The payment of fees may also be effected by electronic means. For more information, see https://sede.oepm.gob.es/eSede/es/index.html

1 Where the Office benefits from a prior international search report, this fee may be refunded or reduced depending upon the extent to which the Office benefits from that earlier search (see SPL, Art. 183.2; www.oepm.es/export/sites/oepm/comun/documentos_relacionados/Propiedad_Industrial/Normativa/Ley_24_2015_de_24_de_julio_de_Patentes.pdf).

2 Where the Office benefits from a prior international preliminary examination report, this fee may be refunded or reduced depending upon the extent to which the Office benefits from that earlier examination report (see SPL, Art. 183.3; www.oepm.es/export/sites/oepm/comun/documentos_relacionados/Propiedad_Industrial/Normativa/Ley_24_2015_de_24_de_julio_de_Patentes.pdf

MINISTERIO
DE INDUSTRIA, ENERGÍA
Y TURISMO

Oficina Española de Patentes y Marcas

INSTANCIA DE SOLICITUD

Nº SOLICITUD:	
FECHA Y HORA DE ENTRADA EN OEPM:	
FECHA Y HORA DE ENTRADA EN LUGAR DISTINTO A LA OEPM:	
LUGAR DE PRESENTACIÓN	CÓDIGO

1. IDENTIFICACIÓN DE LA SOLICITUD

(1) MODALIDAD:

☐ PATENTE DE INVENCIÓN ☐ MODELO DE UTILIDAD

(2) TIPO DE SOLICITUD:	(3) EXPEDIENTE PRINCIPAL O DE ORIGEN:
☐ SOLICITUD DIVISIONAL ☐ CAMBIO DE MODALIDAD ☐ TRANSFORMACIÓN SOLICITUD PATENTE EUROPEA ☐ ENTRADA EN FASE NACIONAL DE SOLICITUD INTERNACIONAL PCT	MODALIDAD: Nº SOLICITUD: FECHA PRESENTACIÓN:

El solicitante declara, por medio de esta instancia, tener derecho a presentar la solicitud arriba indicada.

2. TÍTULO DE LA INVENCIÓN (4)

3. IDENTIFICACIÓN DEL SOLICITANTE

(5) APELLIDOS Y NOMBRE /DENOMINACIÓN SOCIAL					NIF/PASAPORTE
DIRECCIÓN POSTAL			CÓDIGO POSTAL Y LOCALIDAD		PROVINCIA
PAÍS DE RESIDENCIA	CÓDIGO PAÍS RESIDENCIA	PAÍS DE NACIONALIDAD	CÓDIGO PAÍS NACIONALIDAD	(6) CNAE	(7) PYME
DIRECCIÓN CORREO ELECTRÓNICO	Nº TELÉFONO FIJO	Nº TELÉFONO MÓVIL	(8) INDICACIÓN DEL MEDIO DE NOTIFICACIÓN PREFERENTE		
			☐ CORREO POSTAL	☐ CORREO ELECTRÓNICO	

PORCENTAJE DE TITULARIDAD (9): %	NOTA: DE NO ESPECIFICARSE DICHO PORCENTAJE, LA OEPM PRESUMIRÁ IGUALES LAS CUOTAS DE LOS SOLICITANTES.

EL SOLICITANTE TAMBIÉN ES INVENTOR (10):	☐ SÍ ☐ ESTE INVENTOR RENUNCIA A SER MENCIONADO	☐ NO	MODO DE OBTENCIÓN DEL DERECHO: (11) ☐ INVENCIÓN LABORAL ☐ CONTRATO ☐ SUCESIÓN ☐ OTROS (Especificar):_____
(12) EL SOLICITANTE ES UNA UNIVERSIDAD PÚBLICA ESPAÑOLA	☐ SÍ		

4. (13) OTROS SOLICITANTES Y/O INVENTORES

☐ LOS DEMÁS SOLICITANTES Y/O INVENTORES SE INDICAN EN HOJA COMPLEMENTARIA

Ejemplar para el expediente

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5. IDENTIFICACIÓN DEL REPRESENTANTE Y/O DIRECCIÓN DE CORRESPONDENCIA

(14) REPRESENTACIÓN		(15) Nº PODER GENERAL
☐ EL SOLICITANTE NO ESTÁ REPRESENTADO	EL SOLICITANTE ESTÁ REPRESENTADO POR: ☐ AGENTE DE LA PROPIEDAD INDUSTRIAL ☐ OTRO REPRESENTANTE	
(16) ACTUACIÓN POR MEDIO DE AGENTE	APELLIDOS Y NOMBRE / DENOMINACIÓN SOCIAL	CÓDIGO DE AGENTE

(17) ACTUACIÓN POR MEDIO DE OTRO REPRESENTANTE	APELLIDOS Y NOMBRE		NIF/PASAPORTE
DIRECCIÓN POSTAL	CÓDIGO POSTAL Y LOCALIDAD	PROVINCIA	PAÍS
DIRECCIÓN CORREO ELECTRÓNICO	Nº TELÉFONO	(18) INDICACIÓN DEL MEDIO DE NOTIFICACIÓN PREFERENTE	
		☐ CORREO POSTAL ☐ CORREO ELECTRÓNICO	

☐ MÁRQUESE ESTA CASILLA CUANDO NO SE NOMBRE A REPRESENTANTE Y SE QUIERA UTILIZAR LA DIRECCIÓN ARRIBA INDICADA PARA CORRESPONDENCIA

6. OTROS DATOS

(19) REIVINDICACIÓN DE PRIORIDAD	PAÍS ORIGEN	CÓDIGO PAÍS	FECHA	NÚMERO
☐ SÍ ☐ NO				
El solicitante declara, por medio de esta instancia, tener derecho a reivindicar la prioridad arriba indicada				
(20) REMISIÓN A SOLICITUD ANTERIOR	PAÍS ORIGEN	CÓDIGO PAÍS	FECHA	NÚMERO
☐ SÍ ☐ NO				
(21) EXPOSICIONES OFICIALES	NOMBRE		FECHA	LUGAR
☐ SÍ ☐ NO				

(22) EFECTUADO DEPÓSITO DE MATERIAL BIOLÓGICO	AUTORIDAD DE DEPÓSITO	CÓDIGO PAÍS	FECHA	NÚMERO	ORIGEN GEOGRÁFICO	FUENTE DE PROCEDENCIA
☐ SÍ ☐ NO						

(23) RECURSO GENÉTICO	NÚMERO DE CERTIFICADO	NÚMERO DE REGISTRO
☐ UTILIZACIÓN DE RECURSO GENÉTICO ☐ UTILIZACIÓN DE CONOCIMIENTO TRADICIONAL		

LISTA DE SECUENCIAS DE AMINOÁCIDOS Y ÁCIDOS NUCLEICOS

La descripción contiene una lista de secuencias biológicas en concordancia con la norma ST.25 OMPI ☐ SÍ ☐ NO

Se adjunta un soporte de datos legible por ordenador que incluye la lista de secuencias biológicas en concordancia con la norma ST.25 OMPI ☐ SÍ ☐ NO

El solicitante declara, por medio de esta instancia, que la información registrada en el soporte de datos legible por ordenador es idéntica a la contenida en la lista de secuencias biológicas incluida en la descripción de la versión escrita de esta solicitud

(24) EL SOLICITANTE SE ACOGE A LA REDUCCIÓN DE TASAS PREVISTA EN EL ART. 186 DE LA LEY 24/2015 DE PATENTES POR SER EMPRENDEDOR EN LOS TÉRMINOS ESTABLECIDOS LEGALMENTE (Se adjunta instancia y documentación pertinente)	☐ SÍ
(25) SE SOLICITA LA TRAMITACIÓN SEGÚN EL PROGRAMA DE CONCESIÓN ACELERADA DE PATENTES Y, SIMULTÁNEAMENTE, LA PUBLICACIÓN DE ESTA SOLICITUD DE PATENTE ANTES DE 18 MESES DESDE LA FECHA DE PRESENTACIÓN DE LA MISMA, DE CONFORMIDAD CON LO DISPUESTO EN LA DISPOSICIÓN ADICIONAL SEXTA DE LA LEY 24/2015 DE PATENTES Y DE LA CORRESPONDIENTE INSTRUCCIÓN.	☐ SÍ

☐ (26) EL SOLICITANTE DISPONE DE UN INFORME DE INFORMACIÓN TECNOLÓGICA REALIZADO POR ESTA OFICINA PARA LA MISMA INVENCIÓN	NÚMERO DE ITP:

Ejemplar para el expediente

Pág. 2 de 3

7. (27) ÍNDICE DE DOCUMENTOS QUE SE ACOMPAÑAN / FECHA Y FIRMA

☐ DESCRIPCIÓN. Nº PÁGINAS: ___ ☐ Nº DE REIVINDICACIONES: ___ ☐ DIBUJOS. Nº PÁGINAS: ___ ☐ LISTA DE SECUENCIAS. Nº PÁGINAS: ___ ☐ SOPORTE LEGIBLE POR ORDENADOR DE LISTA DE SECUENCIAS ☐ RESUMEN ☐ FIGURA A PUBLICAR EN BOPI Nº: ___ ☐ DECLARACIÓN DE RENUNCIA A SER MENCIONADO/S COMO INVENTOR/ES	☐ JUSTIFICANTE DEL PAGO DE TASA DE SOLICITUD ☐ JUSTIFICANTE DEL PAGO DE TASA DE IET ☐ JUSTIFICANTE DEL PAGO DE TASA DE PRIORIDAD ☐ JUSTIFICANTE DEL PAGO DE TASA DE EXAMEN SUSTANTIVO ☐ INFORMACIÓN COMPLEMENTARIA. Nº HOJAS: ___ ☐ DOCUMENTACIÓN RELATIVA A REDUCCIÓN DE TASAS ☐ OTROS:	FIRMA DEL SOLICITANTE O REPRESENTANTE FIRMA DEL FUNCIONARIO

ADVERTENCIA: POR DISPOSICIÓN LEGAL LOS DATOS CONTENIDOS EN ESTA SOLICITUD PODRÁN SER PUBLICADOS EN EL BOLETÍN OFICIAL DE LA PROPIEDAD INDUSTRIAL E INSCRITOS EN EL REGISTRO DE PATENTES DE LA OEPM, SIENDO AMBAS BASES DE DATOS DE CARÁCTER PÚBLICO Y ACCESIBLES VÍA REDES MUNDIALES DE INFORMÁTICA

Ejemplar para el expediente

IMPRIMIR FORMULARIO

RESTAURAR FORMULARIO

OFICINA ESPAÑOLA DE PATENTES Y MARCAS (OEPM)
Paseo de la Castellana, 75 - 28071 Madrid (España)

5101 (04.17)

Pág. 3 de 3

MINISTERIO
DE INDUSTRIA, ENERGÍA
Y TURISMO

Oficina Española de Patentes y Marcas

INSTANCIA DE SOLICITUD

Nº SOLICITUD:	
FECHA Y HORA DE ENTRADA EN OEPM:	
FECHA Y HORA DE ENTRADA EN LUGAR DISTINTO A LA OEPM:	
LUGAR DE PRESENTACIÓN	CÓDIGO

1. IDENTIFICACIÓN DE LA SOLICITUD

(1) MODALIDAD:

☐ PATENTE DE INVENCIÓN ☐ MODELO DE UTILIDAD

(2) TIPO DE SOLICITUD:	(3) EXPEDIENTE PRINCIPAL O DE ORIGEN:
☐ SOLICITUD DIVISIONAL ☐ CAMBIO DE MODALIDAD ☐ TRANSFORMACIÓN SOLICITUD PATENTE EUROPEA ☐ ENTRADA EN FASE NACIONAL DE SOLICITUD INTERNACIONAL PCT	MODALIDAD: Nº SOLICITUD: FECHA PRESENTACIÓN:

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2. TÍTULO DE LA INVENCIÓN (4)

3. IDENTIFICACIÓN DEL SOLICITANTE

(5) APELLIDOS Y NOMBRE /DENOMINACIÓN SOCIAL					NIF/PASAPORTE
DIRECCIÓN POSTAL				CÓDIGO POSTAL Y LOCALIDAD	PROVINCIA
PAIS DE RESIDENCIA	CÓDIGO PAIS RESIDENCIA	PAIS DE NACIONALIDAD	CÓDIGO PAIS NACIONALIDAD	(6) CNAE	(7) PYME
DIRECCIÓN CORREO ELECTRONICO	Nº TELÉFONO FIJO	Nº TELÉFONO MOVIL	(8) INDICACIÓN DEL MEDIO DE NOTIFICACIÓN PREFERENTE		
			☐ CORREO POSTAL	☐ CORREO ELECTRÓNICO	

PORCENTAJE DE TITULARIDAD (9): %	NOTA: DE NO ESPECIFICARSE DICHO PORCENTAJE, LA OEPM PRESUMIRÁ IGUALES LAS CUOTAS DE LOS SOLICITANTES.

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	☐ ESTE INVENTOR RENUNCIA A SER MENCIONADO		☐ INVENCIÓN LABORAL ☐ CONTRATO ☐ SUCESIÓN ☐ OTROS
			(Especificar):

(12) EL SOLICITANTE ES UNA UNIVERSIDAD PÚBLICA ESPAÑOLA	☐ SÍ

4. (13) OTROS SOLICITANTES Y/O INVENTORES

☐ LOS DEMAS SOLICITANTES Y/O INVENTORES SE INDICAN EN HOJA COMPLEMENTARIA

Ejemplar para el solicitante

5101 (04.17)

Pág. 1 de 3

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DIRECCIÓN POSTAL	CÓDIGO POSTAL Y LOCALIDAD	PROVINCIA	PAÍS

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		☐ CORREO POSTAL ☐ CORREO ELECTRÓNICO

☐ MÁRQUESE ESTA CASILLA CUANDO NO SE NOMBRE A REPRESENTANTE Y SE QUIERA UTILIZAR LA DIRECCIÓN ARRIBA INDICADA PARA CORRESPONDENCIA

6. OTROS DATOS

(19) REIVINDICACIÓN DE PRIORIDAD	PAÍS ORIGEN	CÓDIGO PAÍS	FECHA	NÚMERO
☐ SÍ ☐ NO				

El solicitante declara, por medio de esta instancia, tener derecho a reivindicar la prioridad arriba indicada

(20) REMISIÓN A SOLICITUD ANTERIOR	PAÍS ORIGEN	CÓDIGO PAÍS	FECHA	NÚMERO
☐ SÍ ☐ NO				

(21) EXPOSICIONES OFICIALES	NOMBRE	FECHA	LUGAR
☐ SÍ ☐ NO			

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☐ SÍ ☐ NO						

(23) RECURSO GENÉTICO	NÚMERO DE CERTIFICADO	NÚMERO DE REGISTRO
☐ UTILIZACIÓN DE RECURSO GENÉTICO ☐ UTILIZACIÓN DE CONOCIMIENTO TRADICIONAL		

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Se adjunta un soporte de datos legible por ordenador que incluye la lista de secuencias biológicas en concordancia con la norma ST.25 OMPI ☐ SÍ ☐ NO

El solicitante declara, por medio de esta instancia, que la información registrada en el soporte de datos legible por ordenador es idéntica a la contenida en la lista de secuencias biológicas incluida en la descripción de la versión escrita de esta solicitud

(24) EL SOLICITANTE SE ACOGE A LA REDUCCIÓN DE TASAS PREVISTA EN EL ART. 186 DE LA LEY 24/2015 DE PATENTES POR SER EMPRENDEDOR EN LOS TÉRMINOS ESTABLECIDOS LEGALMENTE (Se adjunta instancia y documentación pertinente)	☐ SÍ
(25) SE SOLICITA LA TRAMITACIÓN SEGÚN EL PROGRAMA DE CONCESIÓN ACELERADA DE PATENTES Y, SIMULTÁNEAMENTE, LA PUBLICACIÓN DE ESTA SOLICITUD DE PATENTE ANTES DE 18 MESES DESDE LA FECHA DE PRESENTACIÓN DE LA MISMA, DE CONFORMIDAD CON LO DISPUESTO EN LA DISPOSICIÓN ADICIONAL SEXTA DE LA LEY 24/2015 DE PATENTES Y DE LA CORRESPONDIENTE INSTRUCCIÓN.	☐ SÍ

☐ (26) EL SOLICITANTE DISPONE DE UN INFORME DE INFORMACIÓN TECNOLÓGICA REALIZADO POR ESTA OFICINA PARA LA MISMA INVENCIÓN	NÚMERO DE ITP:

Ejemplar para el solicitante

Pág. 2 de 3

7. (27) ÍNDICE DE DOCUMENTOS QUE SE ACOMPAÑAN / FECHA Y FIRMA

☐ DESCRIPCIÓN. Nº PÁGINAS: ___ ☐ Nº DE REIVINDICACIONES: ___ ☐ DIBUJOS. Nº PÁGINAS: ___ ☐ LISTA DE SECUENCIAS. Nº PÁGINAS: ___ ☐ SOPORTE LEGIBLE POR ORDENADOR DE LISTA DE SECUENCIAS ☐ RESUMEN ☐ FIGURA A PUBLICAR EN BOPI Nº: ___ ☐ DECLARACIÓN DE RENUNCIA A SER MENCIONADO/S COMO INVENTOR/ES	☐ JUSTIFICANTE DEL PAGO DE TASA DE SOLICITUD ☐ JUSTIFICANTE DEL PAGO DE TASA DE IET ☐ JUSTIFICANTE DEL PAGO DE TASA DE PRIORIDAD ☐ JUSTIFICANTE DEL PAGO DE TASA DE EXAMEN SUSTANTIVO ☐ INFORMACIÓN COMPLEMENTARIA. Nº HOJAS: ___ ☐ DOCUMENTACIÓN RELATIVA A REDUCCIÓN DE TASAS ☐ OTROS:	FIRMA DEL SOLICITANTE O REPRESENTANTE FIRMA DEL FUNCIONARIO

ADVERTENCIA: POR DISPOSICIÓN LEGAL LOS DATOS CONTENIDOS EN ESTA SOLICITUD PODRÁN SER PUBLICADOS EN EL BOLETÍN OFICIAL DE LA PROPIEDAD INDUSTRIAL E INSCRITOS EN EL REGISTRO DE PATENTES DE LA OEPM, SIENDO AMBAS BASES DE DATOS DE CARÁCTER PÚBLICO Y ACCESIBLES VÍA REDES MUNDIALES DE INFORMÁTICA

Ejemplar para el solicitante

OFICINA ESPAÑOLA DE PATENTES Y MARCAS (OEPM)
Paseo de la Castellana, 75 - 28071 Madrid (España)

5101 (04.17)

Pág. 3 de 3

PODER / POWER OF ATTORNEY / POUVOIR

Yo / Nosotros / I / we / Je / Nous (1)

nombro / nombramos / do hereby appoint / nomme / nommons (2)

para encargarse en mi / nuestro nombre de los trámites para presentar una solicitud relativa a la invención intitulada (3)
to take on my / your behalf proceeding for making application for the invention entitled (3)
pour accomplir en mon / notre nom les formalités de dépôt d'une demande relative à l'invention intitulée (3)

en la Oficina Española de Patentes y Marcas (4)
before the Spanish Patent and Trademark Office (4)
auprès de l'Office espagnol des brevets et des marques (4)

de conformidad con la ley española sobre patentes / according to the Spanish Patent Law / conformément à la loi espagnole sur les brevets.

Lugar / Place / Lieu ..... Fecha / Date .....

Firma(s) / Signature(s)

(1) Indicar de manera completa (a) el nombre y (b) la dirección de la persona o de la empresa que ha nombrado al mandatario / Insert in full (a) the name and (b) address of the individual or corporation appointing the attorney / indiquer le nom complet (a) et l'adresse complète (b) de la personne ou de la société qui nomme le mandataire.

(2) Nombre del mandatario / Name of the attorney / Nom du mandataire.

(3) Título de la invención / Title of the invention / Titre de l'invention.

(4) Otros asuntos para los cuales el mandatario ha sido nombrado / Other matters for which the attorney is appointed / Autres affaires pour lesquelles le mandataire est nommé.

ACTA DE CESIÓN / DEED OF ASSIGNMENT / ACTE DE CESSION

Yo/Nosotros el que suscribe/los que suscriben
It is hereby declared that I/we the undersigned
Je/Nous soussigné(s)

declaro/declaramos por la presente acta haber cedido mi/nuestro derecho de solicitar y obtener una patente en España relativa a la invención intitulada:
have assigned my/our right to apply for and obtain a patent in Spain in respect of the invention entitled:
déclare/déclarons par le présent acte avoir cédé mon/notre droit de demander et obtenir un brevet en Espagne en ce qui concerne l'invention intitulée:

a / to / à:

Lugar / Place / Lieu: ..... Fecha / Date: .....

Firma(s) / Signature(s)

NO SE REQUIERE LEGALIZACIÓN / NO LEGALIZATION REQUIRED / AUCUNE LEGALISATION REQUISE

FINNISH PATENT AND REGISTRATION OFFICE (PRH)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Finnish Patent and Registration Office (PRH)

PA: Patents Act

PD: Patents Decree

SUMMARY **Designated (or elected) Office** SUMMARY

FI

FINNISH PATENT AND REGISTRATION OFFICE (PRH)

FI

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:[1]	English, Finnish or Swedish
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as originally filed or as amended, at applicant's option), 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, as originally filed or as amended by the annexes to the international preliminary examination report, at applicant's option)
Is a copy of the international application required?[1]	The applicant should only send a copy of the international application if he/she has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee:	Currency: Euro (EUR)

For patent:		
Basic fee:[2]	EUR	500
Basic fee for an electronically filed application:[2]	EUR	400
Claim fee for each claim in excess of 15:[3]	EUR	50
Additional fee for late furnishing of translation or copy:[1]	EUR	125
Annual fees for the first three years:[4]	EUR	200
For utility model:		
Registration fee:[2]	EUR	250
— for an application filed electronically:[2]	EUR	200
Additional fee for each claim in excess of five:[3]	EUR	20
Additional fee for late furnishing of translation or copy:[1]	EUR	100

[Continued on next page]

[1] Where the basic fee has been paid within the time limit applicable under PCT Article 22 or 39(1), the translation or copy may be filed within two months from the expiration of that time limit, provided that the additional fee for late furnishing of the translation or copy has been paid within those two months.

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

[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] The renewal fees for an international application in respect of fee years which have begun before the date on which the application was pursued under section 31 of the Patents Act or was taken up for processing under section 38 of the same Act or which begin within two months of such date become in no event due until the last day of the month that falls two months after the date on which the application was pursued or otherwise prosecuted.

SUMMARY Designated (or elected) Office SUMMARY

FI FINNISH PATENT AND REGISTRATION OFFICE (PRH) FI

[Continued]

Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[5]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[6] Statement justifying the applicant's right to the invention where the applicant is not the inventor or the only inventor[6] Appointment of an agent if the applicant is not resident in Finland Translation of the international application to be furnished in one copy for a patent and one copy for a utility model If the international application is for both a patent and a utility model, the power of attorney (if any) must be furnished in duplicate
Who can act as agent?	Any natural or legal person resident in the European Economic Area
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

[5] 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.

[6] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

FI.01 **FORMS FOR ENTERING THE NATIONAL PHASE.** The Office has available special forms for entering the national phase (see Annexes FI.II (patents) and FI.III (utility models)). These forms should preferably (but need not) be used.

PD Sec. 3
PA Sec. 8

FI.02 **LANGUAGE OF PROCEEDINGS.** The description, the claims, any text matter of drawings and the abstract of the international application must be in Finnish, Swedish or English. If the application is in Finnish or Swedish, the claims and the abstract must be translated into the other of the two languages before the application becomes available to the public. If the application is in English, the claims and the abstract must be translated into Finnish or Swedish before the application becomes available to the public. However, the Office may refrain from demanding the translation or accept a translation in a language other than Finnish, Swedish or English of all documents which do not belong to the documents making up the international application. The language of opposition and appeal proceedings is Finnish or Swedish.

PA Sec. 31(2)

FI.03 **TRANSLATION (LATE FURNISHING OF).** If the translation of the international application has not been furnished by the applicant within the time limit applicable under PCT Article 22 or 39(l) but the national fee indicated in the Summary has been paid within that time limit, the translation can still be furnished within a further period of two months, provided that the additional fee for late furnishing of the translation, indicated in the Summary, has been paid within those two months.

FI.04 **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).

FI.05 **TRANSLATION (IN CASE OF LACK OF UNITY OF INVENTION).** Where a part of the international application was not subjected to an international search for reason of lack of unity of the invention, a translation is required only of those parts of the international application which were subjected to the international search. However, where the applicant wants to maintain the part which was not searched, a translation of this part must also be furnished (see also paragraph FI.08).

FI.06 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex FI.I.

PA Sec. 12
33

FI.07 **POWER OF ATTORNEY.** An agent may be appointed either by filing a separate power of attorney (which may be a copy or a facsimile) or by means of the special forms referred to in paragraph FI.01 (see Annexes FI.II and FI.III). For time limits, see the Summary. For the language, see paragraph FI.02.

PCT Art. 17(3)(b)
34(3)(c)
PA Sec. 36
37

FI.08 **ADDITIONAL FINNISH SEARCH OR EXAMINATION REPORT (IN CASE OF LACK OF UNITY OF INVENTION).** Where a part of the international application was not subjected to international search or preliminary examination because the international application did not comply with the requirement of unity of invention and the applicant did not pay the additional search or preliminary examination fee to the International Searching or Preliminary Examining Authority, the Office will decide whether the said finding as regards the application translated into Finnish was correct. If this is found to be the case, the Office will invite the applicant to pay an additional fee within two months after mailing of the notification of this decision. The amount of the said fee is indicated in Annex FI.I. Where the applicant does not pay the additional fee, that part of the international application which was not subjected to international search or preliminary examination will be considered withdrawn. For international applications filed on or after 1 November 2011, the international application can be translated into Finnish, Swedish or English.

PA Sec. 19, 20

FI.09 **PUBLICATION FEE.** A publication fee must be paid within two months from the date on which the applicant was notified that the application could be accepted. The amount of the fee is indicated in Annex FI.I.

PA Sec. 8(6), 40 to 42

FI.10 **ANNUAL FEES.** Annual fees must be paid for each year following the international filing date. For the due date of annual fees for the first three years, see the Summary. Payment of the subsequent annual fees must be made before the expiration of the month containing the anniversary of the international filing date. Payment can still be made, together with a 20% surcharge for late payment, before the expiration of the sixth month after the due date. The amounts of the annual fees are indicated in Annex FI.I. It is to be noted that annual fees can be paid without surcharge within two months (extended to the last day of the month) after performing the acts for entering the national phase.

PCT Art. 28, 41
PA Sec. 13
PA Sec. 34
PD Sec. 52b
PA Sec. 19
PD Sec. 19 to 24

FI.11 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make the following modifications before the Office, provided that the scope of the subject matter of the application is not broadened thereby:

(i) within 35 months from the priority date or from the international filing date: corrections of defects and voluntary amendments;

(ii) up to the notice that the application can be accepted: amendments or additions to the description and drawing(s) if they are necessary to comply with general requirements under PCT Articles 5 and 7; amendments or additions to the claims, which, unless the Office allows otherwise, must be made by filing a new document comprising all of the claims in sequence; where additions are made to the claims, the applicant must at the same time file a statement indicating the reference basis for these additions.

PCT Art. 25
PCT Rule 51
PA Sec. 38, 72
PD Sec. 52

FI.12 **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, an appeal against this decision may be lodged with the Market Court within 60 days from the date of receipt of the decision.

PCT Art. 24(2), 48(2)

FI.13 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PA Sec. 71a, 71b
PCT Rule 49.6(a)

FI.14 Reestablishment of rights may be requested where the applicant, in spite of all due care required by the circumstances, was unable to observe a time limit during the international phase or before the Office, default of which is prejudicial to his rights. A request for reestablishment must be presented in writing within two months after the removal of the cause of the failure to perform the action but not later than one year from the expiration of the time limit which has not been observed. Within the said two months, the omitted action must be completed, the fee for reestablishment of rights (see Annex FI.I) must be paid and the request must state the grounds on which it is based and set out the facts on which it relies.

PA Sec. 15, 19

FI.15 Resumption of proceedings concerning the application may be requested from the Office where the applicant missed a time limit which has been fixed for a certain action by the Office. Resumption of proceedings may not be requested where the missed time limit is fixed in the PCT, and the PCT Regulations. A request for resumption of proceedings has the effect that the proceedings for grant will be resumed, provided that, within four months from the expiration of the missed time limit, the said request is presented in writing, the resumption fee (see Annex FI.I) is paid and the omitted act has been completed.

PCT Rule 49*bis*.1 (a), (b), 76.5

FI.16 **UTILITY MODEL.** If the applicant wishes to obtain utility model registration on the basis of an international application

— instead of a patent, or

— in addition to a patent,

the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

If the international application is for a utility model instead of a patent, the requirements are basically the same as for patents with the following exceptions:

— utility model protection does not cover processes;

— a utility model application does not contain an abstract;

— one copy of the translation of the international application in Finnish or Swedish is required;

— the applicant is not required to pay publication or annual fees. Instead of annual fees, renewal fees have to be paid for utility models;

— a utility model right is in force for four years and the term of protection may be extended for a first time from four years to eight years and for a second time from eight years to ten years. The amounts of the renewal fees are indicated in Annex FI.I.

If the international application is for both a utility model and a patent, the applicant must, within the time limits applicable for entry into the national phase (see the Summary), comply with the following requirements:

(i) pay both the registration fee for the utility model and the national fee for the patent application;

(ii) furnish one copy of the translation of the international application into Finnish, Swedish or English for a patent and one copy for a utility model into Finnish or Swedish;

(iii) file a power of attorney (if any) in duplicate

FI.17 **CONVERSION.** An international application for a patent may be converted into a utility model application after the applicant has complied with the requirements for entry into the national phase for a patent application.

The utility model application is deemed to have been filed on the date the patent application was filed. A patent application shall remain pending even if it is converted into a utility model application unless the applicant specifically withdraws the patent application. The conversion is subject to payment of the prescribed fees indicated in Annex FI.I. Conversion cannot be requested:

— after the expiration of 10 years from the international filing date;

— in respect of a dismissed, rejected or withdrawn patent application or granted patent.

FEES

(Currency: Euro)

Patents

Basic fee	500
— for an application filed electronically	400
Additional fee for late furnishing of translation or copy	125
Claim fee for each claim in excess of 15	50
Additional fee (see paragraph FI.08)	350
Publication fee	500
Publication fee when the documents for publication have been filed electronically	400
Resumption fee	70
— if the application has been previously resumed	140
Fee for reestablishment of rights	450
Annual fees:	
— for the first three years	200
— for the 4th year	125
— for the 5th year	150
— for the 6th year	200
— for the 7th year	250
— for the 8th year	300
— for the 9th year	350
— for the 10th year	400
— for the 11th year	450
— for the 12th year	500
— for the 13th year	550
— for the 14th year	600
— for the 15th year	650
— for the 16th year	700
— for the 17th year	750
— for the 18th year	800
— for the 19th year	850
— for the 20th year	900
Supplement for late payment	20% of the applicable annual fee
Fee for restoration of the right of priority	450

Utility models

Registration fee	250
— for an application filed electronically	200
Additional fee for late furnishing of translation or copy	100
Additional fee for each claim in excess of five	20

Renewal fees:	
— for four years	250
— supplement for late payment	50
— for two years	200
— supplement for late payment	50
Fee for restoration of the right of priority	450
Fee for reestablishment of rights	450

How can payment of fees be effected?

The payment of fees must be effected in euro. All payments must indicate the national application number (however, if that number is not yet known, the international application number may be used), the name of the applicant and the category of fee being paid.

Payment may be effected:

(i) by credit/debit card at the Office, or
(ii) by transfer to one of the following bank accounts:
Nordea Bank Abp
Account No. : FI9716603000104227
BIC code: NDEAFIHH

Danske Bank A/S, Finland Branch
Account No.: FI3489199710000732
BIC code: DABAFIHH

Applicants must choose a mode of payment guaranteeing that the full amount of the fees due is received by the Office.

FINNISH PATENT AND REGISTRATION OFFICE

Patent application

☐ The application was filed by fax. Filing date:

Applicant(s) ☐ Other applicants are given on a continuation sheet

Name	Business ID
Telephone and email	Place of residence (municipality)
Address	

Representative

Name	Representative's reference
Telephone and email	Place of residence (municipality)
Address	

Inventor(s) ☐ Other inventors are given on a continuation sheet

Name and address

Title of the invention (if possible, also in Finnish and Swedish)

☐ International application pursued in Finland	International filing date:	Application number: PCT
☐ Request for priority from an earlier application	Date, country, and number:	
☐ Divisional application	Number of the parent application:	
☐ Separated application	Number of the parent application:	Requested filing date:
☐ I wish to receive decisions in English		

Accompanying documents

- ☐ Description in English / Finnish / Swedish
- ☐ Claims in English / Finnish / Swedish
- ☐ Abstract in English / Finnish / Swedish
- ☐ Number of drawing sheets
- ☐ Statement on the applicant's right to the invention or letter of assignment
- ☐ Power of attorney
- ☐ Priority document
- ☐

Fees

- ☐ Application fee: euros
- ☐ Additional fee for each patent claim over 15: euros
- ☐ Fee for cited documents: euros
- ☐
- ☐

Place and date	Company name:
	Applicant's or representative's signature, and name in block capitals

The application must be signed by all the applicants or by an authorised representative.

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FINNISH PATENT AND REGISTRATION OFFICE

Instructions for the applicant

INSTRUCTIONS FOR THE APPLICANT

The application form should be accompanied by a description of the invention, the patent claims, an abstract, and drawings, if any. You can submit these documents in either English, Finnish or Swedish. Write the text by word processing on A4 sheets, single-sided only.

If you have submitted the documents in English, you can request to receive the decisions from the application process in English.

DESCRIPTION OF THE INVENTION
The description must begin with a short and factual title of the invention.

The general part of the description must illustrate the field of the invention and the technology on which the invention is based. Here you must present the state of the art, i.e., solutions close to the invention that are known to you. You must also present the special effect achieved by the invention in comparison with the state of the art.

If the description contains a drawing, all the figures on the drawing must be listed, including short explanations of what each figure depicts.

In the specific part of the description, you must describe the invention in detail, by giving examples of embodiments and by referring to the drawings (if any).

The description must be so clear that a person skilled in the art, following the description, is able to use the invention.

PATENT CLAIMS
The patent claims state explicitly what you want to protect by the patent.

The patent claims define the invention by setting out all the special characteristics that are necessary for achieving the intended effect.

A patent claim should contain a preamble and a characterising part separated from each other by the words "c h a r a c t e r i s e d in that" or a similar phrase. The preamble states the features of the invention that are already known. The characterising part states the new features that differ from previous solutions.

In the claims, the letters or numbers referring to the figures must be given in parentheses.

ABSTRACT
The abstract, summarising the invention in a maximum of 150 words, must be written on a separate sheet.

It should disclose the technical field of the invention, the technical problem intended to be solved by the invention, and the basic principle of the invented solution. You can choose a figure relevant to the invention to be published together with the abstract.

DRAWING
The drawing must be made with black lines on a separate piece of white A4 paper. Mark the details of the figures with letters or numbers which you can refer to in the description, claims and abstract.

STATEMENT ON THE APPLICANT'S RIGHT TO THE INVENTION
Always give the inventor's name on the application form. If the applicant is not the inventor, or there are several inventors, you must enclose a statement justifying the applicant's right to the invention. The statement may contain an announcement that the invention has been transferred to the applicant as an employee invention, by agreement or by inheritance, for example. Instead of this statement, you can submit a letter of assignment.

POWER OF ATTORNEY
The applicant may appoint a representative. Authorisation is given either on this application form (field "Representative"), or on a separate power of attorney. Both documents must be signed by the applicant. If there are several inventors and no representative has been appointed, messages from the Finnish Patent and Registration Office (PRH) will be sent to the applicant given first on the form.

FEES
The applicant must pay a prescribed application fee and an additional fee for every patent claim over 15.
If you want to order copies of the documents found in the search, you need to pay a fee for cited documents.

Check the fees in the price list on the PRH website www.prh.fi. The website also includes further instructions on how to draw up an application.

Further instructions on how to pursue an application under the Patent Cooperation Treaty (PCT) in Finland can be found in WIPO's PCT Applicant's guide.

SUBMIT YOUR APPLICATION
by post to
Finnish Patent and Registration Office
FI-00091 PRH, FINLAND

or in person to the PRH Registry (open 8.00 – 16.15)
street address: Sörnäisten rantatie 13 C, Helsinki, Finland

or by fax to the Registry
fax: +358 29 509 5328

You can also submit the application online. Read more on the PRH website www.prh.fi.

FOR MORE INFORMATION, PLEASE CONTACT
The PRH Patent Advisory Service
Tel. +358 29 509 5858
Email: neuvonta.patentti(at)prh.fi

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PRH PATENTTI- JA REKISTERIHALLITUS

Patenttihakemus

☐ Hakemus on lähetetty telefaksilla. Lähetyspäivä:

Hakija(t) ☐ Muut hakijat liitteessä

Nimi	Y-tunnus
Puhelin ja sähköposti	Kotipaikka (kunta)
Osoite	

Asiamies

Nimi	Asiamiehen viite
Puhelin ja sähköposti	Kotipaikka (kunta)
Osoite	

Keksijä(t) ☐ Muut keksijät liitteessä

Nimi ja osoite

Keksinnön nimitys (Mikäli mahdollista, myös ruotsiksi ja englanniksi)

☐ Suomessa jatkettu kansainvälinen hakemus	Kansainvälinen tekemispäivä:	Hakemusnumero: PCT
☐ Pyydetään etuoikeutta aikaisemmasta hakemuksesta	Päivä, maa ja numero:	
☐ Jakamalla erotettu hakemus	Kantahakemuksen numero:	
☐ Lohkaistu hakemus	Kantahakemuksen numero:	Pyydetty tekemispäivä:
☐ Pyydetään päätökset englannin kielellä		

Liitteet

- ☐ Selitys suomi/ruotsi/englanti
- ☐ Vaatimukset suomi/ruotsi/englanti
- ☐ Tiivistelmä suomi/ruotsi/englanti
- ☐ kpl piirustussivuja
- ☐ Lausunto hakijan oikeudesta keksintöön tai siirtokirja
- ☐ Valtakirja
- ☐ Etuoikeustodistus
- ☐

Maksut

- ☐ Hakemusmaksu: euroa
- ☐ Lisämaksu 15 ylittävistä patenttivaatimuksista: euroa
- ☐ Viitejulkaisumaksu: euroa
- ☐
- ☐

Paikka ja aika	Yrityksen nimi:
	Hakijan tai asiamiehen allekirjoitus ja nimenselvennys

Kaikkien hakijoiden tai valtuutetun asiamiehen on allekirjoitettava hakemus

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PRH PATENTTI- JA REKISTERIHALLITUS

Ohjeita patentinhakijalle

OHJEITA PATENTINHAKIJALLE

Hakemuslomakkeen mukana annetaan keksinnön selitys, patenttivaatimukset, tiivistelmä ja mahdollinen piirustus. Kyseiset asiakirjat annetaan joko suomen, ruotsin tai englannin kielellä. Teksti kirjoitetaan tekstinkäsittelyllä A4-kokoa oleville arkeille vain arkin toista puolta käyttäen.

Jos asiakirjat on toimitettu englannin kielellä, voi hakija pyytää, että hakemuskäsittelyn päätökset annetaan englanniksi.

KEKSINNÖN SELITYS
Selityksen otsikkona ilmoitetaan keksinnön lyhyt ja asiallinen nimitys.

Selityksen alkuosassa esitetään keksinnön käyttöala ja se tekniikka, johon keksintö perustuu. Tällöin ilmoitetaan hakijan tiedossa mahdollisesti olevat läheiset ratkaisut eli tekniikan taso. Lisäksi esitetään, mitä erityistä keksinnöllä saavutetaan tekniikan tasoon verrattuna.

Mikäli selitykseen kuuluu piirustus, luetellaan piirustuksen kuviot. Jokaisesta kuviosta mainitaan lyhyesti mitä se esittää.

Selityksen loppuosassa keksintö selitetään yksityiskohtaisesti sovellutusesimerkkien avulla mahdolliseen piirustukseen viitaten.

Selityksen tulee olla niin selvä, että ammattimies voi sen perusteella käyttää keksintöä.

PATENTTIVAATIMUKSET
Patenttivaatimukset ilmaisevat täsmällisesti sen, mitä patentilla halutaan suojata.

Patenttivaatimuksissa keksintö määritellään esittämällä kaikki ne piirteet, jotka tarvitaan tarkoitetun vaikutuksen aikaansaamiseksi.

Patenttivaatimus sisältää johdannon ja tunnusmerkkiosan, jotka erotetaan toisistaan sanoilla
"t u n n e t t u siitä, että" tai vastaavalla ilmaisulla.
Johdannossa mainitaan keksinnön tunnetut piirteet. Tunnusmerkkiosassa esitetään uudet, tunnetuista ratkaisuista poikkeavat piirteet.

Piirustuksen kuvioihin viittaavat viittausmerkit tulee esittää vaatimuksissa sulkeissa.

TIIVISTELMÄ
Tiivistelmä kirjoitetaan omalle lehdelleen. Se on korkeintaan 150-sanainen yhteenveto keksinnöstä.

Tiivistelmässä mainitaan mihin tekniikan alaan keksintö kuuluu. Samoin ilmaistaan se tekninen ongelma, joka keksinnöllä on tarkoitus ratkaista. Lisäksi esitetään keksinnön mukaisen ratkaisun pääperiaate. Sopiva piirustuksen kuvio valitaan julkaistavaksi tiivistelmän kanssa.

PIIRUSTUS
Piirustus tehdään erilliselle valkoiselle A4-kokoa olevalle paperille mustin viivoin. Piirustuksen kuvioiden yksityiskohdat merkitään viittausmerkein, joihin viitataan selityksessä, vaatimuksissa ja tiivistelmässä.

LAUSUNTO HAKIJAN OIKEUDESTA KEKSINTÖÖN
Keksijän nimi ilmoitetaan aina hakemuslomakkeessa. Jos hakija ei ole keksijä tai ei ole tehnyt keksintöä yksin, hakemukseen täytyy liittää lausunto, jossa näytetään toteen hakijan oikeus keksintöön. Lausunnossa voidaan ilmoittaa, että keksintö on siirtynyt hakijalle esimerkiksi työsuhdekeksintönä, sopimuksella tai perintönä. Lausunnon sijasta on mahdollista antaa siirtokirja.

VALTAKIRJA
Patentinhakija voi käyttää asiamiestä. Asiamies valtuutetaan joko hakijan allekirjoittamassa hakemuslomakkeessa (lomakkeen kohta "Asiamies") tai erillisellä hakijan allekirjoittamalla valtakirjalla. Jos hakijoita on useita, eikä asiamiestä ole nimetty, lähetetään PRH:n ilmoitukset lomakkeessa ensimmäisenä merkitylle hakijalle.

MAKSUT
Hakijan on suoritettava vahvistettu hakemusmaksu ja jokaisesta 15 ylittävästä patenttivaatimuksesta lisämaksu. Lisäksi hakija voi maksaa viitejulkaisumaksun, jolla hän saa kopiot tutkimuksessa esille tulleista julkaisuista.

Maksujen suuruuden voi katsoa hinnastosta, joka löytyy PRH:n internet-sivuilta www.prh.fi. Sivuilta löytyy myös tarkempia ohjeita hakemuksen laatimiseksi.

Kansainvälisen patenttiyhteistyösopimuksen (PCT) mukaisen hakemuksen jatkamisesta Suomessa on tarkempia ohjeita WIPO:n oppaassa PCT Applicant's guide.

HAKEMUS VOIDAAN TOIMITTAA
postitse osoitteeseen
Patentti- ja rekisterihallitus
00091 PRH

tai tuoda PRH:n kirjaamoon (avoinna 8.00 - 16.15)
käyntiosoite: Sörnäisten rantatie 13 C, Helsinki

tai lähettää telefaksilla kirjaamoon
telefaksin nro 029 509 5328

Hakemus on myös mahdollista tehdä sähköisesti, mistä löytyy lisätietoja PRH:n internet-sivuilta osoitteesta www.prh.fi.

LISÄTIETOJA ANTAA
PRH:n patenttineuvonta
puh. 029 509 5858
sähköposti: neuvonta.patentti(at)prh.fi

Sörnäisten rantatie 13 C, Helsinki | 00091 PRH | Asiakaspalvelunumero 029 509 5050 | www.prh.fi

PRH PATENT- OCH REGISTERSTYRELSEN

Ansökan om patent

☐ Ansökan har lämnats in per fax. Inlämningsdag:

Sökande ☐ Ytterligare sökande anges i bilagan

Namn	FO-nummer
Telefon och e-post	Hemvist (kommun)
Adress	

Ombud

Namn	Ombudets referens
Telefon och e-post	Hemvist (kommun)
Adress	

Uppfinnare ☐ Ytterligare uppfinnare anges i bilagan

Namn och adress

Uppfinningens benämning (om möjligt även på finska och engelska)

☐ Internationell ansökan fullföljd i Finland	Internationell ingivningsdag:	Ansökningsnummer: PCT
☐ Begäran om prioritet från en tidigare ansökan	Dag, land och nummer:	
☐ Avdelad ansökan	Stamansökans nummer:	
☐ Utbruten ansökan	Stamansökans nummer:	Begärd ingivningsdag:
☐ Jag önskar få besluten på engelska.		

Bilagor

- ☐ Beskrivning sv / fi / en
- ☐ Krav sv / fi / en
- ☐ Sammandrag sv / fi / en
- ☐ st. ritningsblad
- ☐ Utlåtande om sökandens rätt till uppfinningen eller överlåtelsehandling
- ☐ Fullmakt
- ☐ Prioritetsintyg
- ☐

Avgifter

- ☐ Ansökningsavgift: euro
- ☐ Tilläggsavgift för patentkrav utöver 15: euro
- ☐ Avgift för anförda publikationer: euro
- ☐
- ☐

Ort och datum	Företagets namn:
	Sökandens eller ombudets namnteckning och namnförtydligande

Samtliga sökande eller ett befullmäktigat ombud måste underteckna ansökan.

Sörnäs strandväg 13 C, Helsingfors | 00091 PRH | Kundservicenummer 029 509 5040 | www.prh.fi

PRH PATENT- OCH REGISTERSTYRELSEN

Anvisningar för patentsökande

ANVISNINGAR FÖR PATENTSÖKANDE

Bifoga en beskrivning av uppfinningen, patentkraven, ett sammandrag och en eventuell ritning till ansökningsblanketten. Du kan lämna in handlingarna antingen på svenska, finska eller engelska. Texten ska skrivas med ett textbehandlingsprogram på ark i A4-format endast på arkets ena sida.

Om du lämnat in handlingarna på engelska, kan du begära att få besluten vid handläggningsprocessen på engelska.

BESKRIVNING AV UPPFINNINGEN
Ange en kort och saklig benämning på uppfinningen som beskrivningens rubrik.

Beskrivningens första del ska innehålla uppgift om uppfinningens användningsområde och den teknik som uppfinningen bygger på. Ange de näraliggande lösningar som du eventuellt har kännedom om, dvs. teknikens ståndpunkt. Redogör också för det som särskilt uppnås med uppfinningen jämfört med teknikens ståndpunkt.

Om beskrivningen innefattar en ritning, ska en figurförteckning också ingå. Beskriv innehållet i varje figur kortfattat.

I beskrivningens senare del ska du ge en detaljerad förklaring av uppfinningen med hjälp av utföringsexempel och med hänvisning till eventuell ritning.

Beskrivningen ska vara så tydlig att en fackman med ledning av den kan utöva uppfinningen.

PATENTKRAV
Patentkraven innehåller en bestämd uppgift om vad du vill skydda med patentet.

Patentkraven ska definiera uppfinningen genom att ange alla de särdrag som är nödvändiga för att avsett resultat ska uppnås.

Ett patentkrav ska omfatta en ingress och en kännetecknande del som är avskilda från varandra med orden "k ä n n e t e c k n a d av att" eller liknande. Ingressen anger uppfinningens redan kända egenskaper. Den kännetecknande delen anger de egenskaper som är nya och skiljer sig från kända lösningar.

Hänvisningsbeteckningar som hänvisar till figurerna i ritningen ska anges inom parentes i kraven.

SAMMANDRAG
Skriv sammandraget på ett separat blad. Det är en sammanfattning på högst 150 ord av uppfinningens innehåll.

I sammandraget ska du ange vilket teknikområde uppfinningen hör till och vilket tekniskt problem den är avsedd att lösa. Dessutom ska du ange den uppfinningsenliga lösningens grundprincip. Du kan välja en lämplig ritningsfigur som ska publiceras tillsammans med sammandraget.

RITNING
Ritningen ska utföras med svarta linjer på ett separat, vitt papper i A4-format. Markera detaljerna i ritningens figurer med hänvisningsbeteckningar som du hänvisar till i beskrivningen, kraven och sammandraget.

UTLÅTANDE OM SÖKANDENS RÄTT TILL UPPFINNINGEN
Ange alltid uppfinnarens namn på ansökningsblanketten. Om sökanden inte är uppfinnaren eller om sökanden inte ensam har gjort uppfinningen, bifoga till ansökan ett utlåtande som styrker sökandens rätt till uppfinningen. I utlåtandet kan du ange att uppfinningen har överlåtits till sökanden till exempel som arbetstagaruppfinning, genom avtal eller genom arv. Det är möjligt att lämna in en överlåtelsehandling i stället för ett utlåtande.

FULLMAKT
Patentsökanden kan anlita ett ombud. Ombudet befullmäktigas antingen i ansökningsblanketten (vid punkten "Ombud"), som undertecknas av sökanden, eller i en särskild fullmakt som undertecknas av sökanden. Om det finns flera sökande och inget ombud, skickar Patent- och registerstyrelsen (PRS) sina meddelanden till den sökande som anges först på blanketten.

AVGIFTER
Sökanden ska betala en fastställd ansökningsavgift samt en tilläggsavgift för varje patentkrav utöver 15.
Därtill kan sökanden betala an avgift för anförda publikationer och då få kopior av de publikationer som påträffats vid granskningen.

Du kan se avgifterna i prislistan på PRS webbplats www.prh.fi. På webbplatsen hittar du också närmare anvisningar om att upprätta en ansökan.

Närmare anvisningar om att fullfölja en ansökan enligt den internationella konventionen om patentsamarbete (PCT) i Finland finns i PCT Applicant's guide av WIPO.

LÄMNA IN ANSÖKAN
per post till
Patent- och registerstyrelsen
00091 PRH

eller personligen till PRS registratur (öppet kl. 8.00–16.15)
besöksadress Sörnäs strandväg 13 C, Helsingfors

eller per fax till PRS registratur
faxnummer: 029 509 5328

Det är även möjligt att lämna in ansökan på nätet. Läs mer på PRS webbplats www.prh.fi.

FÖR MER INFORMATION KONTAKTA
PRS rådgivning i patentärenden
Tfn: 029 509 5858
E-post: neuvonta.patentti(at)prh.fi

Sörnäs strandväg 13 C, Helsingfors | 00091 PRH | Kundservicenummer 029 509 5040 | www.prh.fi

PRH PATENTTI- JA REKISTERIHALLITUS

Hyödyllisyysmallihakemus

☐ Hakemus on lähetetty telefaksilla. Lähetyspäivä:

Hakija(t) ☐ Muut hakijat liitteessä

Nimi	Y-tunnus
Puhelin ja sähköposti	Kotipaikka (kunta)
Osoite	

Asiamies

Nimi	Asiamiehen viite
Puhelin ja sähköposti	Kotipaikka (kunta)
Osoite	

Keksijä(t) ☐ Muut keksijät liitteessä

Nimi ja osoite

Keksinnön nimitys (mikäli mahdollista, myös ruotsiksi ja englanniksi)

☐ Pyydetään etuoikeutta aikaisemmasta hakemuksesta	Päivä, maa ja numero:	
☐ Muunnettu patenttihakemuksesta	Päivä, maa ja numero:	
☐ Jakamalla erotettu hakemus	Alkuperäisen hakemuksen numero:	
☐ Suomessa jatkettu kansainvälinen hakemus	Kansainvälinen tekemispäivä:	Hakemusnumero: PCT
☐ Hakemuksen rekisteröintiä pyydetään lykkäämään	asti (maksullinen)	
☐ Pyydetään tutkimusta (maksullinen)	☐ Pyydetään myös lausuntoa tutkimuksesta (maksullinen)	

Liitteet

- ☐ Selitys suomi/ruotsi
- ☐ Vaatimukset suomi/ruotsi
- ☐ kpl kuvasivuja
- ☐ Lausunto hakijan oikeudesta keksintöön tai siirtokirja
- ☐ Valtakirja
- ☐ Etuoikeustodistus
- ☐
- ☐

Maksut

- ☐ Rekisteröintimaksu: euroa
- ☐ Lisämaksu 5 ylittävistä suojavaatimuksista: euroa
- ☐ Käännösmaksu: euroa
- ☐ Lykkäämismaksu: euroa
- ☐ Tutkimusmaksu: euroa
- ☐ Lausuntomaksu: euroa
- ☐ Viitejulkaisumaksu: euroa

Paikka ja aika	Yrityksen nimi:
	Hakijan tai asiamiehen allekirjoitus ja nimenselvennys

Kaikkien hakijoiden tai valtuutetun asiamiehen on allekirjoitettava hakemus

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PRH PATENTTI- JA REKISTERIHALLITUS

Hyödyllisyysmallihakemus

Hakemuslomakkeen mukana annetaan keksinnön selitys, suojavaatimukset ja kuvat. Teksti kirjoitetaan tekstinkäsittelyllä A4-kokoa oleville arkeille vain arkin toista puolta käyttäen.

Keksinnön selitys
Selityksen otsikkona ilmoitetaan keksinnön lyhyt ja asiallinen nimitys.

Selityksen alkuosassa esitetään keksinnön käyttöala ja se tekniikka, johon keksintö perustuu. Tällöin ilmoitetaan hakijan tiedossa mahdollisesti olevat läheiset ratkaisut eli tekniikan taso. Lisäksi esitetään, mitä erityistä keksinnöllä saavutetaan tekniikan tasoon verrattuna.

Selityksen loppuosassa keksintö selitetään yksityiskohtaisesti sovellutusesimerkein valaistuna ja kuviin viitaten.

Selityksen tulee olla niin selvä, että ammattimies voi sen perusteella käyttää keksintöä.

Kuvat
Kuvien tulee olla niin tarkat, että niistä selvästi käy ilmi se, mitä halutaan suojata. Niiden tulee olla mustavalkoisia ja toisintamiskelpoisia. Kuvien yksityiskohdat merkitään viittausmerkein, joihin viitataan selityksessä ja vaatimuksessa.

Suojavaatimukset
Suojavaatimukset ilmaisevat täsmällisesti sen, mitä hyödyllisyysmallioikeudella halutaan suojata.

Suojavaatimuksissa keksintö määritellään esittämällä kaikki ne piirteet, jotka tarvitaan tarkoitetun vaikutuksen aikaansaamiseksi.

Suojavaatimukset sisältävät johdannon ja tunnusmerkkiosan, jotka erotetaan toisistaan sanoilla
"t u n n e t t u siitä, että" tai vastaavalla ilmaisulla.
Johdannossa mainitaan keksinnön ennestään tunnetut piirteet. Tunnusmerkkiosassa esitetään uudet, ennestään tunnetuista ratkaisuista poikkeavat piirteet.

Kuviin liittyvät viittausmerkit tulee esittää vaatimuksessa sulkeissa.

Etuoikeus
Mikäli samaan keksintöön on haettu vuoden sisällä hyödyllisyysmallia tai patenttia, voidaan aikaisemmasta hakemuksesta pyytää etuoikeutta antamalla kyseisen hakemuksen tiedot.

Muunnettu patenttihakemuksesta
Mikäli tämä hakemus on muunnettu vireillä olevasta patenttihakemuksesta, annetaan alkuperäisen hakemuksen tiedot.

Jakamalla erotettu hakemus
Mikäli tämä hakemus on jaettu aikaisemmasta hyödyllisyysmallihakemuksesta, annetaan alkuperäisen hakemuksen tiedot.

Pyyntö lykätä hakemuksen rekisteröintiä
Hakemus johtaa rekisteröintiin yleensä muutamassa kuukaudessa ja tulee silloin julkiseksi. Rekisteröintiä ja samalla julkistamista on pyynnöstä mahdollista lykätä enintään 15 kk:n päähän hakemuksen tekemispäivästä. Lykkäys on maksullinen.

Tutkimuspyyntö
Hyödyllisyysmallihakemuksen kohteena olevan keksinnön uutuus tutkitaan, mikäli hakija pyytää sitä ja maksaa maksun.

Lausuntopyyntö
Tutkimuksen lisäksi on pyydettäessä mahdollista saada maksullinen lausunto tutkimustuloksesta. Lausunto on ohjeellinen.

Lausunto hakijan oikeudesta keksintöön
Keksijän nimi ilmoitetaan aina hakemuslomakkeessa. Jos hakija ei ole keksijä tai ei ole tehnyt keksintöä yksin, hakemukseen täytyy liittää lausunto, jossa näytetään toteen hakijan oikeus keksintöön. Lausunnossa voidaan ilmoittaa, että keksintö on siirtynyt hakijalle esimerkiksi työsuhdekeksintönä, sopimuksella tai perintönä. Lausunnon sijasta on mahdollista antaa siirtokirja, jolla keksijä siirtää hakijalle oikeutensa keksintöön.

Valtakirja
Hyödyllisyysmallioikeuden hakija voi käyttää asiamiestä. Asiamies valtuutetaan joko hakijan allekirjoittamassa hakemuslomakkeessa (lomakkeen kohta "Asiamies") tai erillisellä hakijan allekirjoittamalla valtakirjalla. Jos hakijoita on useita, eikä asiamiestä ole nimetty, lähetetään PRH:n ilmoitukset lomakkeessa ensimmäisenä merkitylle hakijalle.

Maksut
Hakijan on suoritettava vahvistettu rekisteröintimaksu ja jokaisesta 5 ylittävästä suojavaatimuksesta lisämaksu.

Maksujen suuruuden voi tarkistaa hinnastosta, joka löytyy PRH:n internet-sivuilta www.prh.fi. Sivuilta löytyy myös tarkempia ohjeita hakemuksen laatimiseksi.

HAKEMUS VOIDAAN TOIMITTAA
postitse osoitteeseen
Patentti- ja rekisterihallitus
00091 PRH

tai tuoda PRH:n kirjaamoon (avoinna 8.00 - 16.15)
käyntiosoite: Sörnäisten rantatie 13 C, Helsinki

tai lähettää telefaksilla kirjaamoon
telefaksin nro 029 509 5328

Hakemus on myös mahdollista tehdä sähköisesti eOlf-ohjelmalla, mistä löytyy lisätietoja PRH:n internet-sivuilta osoitteesta www.prh.fi.

LISÄTIETOJA ANTAA
PRH:n patenttineuvonta
puh. 029 509 5858
sähköposti: neuvonta.patentti(at)prh.fi

Sörnäisten rantatie 13 C, Helsinki | 00091 PRH | Asiakaspalvelunumero 029 509 5050 | www.prh.fi

PRH PATENT- OCH REGISTERSTYRELSEN

Nyttighetsmodellansökan

☐ Ansökan har lämnats in per fax. Inlämningsdag:

Sökande ☐ Ytterligare sökande anges i bilagan

Namn	FO-nummer
Telefon och e-post	Hemvist (kommun)
Adress	

Ombud

Namn	Ombudets referens
Telefon och e-post	Hemvist (kommun)
Adress	

Uppfinnare ☐ Ytterligare uppfinnare anges i bilagan

Namn och adress

Uppfinningens benämning (om möjligt även på finska och engelska)

☐ Begäran om prioritet från en tidigare ansökan	Dag, land och nummer:	
☐ Ändrats från patentansökan	Dag, land och nummer:	
☐ Avdelad ansökan	Ursprungliga ansökans nummer:	
☐ Internationell ansökan fullföljd i Finland	Internationell ingivningsdag:	Ansökans nummer: PCT
☐ Jag begär att dagen då ansökan registreras skjuts upp till	(avgiftsbelagt).	
☐ Jag begär granskning (avgiftsbelagd).	☐ Jag begär även ett utlåtande om granskningen (avgiftsbelagt).	

Bilagor

- ☐ Beskrivning sv / fi
- ☐ Skyddskrav sv / fi
- ☐ st. blad med bilder
- ☐ Utlåtande om sökandens rätt till uppfinningen eller överlåtelsehandling
- ☐ Fullmakt
- ☐ Prioritetsintyg
- ☐
- ☐

Avgifter

☐ Registreringsavgift:	euro
☐ Tilläggsavgift för skyddskrav utöver 5:	euro
☐ Översättningsavgift:	euro
☐ Uppskovsavgift:	euro
☐ Granskningsavgift:	euro
☐ Avgift för utlåtande:	euro
☐ Avgift för anförda publikationer:	euro

Ort och datum	Företagets namn:
	Sökandens eller ombudets namnteckning och namnförtydligande

Samtliga sökande eller ett befullmäktigat ombud måste underteckna ansökan.

Sörnäs strandväg 13 C, Helsingfors | 00091 PRH | Kundservicenummer 029 509 5040 | www.prh.fi

PRH PATENT- OCH REGISTERSTYRELSEN

Nyttighetsmodellansökan

Bifoga en beskrivning av uppfinningen, skyddskraven och eventuella bilder till ansökningsblanketten. Texten ska skrivas med ett textbehandlingsprogram på ark i A4-format endast på arkets ena sida.

Beskrivning av uppfinningen
Ange en kort och saklig benämning på uppfinningen som beskrivningens rubrik.

Beskrivningens första del ska innehålla uppgift om uppfinningens användningsområde och den teknik som uppfinningen bygger på. Ange de näraliggande lösningar som du eventuellt har kännedom om, dvs. teknikens ståndpunkt. Redogör också för det som särskilt uppnås med uppfinningen jämfört med teknikens ståndpunkt.

I beskrivningens senare del ska du ge en detaljerad förklaring av uppfinningen med hjälp av utföringsexempel och med hänvisning till bilderna.

Beskrivningen ska vara så tydlig att en fackman med ledning av den kan utöva uppfinningen.

Bilder
Bilderna ska vara så tydliga att det klart framgår av dem vad du vill skydda. De ska vara svartvita och reproducerbara. Markera detaljerna på bilderna med hänvisningsbeteckningar som du hänvisar till i beskrivningen och kravet.

Skyddskrav
Skyddskraven innehåller bestämd uppgift om vad du vill skydda genom nyttighetsmodellrätt.

Skyddskraven ska definiera uppfinningen genom att ange alla de särdrag som är nödvändiga för att avsett resultat ska uppnås.

Ett skyddskrav ska omfatta en ingress och en kännetecknande del som är avskilda från varandra med orden "k ä n n e t e c k n a d av att" eller liknande. Ingressen anger uppfinningens redan kända egenskaper. Den kännetecknande delen anger det nya som skiljer sig från kända lösningar.

Hänvisningsbeteckningar som hänvisar till bilderna ska anges inom parentes i kraven.

Prioritet
Om du har sökt nyttighetsmodell eller patent på samma uppfinning inom det senaste året, kan du begära prioritet från den tidigare ansökan genom att fylla i uppgifterna om ansökan.

Ändrats från patentansökan
Om den här ansökan har ändrats från en patentansökan som är under behandling, ange uppgift om den ursprungliga ansökan.

Avdelad ansökan
Om den här ansökan är avdelad ur en tidigare nyttighetsmodellansökan, ange uppgift om den ursprungliga ansökan.

Begäran om att skjuta upp den dag då ansökan registreras
Vanligen leder en ansökan till registrering inom ett par månader och blir då offentlig. Du kan på begäran skjuta upp registrering, och samtidigt offentliggörande, till högst 15 månader från ansökans ingivningsdag. Uppskovet är avgiftsbelagt.

Begäran om granskning
Uppfinningen i nyttighetsmodellansökan kan nyhetsgranskas om sökanden begär det och betalar en avgift.

Begäran om utlåtande
Det är också möjligt att på begäran få ett avgiftsbelagt utlåtande om granskningsresultatet. Utlåtandet är vägledande.

Utlåtande om sökandens rätt till uppfinningen
Ange alltid uppfinnarens namn på ansökningsblanketten. Om sökanden inte är uppfinnaren eller om sökanden inte ensam har gjort uppfinningen, bifoga till ansökan ett utlåtande som styrker sökandens rätt till uppfinningen. I utlåtandet kan du ange att uppfinningen har överlåtits till sökanden till exempel som arbetstagaruppfinning, genom avtal eller genom arv. I stället för ett utlåtande är det möjligt att lämna in en överlåtelsehandling, där uppfinnaren överlåter sin rätt till uppfinningen till sökanden.

Fullmakt
Sökanden av nyttighetsmodellrätt kan anlita ett ombud. Ombudet befullmäktigas antingen i ansökningsblanketten (vid punkten "Ombud"), som undertecknas av sökanden, eller i en särskild fullmakt som undertecknas av sökanden. Om det finns flera sökande och inget ombud, skickar Patent- och registerstyrelsen (PRS) sina meddelanden till den sökande som anges först på blanketten.

Avgifter
Sökanden ska betala en fastställd registreringsavgift samt en tilläggsavgift för varje skyddskrav utöver 5.

Du kan se avgifterna i prislistan på PRS webbplats www.prh.fi. På webbplatsen hittar du också närmare anvisningar om att upprätta en ansökan.

LÄMNA IN ANSÖKAN
per post till
Patent- och registerstyrelsen
00091 PRH

eller personligen till PRS registratur (öppet kl. 8.00–16.15)
besöksadress: Sörnäs strandväg 13 C, Helsingfors

eller per fax till PRS registratur
faxnummer: 029 509 5328

Det är även möjligt att lämna in ansökan på nätet via programmet eOLF. Läs mer på PRS webbplats www.prh.fi.

FÖR MER INFORMATION KONTAKTA
PRS rådgivning i patentärenden
Tfn: 029 509 5858
E-post: neuvonta.patentti(at)prh.fi

Sörnäs strandväg 13 C, Helsingfors | 00091 PRH | Kundservicenummer 029 509 5040 | www.prh.fi

INTELLECTUAL PROPERTY OFFICE[1] (UNITED KINGDOM)

AS

DESIGNATED (OR ELECTED) OFFICE

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Request to reinstate a patent application (Patents Form 14) . . . . . Annex GB.XI
Application to restore a patent (Patents Form 16) . . . . . Annex GB.XII

List of abbreviations:

Office: Intellectual Property Office[1] (United Kingdom)

PA: Patents Act 1977 (as amended)

PR: Patents Rules 2007 (as amended)

[1] Intellectual Property Office is an operating name of the Patent Office.

SUMMARY **Designated (or elected) Office** SUMMARY

GB **INTELLECTUAL PROPERTY OFFICE[1] (UNITED KINGDOM)** GB

(an operating name of the Patent Office)

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:[2]	English		
Required contents of the translation for entry into the national phase:[2]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended[3]), any text matter of drawings[4] Under PCT Article 39(1): Description, claims, any text matter of drawings[4] (if any of those parts has been amended, both as originally filed and as amended, including any amendment under PCT Article 19 and also any amendment annexed to the international preliminary examination report[3])		
Is a copy of the international application required?	A copy is required only if the applicant expressly requests early commencement of the national phase at a time when the Intellectual Property Office[1] (United Kingdom) has not been sent a copy of the international application from the International Bureau under PCT Article 20. The copy must then be furnished when making the request for early commencement of the national phase and may be a copy of the international application as published in accordance with the Treaty in a language other than that in which it was originally filed.		
National fee:	Currency: Pound sterling (GBP)		
	National fee:[2]	GBP	30
	Excess claims fee for each claim in excess of 25[5]:	GBP	20
	Excess pages fee for each page of description over 35[5]:	GBP	10
	Search fee:[6]		
	— where a search has already been made by an International Searching Authority in accordance with the PCT:	GBP	150[7]
	— in other cases:	GBP	180[7]
	Substantive examination fee:[8]	GBP	130

[Continued on next page]

1 Intellectual Property Office is an operating name of the Patent Office.

2 Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1), or at the time of any earlier express request by the applicant to proceed earlier with the national phase.

3 Where the translation of an amendment has not been furnished within the applicable time limit (see footnote 1), the amendment will be disregarded. However, where the applicant has furnished a translation either of the amendment or of the international application as originally filed, but not both, the Office will, at the expiry of the applicable time limit, invite the applicant to supply the missing translation.

4 Where the applicant expressly requests entry into the national phase earlier than the time limit applicable under PCT Article 22 or 39(1) and the international application has not been communicated to the Office by the International Bureau, the translation must also contain the request part of the international application and the abstract.

5 Excess claims and excess pages fees may also be payable at grant if the number of claims and pages increase during the processing of the application. If this is the case the Office will invite the applicant to pay a grant fee by filing a Form 34.

6 Due within 33 months from the priority date. Where the applicant expressly requests early entry into the national phase, the fee is due within 12 months from the priority date, or two months from the date on which the conditions for early entry are satisfied, whichever is the later.

7 This fee is reduced by GBP 30 when search/substantive examination is requested electronically.

8 Due within 33 months from the priority date.

SUMMARY Designated (or elected) Office SUMMARY

GB INTELLECTUAL PROPERTY OFFICE[9] GB (UNITED KINGDOM)

[Continued]

Exemptions, reductions or refunds of the national fee:	Search fee: reduced fee payable where an international search report has been established (see above). GBP 30 reduction in search fee or examination fee where request for search or substantive examination is filed in electronic form using a method of electronic communication accepted by the Office[10]. Refund of whole fee where the application does not proceed to substantive examination and no search has been made in the Intellectual Property Office[10] (United Kingdom).
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[11, 12] No representation by an agent is required but an address for service in the United Kingdom, the Isle of Man, the Channel Islands or Gibraltar is necessary (see further, Address for Service, paragraph GB.04)[13]
Who can act as agent?	Any individual, partnership or body corporate who resides in or has a place of business in the United Kingdom, the Isle of Man or a Member State of the European Economic Area (EEA).[14] A list of registered patent attorneys may be obtained from the following address: The Registrar, c/o The Chartered Institute of Patent Attorneys, 2nd Floor Halton House, 20-23 Holborn, London, EC1N 2JD[15]
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies the "unintentional" criterion to such requests.

[9] See footnote 1.

[10] See www.gov.uk/government/publications/how-to-file-documents-with-the-intellectual-property-office for further details of the methods of electronic filing accepted by the Office.

[11] Must be furnished within 33 months from the priority date. Where the applicant expressly requests early entry into the national phase, the name and address of the inventor must be furnished within 16 months from the priority date, or two months from the date on which the conditions for early entry are satisfied, whichever is the later (unless already furnished in the "Request").

[12] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[13] 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.

[14] For international applications which enter the national phase on or after 1 January 2021, any agent appointed must have an address for service in the United Kingdom, the Isle of Man, the Channel Islands or Gibraltar.

[15] E-mail: mail@cipa.org.uk; Internet: www.cipa.org.uk; telephone: (44-20) 74 05 94 50; facsimile: (44-20) 74 30 04 71.

THE PROCEDURE IN THE NATIONAL PHASE

GB.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form, Form NP1, for payment of the national fee and for providing details of an international application entering the national phase. Applicants are strongly recommended to use this form. The form may be filed electronically via the Office's website or EPO online services[1].

PR Rule 105

GB.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). A request for correction must be made in writing and identify the proposed correction.

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

PR Rules 101
103

GB.04 **ADDRESS FOR SERVICE.** An applicant, whether or not he is a national of or a resident in the United Kingdom, is not required to be represented by an agent, but he is required to have an address for service (of notices and other communications) in the United Kingdom, the Isle of Man, the Channel Islands or Gibraltar for the purpose of his application. Every person (including the applicant for, or proprietor of, a patent), concerned in any contested proceedings to which the Patents Rules 2007 relate, must furnish the Office with an address for service in the United Kingdom, the Isle of Man, the Channel Islands or Gibraltar. If an agent is appointed to represent the applicant for the entry into the national phase, a written authorization is not required, though the agent must be prepared to prove his authority to act if called upon to do so by the Office. If an agent is appointed after the national phase has begun or one agent is substituted for another, written authorization should be filed on Patents Form 51.

PA Sec. 13(2)
89B(1)(c)
PR Rules 68(1)
68(2)

GB.05 **DESIGNATION OF THE INVENTOR.** Any statement of the name of the inventor under the Treaty is treated as a statement filed under the national law. Otherwise details should be given on Patents Form 7. Legalization is not required. For time limits, see the Summary.

PCT Rule 49*ter*.2
PA Sec. 5(2B)
PR Rules 7
66(3)

GB.06 **RESTORATION OF THE RIGHT OF PRIORITY.** Where the international application was filed within two months from the end of the period for claiming priority of an earlier application, a request may be made to the Office in accordance with the national law to make a late declaration of priority (see National Phase, paragraphs 6.006 - 6.011). Such a request will be allowed if the Office is satisfied that the failure to file the application within the 12 month priority period was unintentional. The request must be made on Patents Form 3 and must be supported by evidence of why the international application was not filed before the end of the priority period. The time limit for filing the request is one month from the date of entry into the national phase.

PA Sec. 15A
17(1)
PR Rules 68(1)
68(2)
106

GB.07 **PRELIMINARY EXAMINATION AND REQUEST FOR SEARCH.** Preliminary examination (as to formal requirements) will be performed shortly after payment of the national fee upon entry into the national phase. Search must be requested on Patents Form 9A together with the payment of the fee for search indicated in Annex GB.I within the time limits stated in the Summary. Where an international search report has been established, a reduced search fee is payable (see the Summary). A further reduction to the search fee is applicable when Patents Form 9A is filed electronically. If the application includes more than 25 claims, an excess claims fee of GBP 20 per claim is also payable with the Form 9A. For the request for substantive examination, see paragraph GB.09.

[1] See www.gov.uk/government/publications/how-to-file-documents-with-the-intellectual-property-office for further details of the Office's online filing services.

PA Sec. 69
89A(6)
89B(3)

GB.08 **REQUEST FOR PUBLICATION OF TRANSLATION.** If the international application has not been published by the International Bureau in English, the English translation furnished by the applicant will be published by the Office *ex officio*. However, if the applicant wants to secure the rights conferred by that publication (see International Phase, Annex B(GB), "Provisional protection after international publication"), he must file a request in writing for publication of the translation or complete Part 6 of Form NP1 and pay the publication fee (see Annex GB.I). That request can be filed at any time after the start of the national phase. However, it is advisable to request publication when entering the national phase.

PA Sec. 18(1)
PR Rule 68(1)
68(4)

GB.09 **REQUEST FOR SUBSTANTIVE EXAMINATION.** A patent will be granted only after examination as to patentability, which must be requested by the applicant. The request for substantive examination must be made on Patents Form 10.

The Office's combined search and examination procedure for applications on which Patents Forms 9A and 10 are filed together does not apply to applications entering the national phase where an international search report has been established. The time limits for requesting substantive examination and the required fee are as stated in the Summary. A reduced examination fee is payable when Patents Form 10 is filed electronically. If the application includes more than 35 pages of description, an excess pages fee of GBP 10 per page is also payable with the Form 10.

PR Rules 108(1)
113(5)
113(6)

GB.10 **TRANSLATION OF REFERENCES CITED IN THE INTERNATIONAL SEARCH REPORT OR INTERNATIONAL PRELIMINARY EXAMINATION REPORT.** The Office may request the applicant to furnish a translation into English of any document referred to in the international search report or international preliminary report on patentability or cited in the international preliminary examination report. Such a translation must be filed within two months of the date of the request. There is no form for the furnishing of the translation. This time limit of two months may be extended by the Office if it thinks fit; a request for an extension should be made in writing (there is no form for this purpose) and may be made even when the two-month time limit has already expired.

PCT Art. 28
41

GB.11 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make amendments to the application of his own volition under the following conditions, provided that no new matter is introduced in the disclosure of the invention:

PR Rule 66A
31(3)

(i) before the dispatch of the first substantive examination report:

(a) where an international search report was issued during the international phase, the applicant may amend the specification voluntarily from the date of national phase entry until the date the first substantive examination report is issued;

(b) where no international search report has been issued by the time the application enters the UK national phase, the period within which the applicant may amend voluntarily starts from the date of issue of the UK search report or the international search report (whichever is issued first) and ends on the date the first substantive examination report is issued.

(ii) after the dispatch of the first report referred to in (i), above:

PR Rule 31(4)

(a) amendments to the application may be made only once; such amendments must be made either at the same time as any amendments made so as to comply with the examiner's report or within two months of the dispatch of the said report when it does not require any amendment;

PR Rule 31(5)
31(6)
31(1)

(b) any further amendment to the application may be made only with the consent of the Office; in this case, the applicant must provide the reasons for the amendment in writing.

Amendments should be effected by filing replacement pages.

PA Sec. 14(10) 117 117A
PR Rules 49(2) 105

GB.12 **CORRECTION OF ERRORS.** The applicant may request the correction of an error of translation or transcription or a clerical error or mistake in the application or any document filed in connection therewith at any time. The request must be made in writing and identify the proposed correction. A request for correction of a name must be made on Patents Form 20. Erroneous withdrawals may be corrected in this way but the resuscitated application will be subject to third party terms for the period between the withdrawal of the application and the notice of request for correction being published.

PA Sec. 20 21
PR Rules 30 108

GB.13 **PERIOD FOR PUTTING THE APPLICATION IN ORDER.** An application will be treated as having been refused unless it complies with all requirements of the Patents Act and Rules within four years and six months from the priority date or one year from the date of the first substantive examination report (whichever is later), with the possibility of two months' extension as of right or a longer extension at the discretion of the Office (see paragraph GB.17). If a third party files observations relevant to patentability and the first substantive examination report based on those observations is sent during the last three months of the period outlined above, the period becomes three months beginning with the date on which the report is sent.

PA Sec. 25(3) 25(4)
PR Rule 36-39

GB.14 **RENEWAL FEES.** After a patent has been granted, a fee must be paid for maintaining the patent in force, starting with the fifth year counted from the international filing date. Payment must be made each year during the period of three full calendar months which ends on the last day of the month in which the filing date falls. Payment can still be made, together with a surcharge, during a further period of six full months. Where a patent is granted in the last three months of the fourth year, or later, the renewal fee may be paid without surcharge by the end of the third calendar month after the date of grant or, with a surcharge, within six months from the end of these three months. The amounts of the renewal fees and of the surcharge are indicated in Annex GB.I. Form 12 must be filed (see also paragraph GB.21).

PCT Art. 25
PCT Rule 51
PA Sec. 89(3) 89(5) 97(1)
PR Rule 71

GB.15 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. (The Patents Act also includes a similar procedure for which application may be made at any time by writing to the Office with a statement of the facts relied on and paying any fee indicated in Annex GB.I.) If, upon review under PCT Article 25, the Office finds that the refusal to accord a filing date or declaration that the international application is considered withdrawn was not the result of an error or omission on the part of the receiving Office or the International Bureau, the applicant may ask for a hearing, if he wishes to contest the Office's view; if the hearing (which the applicant is not obliged to attend in person) maintains the Office's view, a reasoned written decision will be issued. An appeal may be lodged against such a decision in the Patents Court within 28 days from the decision; it must be accompanied by the related fee indicated in Annex GB.I. An application to extend the 28 day time limit must be made direct to the Court.

PCT Art. 24(2) 48(2)

GB.16 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PR Rule 108

GB.17 **EXTENSION OF TIME LIMITS.** The time limits for filing Patents Form NP1 (National processing of an international application for a patent (UK)), Patents Form 9A (Request for search), Patents Form 10 (Request for a substantive examination) and, where necessary, Patents Form 7 (Statement of inventorship and of right to grant of a patent) may be extended as of right by two months on request and subject to the payment of a fee (see Annex GB.I). The request for such an extension may be filed even when the time limit has expired but must be filed before the end of the extension sought using Patents Form 52. Further extensions of two months are possible but only at the discretion of the Office and on filing of Patents Form 52 and fee before the end of the extension sought together with and any evidence required. If an application is terminated owing to a time period not being met then reinstatement may be available (see paragraph GB.20 below).

PR Rule 108

GB.18 The other time limits specifically referred to in the Summary may be extended if the Office thinks fit. There is no special form for such a request.

PA Sec. 117B
PR Rule 109

GB.19 Time limits set by the Office (rather than by the Act or Rules) during the national phase may be extended as of right by two months, or if sooner, to the end of the period for putting the application in order (see paragraph GB.13). A request for extension must be made in writing and within two months of the expiry of the relevant period. There is no special form for the request.

PA Sec. 20A
20B
PR Rule 32

GB.20 **REINSTATEMENT OF AN APPLICATION.** An application that has been terminated because a requirement was not met within a prescribed or specified period may be reinstated on request if the Office is satisfied that the failure to comply with the requirement was unintentional. Reinstatement only applies when no extension of the period is available and may only be requested within 12 months of termination of the application. Third party terms will apply to the period between termination of the application and the publication of the request for reinstatement. A request for reinstatement must be made on Patents Form 14.

PA Sec. 28
28A
PR Rule 40

GB.21 **RESTORATION OF A LAPSED PATENT.** If a patent lapses through non-payment of renewal fees, then an application for restoration may be made. For a lapsed patent to be restored the Office must be satisfied that the failure to pay the renewal fee was unintentional. Third party terms will apply to the period between expiry of the patent and the publication of the request for restoration. A request for restoration must be made on Patents Form 16.

GB.22 **FORMS.** All forms are available online at: www.gov.uk/government/publications/patent-forms-and-fees

FEES

(Currency: Pound sterling)

Patents Form No.	Item	Amount
NP1	National fee for processing of an international application for a patent (UK)	30
3	On request for permission to make a late declaration of priority under PA section 5(2B) (PR rules 7(2) and 66(3))	150
9A	On request for search (PA section 17(1))	
	— for an international application which has been searched in the international phase	150[1]
	— for any other application	180[1]
	On request for a further search (PA section 17(6)) or payment for a supplementary search (PA section 17(8))	150[1]
	— excess claims fee for each claim filed over 25	20
10	On request for substantive examination (PR rule 28)	130[1]
	— excess pages fee for each page of description filed over 35	10
12	On payment of renewal fee:[2]	
	— for the 5th year	70
	— for the 6th year	90
	— for the 7th year	110
	— for the 8th year	130
	— for the 9th year	150
	— for the 10th year	170
	— for the 11th year	190
	— for the 12th year	220
	— for the 13th year	260
	— for the 14th year	300
	— for the 15th year	360
	— for the 16th year	420
	— for the 17th year	470
	— for the 18th year	520
	— for the 19th year	570
	— for the 20th year	610
	On extension of the period for payment of a renewal fee:	
	— not exceeding one month	—
	— for each succeeding month (but not exceeding six months)	24
14	On request for reinstatement of a patent application under PA section 20A (PR rule 32)	150
16	On request for restoration of a patent under PA section 28 (PR rule 40)	135
—	On request for publication of translation under PA section 89A(3) or (5)	12

[1] This fee is reduced when this form is filed electronically.

[2] Only half of the renewal fee is payable if an entry is made in the register to the effect that licences under the patent are to be available as of right.

34	On request for payment of a grant fee under PR rule 30A	
	— excess claims fee: for each increase in claims over 25	20
	— excess pages fee: for each increase in pages of description over 35	10
—	On application to the Comptroller for an international application to be treated as an application under the Act (PCT Article 25; PA section 89(3) and 89(5))	—
52	On request for extension of a period of time under PR rule 108(2)	135
	On request for extension of a period of time under PR rule 108(3)	135
—	On appeal (see paragraph GB.15)	235

How can payment of fees be effected?

The payment of fees must be effected in pounds sterling. All payments must be made together with the filing of the form related to the fee to be paid, and 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 type of the fee being paid.

Fees may be paid by any of the following means: by certain types of credit/debit card; by cheque drawn on a UK clearing bank; by debit to a client deposit account held by the Office; by direct bank-to-bank transfer to Barclays Bank Plc., 3rd Floor Windsor Court, 3 Windsor Place, Cardiff, CF10 3ZL (Sort Code 20-18-23; SWIFT Code BARCGB22; IBAN GB92 BARC 2018 2380 5317 66), for the credit of the Intellectual Property Office[3] (United Kingdom) account 80531766; in cash at the Office. Fees paid by a cheque expressed in pounds sterling are regarded as being paid on the day of receipt of the cheque in the Office. Where cheques expressed in other currencies are received, there will be a delay while realisation into pounds sterling takes place (also, owing to currency fluctuations, an underpayment could result); it is therefore recommended that pound sterling cheques only should be paid. Cheques should be made payable to "UK Intellectual Property Office." Fees paid by bank-to-bank transfer are regarded as being received at the date on which the bank credits the money to the Intellectual Property Office[3] (United Kingdom) account 80531766; however, bank-to-bank transfers are likely to incur bank charges which may result in underpayment of fees. These must be met by the applicant and therefore should be covered in the applicant's instruction to the bank. The application/renewal documents relating to the payment of fees should be supported by a Fee Sheet or equivalent form listing individual fees. A reference (e.g., patent or deposit account number) should be quoted to link payment with any forms sent separately; this is essential when a bank-to-bank transfer is made.

[3] Intellectual Property Office is an operating name of the Patent Office.

Intellectual Property Office

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

Patents Form NP1
Patents Act 1977 (Rules 66 and 68-70)

National processing of an international application for a patent (UK)
(See the notes on the back of this form)

1. Your reference:		
2. International phase details	International application number	
	International filing date *(day/month/year)*	
	Earliest priority date *(day/month/year)*	
3. UK Patent application number *(The Office will fill in this part)*		
4. Full name, address and postcode of the or of each applicant *(underline all surnames)*		
ADP number *(if you know it)*		
5. Name of your agent (if you have one) "Address for service" (including postcode) in the European Economic Area or Channel Islands to which all correspondence should be sent.		
ADP number *(if you know it)*		
6. Are you requesting publication of a translation filed under Section 89A(3) or (5)? (Answer "Yes" if this applies, and see note h)		
7. Do you wish to enter the national phase early (i.e. before 31 months from the priority date)? (Answer "Yes" if this applies)		
If so, has the demand been filed and on what date?		

8) State which of the following Documents you are filing with this (Answer by writing (a) – (j) as appropriate) *a) Request for search* *(Patents Form 9A; Rules 22(2), 27(1) and 68(3))* *b) Request for substantive examination* *(Patents Form 10; Rules 28(1), 28(2) and 68(4))* *c) Statement of inventorship* *(Patents Form 7; Rules 10 and 68(2))* *d) Request for late declaration of priority* *(Patents Form 3; Rules 6, 7 and 66(3))* *e) Translation of international application* *(Section 89A(3); Rules 67 and 70)* *f) Translation of information relating to deposit of a biological material (Rule 69(1))* *g) Copy of application under the Patent Cooperation Treaty (Section 89A(3)(b)(i))* *h) Copy of amendment under the Patent Cooperation Treaty (Section 89A(5)(b)(i))* *i) Translation of amendment under the Patent Cooperation Treaty* *(Section 89A(5); Rules 69 and 70)* *j) Any other documents* *(please specify)*	

9.	Signature		Date	

10. Name, e-mail address, telephone and/or mobile number, if any, of a contact point	

REV MAR 20 PFNP1

Notes

a) *If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.*

b) *You may use this form if you want the office to begin the national phase of an international application. The national phase cannot begin until you have paid the fee for national processing (see note (h) below) and filed any necessary documents mentioned at (d), (e) and (f), at part 8 above.*

c) *Do not use this form if you want the international application to be treated as an application under the Act, in accordance with section 89(3) or (5), when it, or the designation of the United Kingdom in it, has been deemed withdrawn, or when it has been refused a filing date under the Treaty. In these circumstances you should apply in writing to the office within 2 months of the notification mentioned in PCT Rule 51. You should include a statement of the facts on which you rely together with the fee which is payable (see rule 71). Within the same period of 2 months you should ask the International Bureau to send copies of the documents on file to the office (PCT Article 25.1).*

d) *Although you may have an address for service in the Channel Islands, any agent you appoint to act for you must reside in or have a place of business in the European Economic Area or Isle of Man.*

e) *Write your answers in capital letters using black ink or you may type them.*

f) *If there is not enough space for all the relevant details on any part of this form, please continue on a separate sheet of paper and write "see continuation sheet" in the relevant part(s) of the form. Any continuation sheet should be attached to this form and have "NP1 continuation sheet" and the international filing number as a heading.*

g) *Once you have filled in the form remember to sign and date it.*

h) *A fee is payable upon entering the national phase. For details of that fee, and fees due in respect of requests made under part 6 and parts 8(a) and (b) above, and ways to pay, please contact the Office.*

Data Privacy: https://www.gov.uk/government/organisations/intellectual-property-office/about/personal-information-charter

REV MAR 20 PFNP1

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REV MAR 20 PFNP1

Fees and payment

We will only process the form with this section completed (one form per payment)

To check the correct fee for this form, search on GOV.UK for 'patent forms and fees'

Total Fee Paying (£)

Your own reference (Optional)

Your contact details should we have a query

Name

Email

Phone

How would you like to pay?

Tick one

☐ **Using a debit or credit card – you will need the internet to pay by card**

1. Go to our secure website – https://fees.ipo.gov.uk/pay
2. Enter your name, email address and total amount to pay from above
3. As proof of payment, write below the 16-digit reference number displayed from the online payment screen.
   DO NOT write your debit/credit card number

☐ **Deduct from IPO deposit account**

IPO deposit account number

☐ **Cheque –** make payable to 'Intellectual Property Office' and please send to the address specified below.

☐ **Bank transfer**

Reference – use your IPO deposit account number if you have one or an application number or your name if you don't.

Use the following bank account details

Sort code	20-18-23
Account number	80531766
Account name	Intellectual Property Office
SWIFT code	BARCGB22
IBAN number	GB92 BARC 2018 2380 5317 66

Post to: Intellectual Property Office, Concept House, Cardiff Road, Newport, South Wales, NP10 8QQ, United Kingdom

REV MAR 20 PFNP1

Intellectual Property Office

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

Patents Form 9A
Patents Act 1977 *(Rule 27)*

Request for search
(See the notes on the back of this form)

1. Your reference:
(optional)

2. Patent application number (e.g. GB7654321.0):

3. Full name of the applicant or of each applicant:

4. Is this request for (please tick one box):

☐ a) A search under Section 17(1) for an international application which has been searched in the international phase?

☐ b) A search under Section 17 (1) for any other application?

☐ c) A supplementary search under Section 17(8)?
(See note (b) for help choosing which search you require)

☐ d) A search of a further invention under Section 17(6)?

If your answer is (d), identify which invention you would like to be searched by referring to the claims to be searched *(See note (c))*:

(we will automatically send you a paper copy of any cited non-patent documents, see note (d))

5. Are you paying the application fee with this form?
(See note (e))
YES ☐ No ☐

6. Number of claims in your application:
Only relevant for options (a) and (b) above. See note (f)

7. *(please see note (g))* Signature Date

8. Name, email address, telephone and/or mobile number, if any, of a contact point for the applicant:

Notes

a) *Please type or write your answers using black ink. If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.*

b) *Identifying the type of search you require:*

Option a) *choose this option if your application is a PCT application.*

Option b) *choose this option if your application is a UK national application, and this is the first search you have requested for your application.*

Option c) *this option is used if you have already had a search done, but the claims have since been amended or corrected so that the defined invention has changed, and was not covered by the original search. An examiner will tell you if you need to request a supplementary search.*

Option d) *sometimes an examiner will tell you that your claims relate to more than one invention. In such circumstances the examiner will only search the first invention of the claims. If you wish other inventions to be searched you should use this option, filing a separate form with this option ticked for each invention you wish to be searched. You should also indicate on the form(s) the claims relating to the invention to be searched. You will need to pay a fee for each further invention to be searched.*

c) *If you do not identify an invention, the second invention specified in the search report previously made under Section 17(5) will be searched.*

d) *We will supply one copy of each non-patent document such as journal articles cited in the search report or during the substantive examination process. Patent documents cited during the application process are usually accessible for free on the internet (particularly from http://worldwide.espacenet.com/) and you will not be issued with a copy of them. For copyright reasons, all copies of citations supplied by the Office must be used for the sole purpose of processing the patent application.*

e) *Before your application is searched you must pay an application fee, as well as the search fee required with this form. If you have not already paid the application fee you can do so when filing this form. Note that the application fee is higher when paid after the date you filed your application. For details of the fees and ways to pay them, please contact the Office.*

f) *If you have selected option (a) or (b) in part 4 of this form, please indicate the current number of claims in your application. The search fee increases if your application includes more than 25 claims. Such an increase does not apply to searches under option (c) or (d). For details of the fee payable with this form and ways to pay, please contact the Office.*

g) *In order to promote efficient and high quality patent processing internationally, we are cooperating with other patent offices to share the results of searches and examinations. We are obliged to provide some information before publication to the European Patent Office. We may also provide the results of the search and any examination that has been carried out to other patent offices, even if this is prior to publication of your application. Any sharing prior to publication of your application will be carried out on a confidential basis and the results will not become publicly available through the other patent office before publication takes place in the UK.*

h) *Once you have filled in this form remember to sign and date it.*

Data Privacy: https://www.gov.uk/government/organisations/intellectual-property-office/about/personal-information-charter

REV MAR 20 PF9A

Fees and payment

We will only process the form with this section completed (one form per payment)

To check the correct fee for this form, search on GOV.UK for 'patent forms and fees'

Search fee	
Application fee (only if not paid with Patent Form 1)	
Excess claims fee	
Total fee paying	
Your own reference (Optional)	

Your contact details should we have a query

Name	
Email	
Phone	

How would you like to pay?

Tick one

☐ **Using a debit or credit card – you will need the internet to pay by card**

1. Go to our secure website – https://fees.ipo.gov.uk/pay
2. Enter your name, email address and total amount to pay from above
3. As proof of payment, write below the 16-digit reference number displayed from the online payment screen.
   DO NOT write your debit/credit card number

☐ **Deduct from IPO deposit account**

IPO deposit account number

☐ **Cheque –** make payable to 'Intellectual Property Office' and please send to the address specified below.

☐ **Bank transfer**

Reference – use your IPO deposit account number if you have one or an application number or your name if you don't.

Use the following bank account details

Sort code	20-18-23
Account number	80531766
Account name	Intellectual Property Office
SWIFT code	BARCGB22
IBAN number	GB92 BARC 2018 2380 5317 66

Post to: Intellectual Property Office, Concept House, Cardiff Road, Newport, South Wales, NP10 8QQ, United Kingdom

REV MAR 20 PF9A

Intellectual Property Office

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

Patents Form 10
Patents Act 1977 *(Rule 28)*

Request for a substantive examination
(See the notes on the back of this form)

1. Your reference: *(optional)*	
2. Patent application number *(e.g. GB7654321.0)*:	
3. Full name of the applicant or of each applicant:	
4. Number of pages of description in your application: *(see note(c))*	

5. *(please see note (d) and (e))* I/We request substantive examination of this application.

Signature | Date

6. Name, email address, telephone and/or mobile number, if any, of a contact point for the applicant:	

Notes

a) *If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.*

b) *Please type or write your answers using black ink.*

c) *Please indicate the current number of pages of description in your application. The fee for substantive examination increases if your application contains more than 35 pages of description.*

d) *In order to promote efficient and high quality patent processing internationally, we are cooperating with other patent offices to share the results of searches and examinations. We are obliged to provide some information before publication to the European Patent Office. We may also provide the results of the search and any examination that has been carried out to other patent offices, even if this is prior to publication of your application. Any sharing prior to publication of your application will be carried out on a confidential basis and the results will not become publicly available through the other patent office before publication takes place in the UK.*

e) *If you are filing this form with a Patents Form 9A for the same application and you do not want the search and substantive examination to be done at the same time, you should indicate this by writing "Not combined search and examination" on the front of this form in the space below part 5.*

f) *Once you have filled in the form remember to sign and date it.*

g) *For details of the fee and ways to pay, please contact the Office*

Data Privacy: https://www.gov.uk/government/organisations/intellectual-property-office/about/personal-information-charter

REV MAR 20 PF10

Fees and payment

We will only process the form with this section completed (one form per payment)

To check the correct fee for this form, search on GOV.UK for 'patent forms and fees'

Search fee	
Excess pages fee	
Total fee paying (£)	
Your own reference (Optional)	

Your contact details should we have a query

Name	
Email	
Phone	

How would you like to pay?

Tick one

☐ **Using a debit or credit card – you will need the internet to pay by card**

1. Go to our secure website – https://fees.ipo.gov.uk/pay
2. Enter your name, email address and total amount to pay from above
3. As proof of payment, write below the 16-digit reference number displayed from the online payment screen.
   DO NOT write your debit/credit card number

☐ **Deduct from IPO deposit account**

IPO deposit account number

☐ **Cheque –** make payable to 'Intellectual Property Office' and please send to the address specified below.

☐ **Bank transfer**

Reference – use your IPO deposit account number if you have one or an application number or your name if you don't.

Use the following bank account details

Sort code	20-18-23
Account number	80531766
Account name	Intellectual Property Office
SWIFT code	BARCGB22
IBAN number	GB92 BARC 2018 2380 5317 66

Post to: Intellectual Property Office, Concept House, Cardiff Road, Newport, South Wales, NP10 8QQ, United Kingdom

REV MAR 20 PF10

Intellectual Property Office

Patents Form 12
Patents Act 1977 (Rule 36)

Payment of renewal fee (and additional fee for late payment)
(See the notes on the back of this form)

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

1 Your Reference	
2 Patent Number	
3 Which year are you paying for? (In terms of the life of the patent e.g. 6th)	
4 Amount of renewal fee	
Amount of late payment fee	
Total amount paid	
5 Name, address and postcode of the person paying the fee	
Patents ADP number (if you know it)	
6 If your next renewal is overdue, the Office will send a reminder to your chosen address. If you have previously provided an Address for Service or a specific address for the renewal reminder, and it remains unchanged, you can leave this space blank. However, if you wish to change your chosen address, please provide the details here and sign and date it. *(see note c for further details)*	
Signature	
Date	
(Permanent changes of the address for service should be notified by a separate letter)	
7 Name, email address, telephone and/or mobile number, if any, of a contact point for the applicant	

Intellectual Property Office is an operating name of the Patent Office REV MAR 20 PF12

Notes

a) If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.

b) Write your answers in capital letters using black ink or you may type them.

c) Where a renewal fee has not been paid, the IPO sends a renewal reminder to the proprietor. The renewal reminder will be sent to the address provided for this purpose. If no such address has been provided, it will be sent to the Address for Service. Use part 6 of this form if you would like to change the address to which the Office sends the renewal reminder.

d) If you have filled in part 6 of the form remember to sign and date it

e) For details of fees and ways to pay, please contact the Office on 0300 300 2000.

Data Privacy: https://www.gov.uk/government/organisations/intellectual-property-office/about/personal-information-charter

REV MAR 20 PF12

Fees and payment

We will only process the form with this section completed (one form per payment)

To check the correct fee for this form, search on GOV.UK for 'patent forms and fees'

Total Fee Paying (£)

Your own reference (Optional)

Your contact details should we have a query

Name

Email

Phone

How would you like to pay?

Tick one

☐ **Using a debit or credit card – you will need the internet to pay by card**

1. Go to our secure website – https://fees.ipo.gov.uk/pay
2. Enter your name, email address and total amount to pay from above
3. As proof of payment, write below the 16-digit reference number displayed from the online payment screen.
   DO NOT write your debit/credit card number

☐ **Deduct from IPO deposit account**

IPO deposit account number

☐ **Cheque –** make payable to 'Intellectual Property Office' and please send to the address specified below.

☐ **Bank transfer**

Reference – use your IPO deposit account number if you have one or an application number or your name if you don't.

Use the following bank account details

Sort code	20-18-23
Account number	80531766
Account name	Intellectual Property Office
SWIFT code	BARCGB22
IBAN number	GB92 BARC 2018 2380 5317 66

Post to: Intellectual Property Office, Concept House, Cardiff Road, Newport, South Wales, NP10 8QQ, United Kingdom

REV MAR 20 PF12

Intellectual Property Office

Patents Form 51
Patents Act 1977 *(Rule 101)*

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

Appointment or change of agent

(See the notes on the back of this form)

1	Your reference	
2	Patent application or patent number*(s)* *(see note(d))*	
3	'Full name and address of the, or of each, person who you are authorised to act for' Patents ADP number *(if you know it)*	
4	"Address for service" in the European Economic Area or Channel Islands to which all correspondence should be sent *(see note (e))* Patents ADP number *(if you know it)*	
5	Have you been authorised to act in all matters relating to the above application*(s)* or patent*(s)*? If 'no' please give details of the extent of your appointment	
6		I/We declare that I/we have been appointed by the person*(s)* named in part 3 above to act as agent as stated in part 5 above Signature Date
7	Name, e-mail address, telephone, fax and/or mobile number, if any, of a contact point for the applicant	

Notes

a) If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.

b) Write your answers in capital letters using black ink or you may type them.

c) This form is for use only where a person who is already involved in proceedings before the Comptroller appoints an agent for the first time or appoints a new agent in place of another.

d) The form may be used for more than one application or patent if the same authorisation has been given. In this situation, if there is not enough room for all the details at part 2 write "see attached list" and give the details on a separate sheet of paper.

e) Although you may have an address for service in the Channel Islands, any agent you appoint to act for you must reside in or have a place of business in the European Economic Area or Isle of Man.

f) This form must be completed by the newly appointed agent.

g) Once you have filled in the form remember to sign and date it.

Data Privacy: https://www.gov.uk/government/organisations/intellectual-property-office/about/personal-information-charter

(REV MAY18) **Patents Form 51**

Intellectual Property Office

Patents Form 20
Patents Act 1977 *(Rule 49)*

Request to correct or update a name or address held by us
(See the notes on the back of this form)

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

1 Your reference

2 Patent application or patent number*(s)*
(see notes (d) & (e))

3 'Full name and address of the, or of each, patent applicant or proprietor'
(as currently on the register or application(s))

Patents ADP number *(if you know it)*

4 Tick the appropriate box. I wish to:

i) Correct an error in a name or address; or ☐

ii) `Update a name or address ☐
(see note (c))

5 Name and/or address to be corrected or updated
(i.e. as it currently looks in our records)

Patents ADP number *(if you know it)*

6 Corrected or new name and/or address
(i.e. as you want it to look)

Patents ADP number *(if you know it)*

7 Name of your agent *(if you have one)*

"Address for service" in the European Economic Area or Channel Islands to which all correspondence should be sent
(including postcode) (see note (g))

Patents ADP number *(if you know it)*

8		Signature	Date
9	Name, e-mail address, telephone, fax and/or mobile number, if any, of a contact point for the applicant		

Notes

a) If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.

b) Write your answers in capital letters using black ink or you may type them.

c) You can use this form to request:

(i) A correction under s.117 of an error in a name or address (such as a typographical error); ***or***

(ii) An update to a name or address (such as a change in the applicant's name or when the applicant has moved addresses).

You can correct or update a name and/or address held in the register, or as found in any document filed at the Office.

You should use a separate form for each category if you are making more than one request.

d) You may use this form for more than one application or patent if the same request is involved.

e) If there is not enough space for all the relevant details on any part of this form, please continue on a separate sheet of paper and write "see continuation sheet" in the relevant part(s) of the form. Any continuation sheets should be attached to this form.

f) Once you have filled in this form remember to sign and date it.

g) Although you may have an address for service in the Channel Islands, any agent you appoint to act for you must reside in or have a place of business in the European Economic Area or Isle of Man.

Data Privacy: https://www.gov.uk/government/organisations/intellectual-property-office/about/personal-information-charter

Intellectual Property Office

Patents Form 52
Patents Act 1977*(Rules 108(2) and 108(3))*

Request to extend a prescribed time limit
(See the notes on the back of this form)

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

1	Your reference	
2	Patent application or patent number	
3	Full name of the applicant or of each patent applicant or proprietor Patents ADP number *(if you know it)*	
4	Is the request being made under: (i) rule 108(2) *(for an extension of two months)* **or** (ii) rule 108(3) *(for further extension or an extension of more than two months)?*	☐ ☐
5	Which form, fee, document or information are you filing late, or which time period do you wish to extend?	
6		Signature Date
7	Name, e-mail address, telephone, fax and/or mobile number, if any, of a contact point for the applicant	

Notes

a) This Form is used either:

(i) to request a two month extension (where no such request has been made previously) to a time period prescribed by the rules listed in part 2 of Schedule 4 of the Patents Rules, or;
(ii) to request the comptroller to otherwise extend (or further extend) a time period prescribed by the rules listed in part 2 of Schedule 4 of the Patents Rules.

Where the request is made under (ii) above you must send evidence supporting the grounds for the request either with this form or as soon as possible afterwards (unless the Office otherwise directs).

b) If the time period you wish to extend appears in part 3 of Schedule 4 of the Patents Rules you may request an extension of two months to these periods under the provisions of (i) above (rule 108(2)). Further extensions for these time periods are available under rule 108(3) however you should contact the Office for advice on when these extensions are available.

c) Information on the rules listed in Schedule 4 of the Patents Rules and copies of the schedule itself can be obtained from the Office.

d) If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.

e) Write your answers in capital letters using black ink or you may type them.

f) Once you have filled in this form remember to sign and date it.

g) For details of the fee and ways to pay, please contact the Office.

Data Privacy: https://www.gov.uk/government/organisations/intellectual-property-office/about/personal-information-charter

(REV MAY18) **Patents Form 52**

Intellectual Property Office

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

Patents Form 3
Patents Act 1977 *(Rules 6 and 7)*

Late Additions and Declarations of Priority
(See the notes on the back of this form)

1. Your reference:	
2. Patent application number	
3. Full name of the applicant or of each applicant	
Patents ADP number *(if you know it)*	

4. Is the request being made under

(i) rule 7(2) ☐ (to make a late declaration of priority)

(ii) rule 6(2) ☐ (to make a late claim to priority)

Before completing this section please see the notes on the back of this form

5. If (i) above why was the declaration of priority not made within the period specified? *(Continue on a separate sheet of paper if necessary)*	

6. Priority details
Enter here the details of the Priority application(s) being added or declared

Country	Application number	Date of filing *(day/month/year)*

7. Signature Date

Intellectual Property Office is an operating name of the Patent Office REV MAR 20 PF3

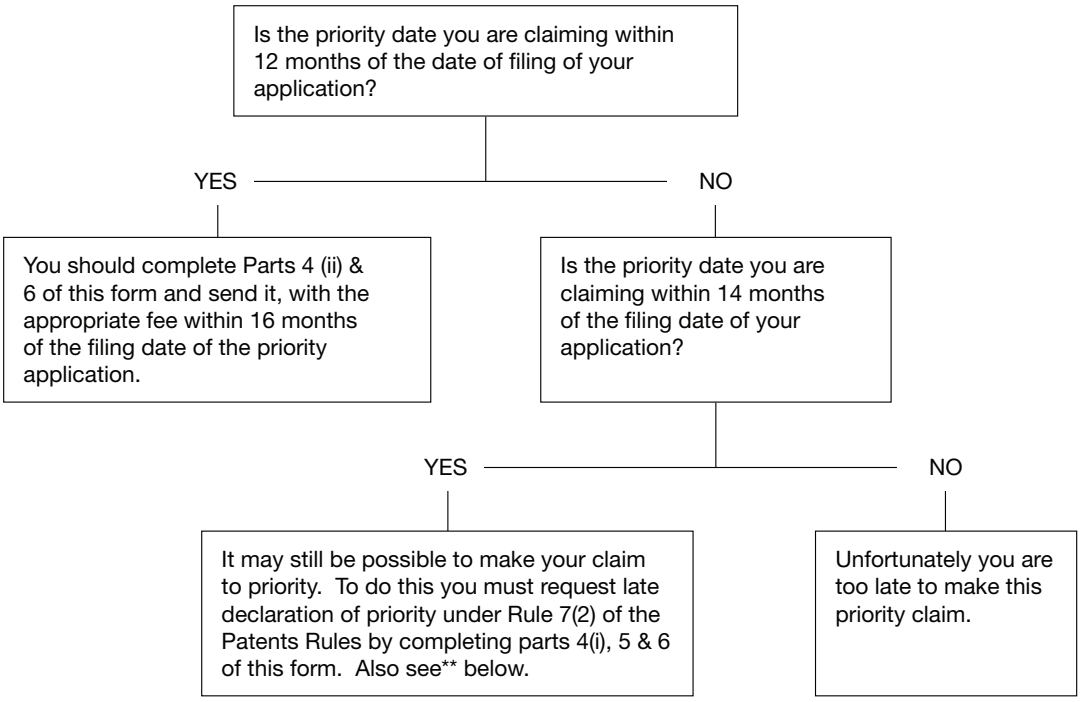
8. Name, email address, telephone and/ or mobile number, if any, of a contact point for the applicant:	

This form is used either:

i) to make a request for a late declaration of priority under Rule 7(2) of the Patents Rules 2007, or:

ii) to make a late claim to priority after an application has been filed (Rule 6(2)).

In order to take either of these late actions you must apply within a specified period after the filing date of the priority application (the application from which you wish to claim priority). If you do not, then it will no longer be possible to make a claim to priority from that application. The following flow chart explains the time periods for making a late claim to priority and also indicates which of the two provisions outlined in part 4 of this form you should use to make your request.



If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.

When completing the form please write your answers in capital letters using black ink or you may type them. Once you have filled in the form remember to sign and date it.

** Along with this form you should also provide supporting evidence as to why the priority claim was not made within 12 months of the filing date of the priority application. The evidence should be submitted with this form. If it is not, the Office will set a deadline for submitting the evidence.

There are different fees for each type of late priority claim identified in part 4. For details of these fees and ways to pay, please contact the Office.

Data Privacy: https://www.gov.uk/government/organisations/intellectual-property-office/about/personal-information-charter

REV MAR 20 PF3

Fees and payment

To check the correct fee for this form, search on GOV.UK for 'patent forms and fees'

Total Fee Paying (£)

Your own reference (Optional)

Your contact details should we have a query

Name

Email

Phone

How would you like to pay?

Tick one

☐ **Using a debit or credit card – you will need the internet to pay by card**

1. Go to our secure website – https://fees.ipo.gov.uk/pay
2. Enter your name, email address and total amount to pay from above
3. As proof of payment, write below the 16-digit reference number displayed from the online payment screen.
   DO NOT write your debit/credit card number

☐ **Deduct from IPO deposit account**

IPO deposit account number

☐ **Cheque –** make payable to 'Intellectual Property Office' and please send to the address specified below.

☐ **Bank transfer**

Reference – use your IPO deposit account number if you have one or an application number or your name if you don't.

Use the following bank account details

Sort code	20-18-23
Account number	80531766
Account name	Intellectual Property Office
SWIFT code	BARCGB22
IBAN number	GB92 BARC 2018 2380 5317 66

Post to: Intellectual Property Office, Concept House, Cardiff Road, Newport, South Wales, NP10 8QQ, United Kingdom

REV MAR 20 PF3

Intellectual Property Office

Patents Form 7
Patents Act 1977 *(Rule 10)*

Statement of inventorship and of right to grant of a patent

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

1.	Your reference	
2.	Patent application number *(if you know it)*	
3.	Full name of the or of each applicant	
4.	Title of the invention	
5.	State how the applicant*(s)* derived the right from the inventor*(s)* to be granted a patent	
6.	How many, if any, additional Patents Forms 7 are attached to this form? *(see note (c))*	
7.		I/We believe that the person*(s)* named over the page *(and on any extra copies of this form)* is/are the inventor*(s)* of the invention which the above patent application relates to. Signature Date
8.	Name, e-mail address, telephone, fax and/or mobile number, if any, of a contact point for the applicant.	

Notes

a) If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.

b) Write your answers in capital letters using black ink or you may type them.

c) If there are more than three inventors, please write the names and addresses of the other inventors on the back of another Patents Form 7 and attach it to this form.

d) Once you have filled in the form remember to sign and date it.

Enter the full names, addresses and postcodes of the Inventors in the boxes and underline the surnames

Patents ADP number *(if you know it)*

Patents ADP number *(if you know it)*

Reminder

Have you signed the form?

Patents ADP number *(if you know it)*

Data Privacy: https://www.gov.uk/government/organisations/intellectual-property-office/about/personal-information-charter

(REV MAY18) **Patents Form 7**

Intellectual Property Office

Patents Form 14
Patents Act 1977 *(Rule 32)*

Request to reinstate a patent application
(See the notes on the back of this form)

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

1. Your reference

2. Patent application number

3. Full name of the applicant or of each applicant

   Patents ADP number
   (if you know it)

4. The patent application was terminated because you failed to meet a legal requirement by the given deadline.

   Why did you fail to meet this requirement?
   (Continue on a separate sheet if necessary)

   (See note c)

5 I/We request the above application be reinstated

Signature

Date

6. Name, e-mail address, telephone, fax and / or mobile number, if any, of a contact point for the applicant

Notes

a) If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.

b) Write your answers in capital letters using black ink or you may type them.

c) You should provide supporting evidence with this form. If you do not, the Office will set a deadline for submitting the evidence.

d) Once you have filled in this form remember to sign and date it.

e) For details of the fee and ways to pay, please contact the Office.

Data Privacy: https://www.gov.uk/government/organisations/intellectual-property-office/about/personal-information-charter

(REV MAY18) **Patents Form 14**

Intellectual Property Office

Patents Form 16
Patents Act 1977 *(Rule 40)*

Application to restore a patent
See the notes on the back of this form

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

1. Your reference

2. Patent number

3. Full name of the or of each proprietor

4. Name and address of the or of each person applying for restoration (if different from the proprietor*(s)* named in part 3 above)

5. Name of your agent *(if you have one)*
(see note (d))

"Address for service" in the European Economic Area or Channel Islands to which all correspondence should be sent
(including the postcode)

Patents ADP number *(if you know it)*

6. Do you want the address in part 5 above to replace the address for service currently on the register?
(If so then write 'Yes')

7. I/We apply for the above patent to be restored.

Signature Date

8. Name, e-mail address, telephone, fax and / or mobile number, if any, of a contact point for the applicant

Notes

a) If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.

b) Write your answers in capital letters using black ink or you may type them.

c) You should provide supporting evidence with this form. If you do not, the Office will set a deadline for submitting the evidence.

d) You must also file Patents Form 51 if you appoint an agent for the first time or appoint one agent in substitution for another, after you have become involved in proceedings before the Office. Although you may have an address for service in the Channel Islands, any agent you appoint to act for you must reside or have a place of business in the European Economic Area or Isle of Man

e) Once you have filled in this form remember to sign and date it.

f) For details of the fee and ways to pay, please contact the Office.

Data Privacy: https://www.gov.uk/government/organisations/intellectual-property-office/about/personal-information-charter

(REV MAY18) **Patents Form 16**

SUPREME COURT REGISTRY (GRENADA)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Information not yet available*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

GD SUPREME COURT REGISTRY (GRENADA) GD

Summary of requirements for entry into the national phase

Information not yet available

NATIONAL INTELLECTUAL PROPERTY CENTER OF GEORGIA (SAKPATENTI)

(SAKARTVELOS INTELEKTUALURI SAKUTREBIS EROVNULI TSENTRI)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE — SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex GE.I

List of abbreviations:

Office: National Intellectual Property Center of Georgia (SAKPATENTI)

PL: Georgian Patent Law[1]

[1] The text may be obtained on the Internet at www.sakpatenti.gov.ge

SUMMARY **Designated (or elected) Office** SUMMARY

GE NATIONAL INTELLECTUAL PROPERTY CENTER OF GEORGIA (SAKPATENTI) GE

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:[1]	Georgian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as originally filed or as amended, if the applicant wishes the amendments to form the basis for the proceedings, together with any statement under PCT Article 19[2]), 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, as originally filed or as amended by the annexes to the international preliminary examination report, if the applicant wishes the amendments to form the basis for proceedings)[2]
Is a copy of the international application required?	No
National fee:[3, 4]	Currency: US dollar (USD) For patent: Filing fee:[5] USD 90 Fee for determination of object of protection: USD 90 Fee for determination of state of the art: — for one independent claim: USD 180 — for each independent claim in excess of one: USD 120 For utility model: Filing fee:[5] USD 90 Fee for determination of object of protection and novelty: USD 90

[Continued on next page]

1 Must be furnished within two months from the date of request for entry into the national phase.

2 In certain circumstances, the Office is entitled to require both the translation of the international application as originally filed and as amended; in such a case, the Office will invite the applicant to supply the missing translation.

3 Fees are reduced by 70% where the applicant is the inventor, a higher educational institution or an independent scientific research unit and by 90% where the applicant is a student, pupil or retiree.

4 Fees are reduced by 20% for applications filed electronically.

5 Must be paid within one month from the date of request for entry into the national phase.

SUMMARY **Designated (or elected) Office** SUMMARY

GE NATIONAL INTELLECTUAL PROPERTY CENTER OF GEORGIA (SAKPATENTI) GE

[Continued]

Exemptions, reductions or refunds of the national fee:	The fee for determination of state of the art is reduced by 50% where an international search report or an international preliminary examination report has been established and a Georgian translation thereof is submitted.
Special requirements of the Office (PCT Rule 51*bis*):[6]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[7] Deed of transfer where the applicant is not the inventor[7] Appointment of an agent if the applicant is not resident in Georgia Power of attorney if an agent or representative is appointed Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any person who is a resident of Georgia or registered to practice before the Office as patent attorney.
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "due care" and the "unintentional" criteria to such requests

6 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 of two months from the date of receipt of the invitation.

7 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

GE.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).

PL Art. 25.1 47

GE.02 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex GE.I. The filing fee must be paid within one month from the date of request for entry into the national phase. The fee for determination of the object of protection and the fee for determination of state of the art must be paid within two months from the date of receipt of the respective invitations.

PL Art. 25.3

GE.03 **DEED OF TRANSFER.** When the applicant is not the inventor, a deed of transfer must be furnished. There is no special form for this statement. Legalization is not required. For time limits, see the Summary.

PL Art. 25.2

GE.04 **POWER OF ATTORNEY.** An agent or representative must be appointed by filing a power of attorney. A patent attorney registered to act before the Office may act as agent or representative.

GE.05 **MENTION OF INVENTOR.** If the inventor prefers to remain anonymous, a special request must be made to the Office during the national phase.

PCT Rule 51*bis*.1(e)

GE.06 **PRIORITY DOCUMENT (TRANSLATION).** The Office may require the applicant to furnish a translation of the priority document into Georgian only in certain cases, and upon special invitation.

PL Art. 47

GE.07 **FEE FOR GRANT**. A fee for grant (for issuing and maintaining a patent for the first two years) is required for the registration of a patent and publication of data concerning the grant of the patent and its maintenance in force during the first and second years. The fee for grant must be paid within two months from the date of receipt of the invitation. Said invitation is sent if following the decision to grant the patent no opposition is filed within three months from the date of the publication of the application. If the fee is not paid within the said time limit, the granting and publication of the Georgian patents will not take place and proceedings with regard to the Georgian application shall be terminated.

GE.08 **MAINTENANCE FEE.** A maintenance fee is due as from the third year after the international filing date. If the decision to grant the patent is taken after the expiration of two years from the international filing date, the fee for granting the patent is payable together with a maintenance fee for the current year of grant of the patent and for any preceding years between the second year and the year of grant. All subsequent maintenance fees may be paid prior to the due date but at the latest before the expiration of six months from the due date. The amounts of the maintenance fees are indicated in Annex GE.I.

PCT Art. 25
PCT Rule 51

GE. 09 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 24(2) 48(2)
PCT Rule 82*bis*

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

GE.11 Reinstatement may be requested where the applicant has failed to comply with a time limit during the international phase or before the Office. The request for reinstatement must be presented in writing within two months after removal of the cause of non-compliance with the time limit but not later than one year from the expiration of the time limit which has not been observed. The applicant must complete the omitted act and pay the reinstatement fee (indicated in Annex GE.I).

PL Art. 13
17(c), (d)
PCT Rule 49*bis*.1
(a), (b)
76.5

GE.12 **UTILITY MODEL.** If the applicant wishes his application to be treated as an application for the grant of a utility model, when performing the acts referred to in Article 22 or 39, he shall so indicate to the Office.

PL Art. 17(d)
26.5

GE.13 If the international application is for a utility model, the applicant must note the following requirements, which differ somewhat from those for patents:

(a) The application may not be in respect of more than one invention.

(b) The application must contain only one independent claim.

PL Art. 38

GE.14 The utility model is subject to examination as to novelty by considering the registered applications and patents granted by the Office.

GE.15 The fee for grant (for issuing and maintaining the utility model for the first two years) must be paid within two months from the date of receipt of the invitation. The said invitation is sent if following the decision by the Office to grant the utility model no opposition is filed within three months from the date of publication of the application.

PL Art. 29(1.c)

GE.16 **CONVERSION.** An international application for a patent may be converted into a utility model application after the applicant has complied with the requirements for entry into the national phase for a patent application, as indicated in the Summary. Conversion can be requested during the examination procedure.

GE.17 An international application for a utility model may be converted into a patent application after the applicant has complied with the requirements for entry into the national phase for a utility model, as indicated in the Summary. Conversion can be requested during the examination procedure.

PL Art. 35.3

GE.18 An international application for a patent for which the examination fee has not been paid will be converted into an application for a utility model, if the applicant pays the examination fee for utility model not later than six months after the date on which the decision to refuse the patent application has been taken.

FEES[1]
(Currency: US dollar)

Filing fee for patent or utility model	90[2]
Fee for determination of object of protection	90[2]
Fee for determination of state of the art for one independent claim for patent	180[2]
Fee for determination of state of the art for each independent claim in excess of one for patent (reduced by 50% where an international search report or an international preliminary examination report has been established and a Georgian translation thereof is submitted)	120[2]
Fee for determination of object of protection and novelty for utility model	90[2]
Fee for extension of term to reply to official actions	30
Fee for voluntary amendments during processing	40
Fee for voluntary amendments after grant	60
Fee for reinstatement of rights of the applicant with respect to an international application where the applicant failed to comply with the requirement of Article 22 or 39(1)	100
Fee for restoration of the right of priority	60
Publication fee for patent and utility model specification up to 30 pages	60[2]
— for each additional page in excess of 30	2[2]
Grant fee for patent	200[2]
Fee for conversion of patent application into utility model application	50
Fee for conversion of utility model application into patent application	70
Grant fee for utility model	170[2]
Fee for requesting supplementary protection certificate for patent	100
Maintenance fees:	
for patent:	
— for the 3rd to the 5th years, per year	50
— for the 6th to the 8th years, per year	70
— for the 9th to the 11th years, per year	170
— for the 12th to the 14th years, per year	250
— for the 15th to the 17th years, per year	300
— for the 18th to the 20th years, per year	500
for supplementary protection certificate:	
— for the 21st year	600
— for the 22nd year	700
— for the 23rd year	800
— for the 24th year	900
— for the 25th year	1,000
— for the 26th year	1,100

[1] Fees are reduced by 70% where the applicant is the inventor, a higher educational institution or an independent scientific research unit and by 90% where the applicant is a student, pupil or retiree.

[2] This fee is reduced by 20% for applications filed electronically.

for utility model:
— for the 3rd and 4th years, per year 50
— for the 5th and 6th years, per year 70
— for the 7th and 8th years, per year 170
— for the 9th and 10th years, per year 300

Fee for reinstatement of patent or utility model 100

How can payment of fees be effected?

The payment of fees must be effected in US dollars. If the applicant is not resident in Georgia, the payment must be effected by a representative. All payments must indicate the application number (national, if already known; international if the national number is not yet known), the name of the applicant and the category of fee being paid.

The payment of all fees is due to the National Intellectual Property Center of Georgia (SAKPATENTI) and should be effected by bank transfer at the following banks:

Intermediary: JP MORGAN CHASE BANK OF NEW YORK, USA
SWIFT CODE: CHASUS 33
ACC: 409346371

Beneficiary's bank: NATIONAL BANK OF GEORGIA, TBILISI
SWIFT CODE: BNLNGE22

Beneficiary: NATIONAL INTELLECTUAL PROPERTY CENTER SAKPATENTI (val code: 799780269)
IBAN: GE65NB0331100001150207

REGISTRAR GENERAL'S DEPARTMENT (GHANA)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Registrar General's Department (Ghana)

PL: Patent Law, 1992

PR: Patent Regulations, 1996

SUMMARY **Designated (or elected) Office** SUMMARY

GH REGISTRAR GENERAL'S DEPARTMENT (GHANA) GH

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only), 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[1]	Currency: Ghanaian cedi (GHS)

For patent:			
National processing fee:	GHS	100,000	(50,000)[2]
Annual fees:			
for the first year:	GHS	10,000	(5,000)[2]
for the second year:	GHS	20,000	(10,000)[2]
for the third year:	GHS	30,000	(15,000)[2]
For utility certificate:			
National processing fee:	GHS	50,000	(25,000)[2]
Annual fees:			
for the first year:	GHS	10,000	(5,000)[2]
for the second year:	GHS	20,000	(10,000)[2]
for the third year:	GHS	30,000	(15,000)[2]

Exemptions, reductions or refunds of the national fee:	None

[*Continued on next page*]

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

[2] The amount in parentheses is applicable in case of filing by an individual or by an entity employing less than 25 persons.

SUMMARY Designated (or elected) Office SUMMARY

GH REGISTRAR GENERAL'S DEPARTMENT (GHANA) GH

[*Continued*]

Special requirements of the Office (PCT Rule 51*bis*):[3]	Document evidencing a change of name of the applicant if the change occurred after the international filing date Document of assignment or transfer if the applicant has changed after the international filing date and the change has not been reflected in a notification from the International Bureau (Form PCT/IB/306) International application or translation to be furnished in three copies Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in computer readable form Declaration justifying the applicant's right to a patent if he is not the inventor[4] Appointment of an agent if the applicant is not resident in Ghana
Who can act as agent?	Any attorney or lawyer registered in Ghana or any engineer or other qualified scientist registered to practice before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[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.

THE PROCEDURE IN THE NATIONAL PHASE

GH.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).

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

PL Sec 14(1)

GH.03 **AMENDMENT OF THE APPLICATION; TIME LIMITS**. The applicant may amend or correct the claims, description, and drawings in the international application at any time during the national phase provided that the amendment does not go beyond the disclosure in the application as originally filed.

PL Sec 22

GH.04 **APPEALS; TIME LIMITS.** The applicant may appeal to the Patent Tribunal against any decision by which the Registrar rejects the application, considers any of the claims to be withdrawn or refuses to grant a patent, within one month from the date on which he is notified of such decision.

PCT Art. 28
41

GH.05 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Time limits may be extended at the discretion of the Registrar and may be extended even if the time or period for doing the act of taking the proceeding has already expired.

GH.06 **UTILITY CERTIFICATE.** Any desire of the applicant to obtain, in Ghana, on the basis of the international application, a utility certificate instead of a patent should be indicated in the international application (in Box No.V of the request) when filed.

PL Sec 66(1)
PL Sec 66(2)

GH.07 **CONVERSION.** At any time before the grant or the notification of rejection of the application or of refusal to grant, the applicant may, upon payment of the prescribed fee, convert his application for a patent into an application for a utility certificate, and vice versa.

GH.08 **PRIORITY DOCUMENT (TRANSLATION).** A translation of the priority document into English must be furnished in all cases. If the translation of the priority document is not furnished, the Office will invite the applicant to furnish it within three months from entry into the national phase.

PL Sec 32(1) -(4)

GH.10 **ANNUAL FEES.** Annual fees must be paid in advance starting with the second year after the international filing date. A period of grace of six months is granted for the payment of the annual fee upon payment of a prescribed surcharge. Within 12 months from the expiration of the period of grace, any interested person may, upon payment of the prescribed fee, request the Registrar to restore the international application that is deemed to have been withdrawn, or a patent that has lapsed, because of non-payment of the annual fee.

GH.11 **REVIEW UNDER ARTICLE 25.** 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, an appeal against this decision may be lodged with the patent Tribunal within one month from the date of notification of the decision.

FEES

(Currency: Ghanaian cedi)

Patents

National processing fee	100,000	50,000[1]
Annual fees:		
— for the 1st year	10,000	(5,000)[1]
— for the 2nd year	20,000	(10,000)[1]
— for the 3rd year	30,000	(15,000)[1]
— for the 4th year	40,000	(20,000)[1]
— for the 5th year	50,000	(25,000)[1]
— for the 6th year	60,000	(30,000)[1]
— for the 7th year	70,000	(35,000)[1]
— for the 8th year	80,000	(40,000)[1]
— for the 9th year	90,000	(45,000)[1]
— for the 10th year	100,000	(50,000)[1]
— for the 11th year	150,000	(75,000)[1]
— for the 12th year	250,000	(125,000)[1]
— for the 13th year	300,000	(150,000)[1]
— for the 14th year	350,000	(175,000)[1]
— for the 15th year	400,000	(200,000)[1]
— for the 16th year	450,000	(225,000)[1]
— for the 17th year	500,000	(250,000)[1]
— for the 18th year	550,000	(275,000)[1]
— for the 19th year	600,000	(300,000)[1]
Surcharge for extension of time for payment of annual fees:		
not exceeding 1 month	2,000	(1,000)[1]
not exceeding 2 months	4,000	(2,000)[1]
not exceeding 3 months	6,000	(3,000)[1]
up to 6 months	12,000	(6,000)[1]

Utility certificates

National processing fee	50,000	25,000[1]
Annual fees:		
— for the 1st year	5,000	(2,500)[1]
— for the 2nd year	10,000	(5,000)[1]
— for the 3rd year	15,000	(7,500)[1]
— for the 4th year	20,000	(10,000)[1]
— for the 5th year	25,000	(12,500)[1]
— for the 6th year	30,000	(15,000)[1]
Fee for conversion of an application for a utility certificate into an application for a patent, and vice versa	50,000	(25,000)[1]

[1] The amount in parentheses is applicable in case of filing by an individual or by an entity employing less than 25 persons

How can payment of fees be effected ?

Payment of fees must be effected in Ghanaian cedis. All payments must indicate the application number (national if already known; international if the national number is not yet known), the name of the applicant and the type of fee being paid.

Payment may be effected:
(i) by cash payment at the office;
(ii) by check;
(iii) by payment into the account No. 4 at the Bank of Ghana, Accra.

L.I. 1616.

PATENT REGULATIONS, 1996

Form No. 2 Regulation 6, 10(4), 13 **To: The Registrar** **The Registrar's Office** **(Address)**	FOR OFFICIAL USE **Date of Receipt by Registrar's Office:** **APPLICATION NO.:** **(Office's Stamp)** **Filing Date:**
REQUEST FOR GRANT OF PATENT OR Utility Certificate	Applicant's or Agent's File Reference:

The Applicant(s) Request(s) the grant of a ☐ Patent ☐ Utility Certificate in Respect of the following particulars:

I. TITLE OF INVENTION:

II. APPLICANT (S)

(The data concerning each applicant must appear in this box or, if the space is insufficient, in the supplementary box). Additional information is contained in supplementary box ☐

Name:

Address:

Nationality:

Country of Residence or Principal Place of Business:

Telegraphic Address:

Telephone No.: Facsimile No.: Telex No.:

III. AGENT

The following agent has been appointed by the applicant(s) in the power of attorney

☐ accompanying this form ☐ to be filed within one month from the filing of this form

Name:

Address:

Telegraphic Address:

Telephone No.: Facsimile No.: Telex No.:

IV. INVENTOR

The Inventor is the Applicant ☐

Additional information contained in supplementary box ☐

If Inventor is not the Applicant:

Name:

Address:

The Statement under section 12(4) justifying the applicant's right accompanies this Form ☐

L.I. 1616.

PATENT REGULATIONS, 1996

V. DIVISIONAL APPLICATION

The application is a divisional application ☐

The benefit of the filing date ☐ priority date ☐ of the initial application is claimed in as much as the subject matter of the present application is contained in the initial application identified below.

Initial Application No.:

Date of filing or priority date, if any, of initial application:

VI. DISCLOSURES TO BE DISREGARDED FOR PRIOR ART PURPOSES

Disclosure occurred not more than six months before the filing date, or where priority is claimed, priority date of the present application by reason or in consequence of:

☐ acts performed by the applicant or his predecessor in title (including the display of the invention at an official or officially recognized international exhibition).

☐ an evident abuse, committed by a third party with regard to the rights of the applicant or his predecessor in title.

Additional information is contained in a statement accompanying this Form ☐

VII. PRIORITY DECLARATION (if any)

The priority of (an) earlier application(s) is claimed as follows ☐

The priority of more than one earlier application is claimed: the data are indicated in the supplementary box ☐

Country (if the earlier application is a regional or international application, indicate the office with which and the countries for which it was filed):	Filing Date: Application No: will be furnished within three months ☐ Symbol of the International Patent Classification: not yet allocated ☐

The Certified copy of the earlier application ☐ accompanies this Form ☐
will be furnished upon request by the Registrar, as prescribed by section 15(2) and regulation 17(4)

The English translation of the earlier application ☐ accompanies this form ☐

☐ will be furnished within the time limit prescribed by regulation 17(5).

VIII. SUPPLEMENTARY BOX*

L.I. 1616.

PATENT REGULATIONS, 1996

IX. CHECK LIST (TO BE FILED IN BY THE APPLICANT)

A. This application contains the following

1. request.....sheet(s)
2. description.....sheets(s)
3. claim(s).....sheet(s)
4. abstract.....sheet(s)
5. drawings.....sheet(s)

Total.....sheet(s)

C. Figure Number.....of the drawings (if any) is suggested to accompany the abstract for publication.

B. This Form, as filed, is accompanied by the items ticked below

- ☐ separate signed power of attorney
- ☐ statement justifying applicant's right
- ☐ statement that certain disclosures be disregarded
- ☐ priority document(s) (certified copy of earlier application(s)
- ☐ English translation of earlier application(s) on which priority declaration is based.
- ☐ application fee
- ☐ other document(s) (specify)

*X. Signature(s)**..... .....
(Date)

* Type name(s) under signature.

TO BE FILED IN BY THE REGISTRAR

1. Date of receipt of corrections or later filed documents completing the application:

2. Date fees received:

*Use this box if any of the boxes is not large enough to contain information to be furnished. Indicate the boxes continued in this box by their Roman numerals and title (e.g., "II) APPLICANT(S) (continued)").

REGISTRAR GENERAL'S DEPARTMENT, MINISTRY OF JUSTICE (GAMBIA)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Registrar General's Department, Ministry of Justice (Gambia)

IPA: Industrial Property Act (Cap.95:03), 2 April 2007

IPR: Industrial Property Regulations, 1 January 2011

SUMMARY **Designated (or elected) Office** SUMMARY

GM REGISTRAR GENERAL'S DEPARTMENT, MINISTRY OF JUSTICE (GAMBIA) GM

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[1]	Currency: Gambian dalasi (GMD) and US Dollar (USD)[2] For patent: Filing fee:[3] GMD 5,000 or USD 400 For utility model: Filing fee: GMD 2,500 or USD 200
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[4]	Appointment of an agent if the applicant is not resident in the Gambia (a power of attorney must be furnished)
Who can act as agent?	Any attorney or patent attorney registered in the Gambia
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

1 Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
2 For applicants who are not residents of Gambia.
3 Includes examination, grant and publication.
4 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.

THE PROCEDURE IN THE NATIONAL PHASE

GM.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).

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

IPA Sec. 38
IPR Sec. 6

GM.03 **REPRESENTATION.** Where the ordinary residence or principal place of business of the applicant is outside Gambia, she/he has to appoint an agent who is a legal practitioner resident and practicing in Gambia. This may be done on Form A1, a model of which is given in Annex GM.II.

IPA Sec. 10(3)
10(4)
IPR Sec. 20(1)

GM.04 **EXAMINATION.** The Office will examine the application as to substance.

IPA Sec. 13(3)

GM.05 **ANNUAL FEES.** Annual fees must be paid in advance to the Registrar General for each year, starting one year after the filing date of the application for grant of the patent. A period of grace of six months is granted for the payment of the annual fee upon payment of a prescribed surcharge. In case of non-payment of the annual fee, the patent application shall be deemed to have been withdrawn or the patent shall lapse. The payment of each annual fee shall be accompanied by a statement on Form P8, a model of which is given in Annex GM.IV.

IPA Sec. 39(3)
IPR Sec. 48

GM.06 **PUBLICATION OF APPLICATIONS.** All applications are published in the official bulletin (The Gambia Gazette) within two months after entry into the national phase.

IPA Sec. 7(2)
IPR Sec. 28(2)

GM.07 **AMENDMENT OF THE APPLICATION.** The applicant may amend the application, provided that the amendment shall not go beyond the disclosure of the initial application. An amendment of the application shall be made on Form P3, a model of which is given in Annex GM.III.

IPA Sec. 16

GM.08 **UTILITY MODEL.** Subject to paragraph GM.09, if the applicant wishes to obtain a utility model instead of a patent in Gambia, on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office. The fees relating to utility models are indicated in Annex GM.I.

IPA Sec. 18

GM.09 **CONVERSION OF PATENT APPLICATION INTO UTILITY MODEL APPLICATION.** An international application for a patent may be converted into a utility model application and vice-versa at any time before the grant or refusal of a patent, upon payment of the prescribed fee. The converted application will have the filing date of the initial application. An application may not be converted more than once.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

GM.10 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. At the Director General's discretion, the applicant may be given an extension of any time limit prescribed by the Regulations and the Administrative Instructions. Such extension may be granted even if the time limit has already expired.

FEES

(Currency: Gambian dalasi or US Dollar[1])

	Gambian dalasi	*US Dollar*
Patents		
Filing fee (includes examination, grant and publication)	5,000	400
Amendment of patent application or priority claim	1,500	120
Request for correction of patent application	—	—
Record of particulars of patent registration	—	—
Certificate of Grant of Patent	—	—
Annual fees:		
— for the 1st year	—	250
— for the 2nd year to the 9th years, per year	—	300
— for the 10th year	—	400
— for the 11th year	—	500
— for the 12th year	—	600
— for the 13th year	—	700
— for the 14th year	—	800
— for the 15th year	—	900
— for the 16th year	—	1,000
— for the 17th year	—	1,100
— for the 18th year	—	1,200
— for the 19th year	—	1,300
Utility models		
Filing fee	2,500	200

How can payment of fees be effected ?

Payment of fees must be effected in Gambian dalasi or US Dollar.[1] All payments must indicate the application number (national if already known; international if the national number is not yet known), the name of the applicant and the type of fee being paid.

[1] For applicants who are not residents of Gambia.

Form A1 (regulation 6)

REPUBLIC OF THE GAMBIA		
THE INDUSTRIAL PROPERTY ACT Cap. 95:01 THE INDUSTRIAL PROPERTY REGULATIONS 2010 **AUTHORISATION OF AGENT**		
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.		
1. Full Name and Address of:- a) Applicant b) Owner c) Opponent d) Licensee *(indicate (a) - (d) as appropriate)*		
2. The Registrar General is hereby notified of the appointment of the agent described below.		
3. Full name of the Agent		
4. Address of the agent which shall be the address for service of the person appointing him		
5. Is the appointment of agent general (in respect of all transactions in the name of the appointor), or limited (to an identified matter)? *(Indicate opposite)*	General	
	Limited	
6. If the appointment is limited, identify the matter/s opposite *Continue on separate page if necessary*	Type of registration/s or application/s *(patent, utility model, industrial design, mark)*	
	Number/s *(GM/..../.../....)*	
	Title or short description of the (or each) registration or application	
Signature	Date	

Note **It is NOT obligatory to send a form of authorisation with every application or proceeding.** ***See regulation 6(3) as to the powers of the Registrar General to require authorisation.***

FORM P3 (regulation 17)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 **Fee Schedule 2 Item 3** **Amendment of Patent Application or Priority Claim**	
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Application Number	GM/P/
2. Title of Invention	
3. Name/s of Applicant/s	

4. The Registrar General is hereby notified of the amendment of the above-mentioned application **or** of the priority claim in the manner set out opposite.	*Description of amendment (may continue on separate sheet)*
Signature/s	Date

FORM P8 (regulation 23)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 **Fee Schedule 2 Item & Table** **Payment of Annuity** **(to be filed in triplicate)**	
Part A from the owner, applicant or agent To: The Registrar General,	
1. Patent or Application Number	GM/
2. Date of filing Application for the Registration of the Patent *(date/month/year)*	
3. Due Date of Annuity Now Being Paid *(date/month/year)* *	
4. Title of Invention	
5. Name/s of Owner/s	
6. Address for Service	
7. The annuity, falling due on the above-mentioned application or registration on the date stated at (3) above, is remitted to the Registrar General herewith in accordance with section 13(3) of the Industrial Property Act.	
Signature	Date
Part B Duplicate to be returned by the Registrar General To the above described owner, applicant or agent Receipt is hereby acknowledged of the annual fee detailed in Part A	
8. date of payment of annual fee	
9. Date of this acknowledgement	
Signature of Registrar General	.....

****Note: An annuity for the maintenance of the patent application or registration falls due on the first anniversary of the date of application for registration and on each subsequent anniversary of that date.***

REGISTRY OF INTELLECTUAL PROPERTY (GUATEMALA)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY Designated (or elected) Office SUMMARY

GT REGISTRY OF INTELLECTUAL PROPERTY (GUATEMALA) GT

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), 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?	Yes
National fee:	Currency: Quetzal (GTQ) For patent: Filing fee:[1] GTQ 2,500 For utility model: Filing fee:[1] GTQ 1,000
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[2, 3] Declaration as to the applicant's entitlement to apply for and be granted a patent[2, 3] Declaration as to the applicant's entitlement to claim priority of the earlier application [2, 3] Document evidencing a change of name of the applicant[3] Translation of the international application to be furnished in two copies[3] Appointment of an agent if the applicant is not resident in Guatemala Power of attorney if an agent is appointed Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form

[Continued on next page]

[1] Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
[2] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.
[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 of three months from the date of receipt of the invitation.

SUMMARY Designated (or elected) Office SUMMARY

GT REGISTRY OF INTELLECTUAL PROPERTY (GUATEMALA) GT

[Continued]

Who can act as agent?	Any attorney registered in Guatemala
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

DIRECTORATE GENERAL OF INTELLECTUAL PROPERTY (HONDURAS)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office:	Directorate General of Intellectual Property (Honduras)
D12-99:	Industrial Property Law, Decree No. 12-99-E

SUMMARY Designated (or elected) Office SUMMARY

HN DIRECTORATE GENERAL OF INTELLECTUAL PROPERTY (HONDURAS) HN

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), 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: Honduran lempira (HNL) For patent or utility model: Filing fee:[1] HNL 1,500 Annual fees, per year: HNL 200 Substantive examination fee: HNL 1,500
Exemptions, reductions or refunds of the national fee:	The fees are reduced by 90% where the applicant is the inventor and he provides a declaration indicating that his economic situation prevents him from paying the full amount of the fees.
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[2, 3] Document evidencing a change of name of the applicant[3] Declaration as to the applicant's entitlement to apply for and be granted a patent[2, 3] Declaration as to the applicant's entitlement to claim priority where the applicant is not the applicant who filed the earlier application[2, 3] Translation of the international application to be furnished in three copies[3] Appointment of an agent if the applicant is not resident in Honduras Power of attorney if an agent is appointed Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form

[Continued on next page]

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

[2] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[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 of two months from the date of receipt of the invitation.

SUMMARY **Designated (or elected) Office** SUMMARY

HN DIRECTORATE GENERAL OF INTELLECTUAL PROPERTY (HONDURAS) HN

[Continued]

Who can act as agent?	Any attorney registered in Honduras
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

THE PROCEDURE IN THE NATIONAL PHASE

HN.01 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

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

D12-99 Art. 37

HN.03 **DIVISIONAL APPLICATIONS.** Where the application lacks unity of invention, the applicant will be invited to file divisional applications within two months from the date of the invitation. Each divisional application will benefit from the same filing date and any applicable priority date as the international application which entered the national phase. Filing fees are due for each divisional application (see Annex HN.I).

D12-99 Art. 16

HN.04 **ANNUAL FEES.** Annual fees are payable in advance each year before the anniversary of the international filing date, beginning with the third year. Two or more annual fees may be paid in advance. A period of grace of six months is granted for the payment of the annual fee, subject to the payment of a surcharge. Failure to pay any of the annual fees will automatically cause the expiration of the patent or the patent application. The amount of the annual fees are indicated in Annex HN.I.

D12-99 Art. 54

HN.05 **EXAMINATION.** The Office examines international patent applications as to substance. The amount of the examination fee is indicated in Annex HN.I.

D12-99 Art. 45(5)

HN.06 **APPOINTMENT OF AN AGENT.** If the applicant is not resident in Honduras, an agent shall be appointed by filing a power of attorney, signed by the applicant. Any attorney registered in Honduras may act as agent.

PCT Art. 24(2), 48(2)
PCT Rule 82*bis*

HN.07 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PCT Art. 25
PCT Rule 51

HN.08 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

D12-99 Art. 56

HN.09 **CONVERSION.** An international application for a patent may be converted into a utility model, and vice-versa, after the applicant has complied with the requirements for entry into the national phase. Conversion may be requested before the date of publication of the decision to grant. The conversion is subject to the payment of a fee indicated in Annex HN.I.

FEES[1]

(Currency: Honduran lempira (HNL))

Patents

Filing fee	1,500
Fee for each divisional application	2,000
Fee for modification or correction	1,000
Assignment fee	300
Search fee	1,000
Substantive examination fee	1,500
Fee for reinstatement of rights	3,000
Fee for opposition	1,500
Grant and registration fee	700
Annual fees, per year, due from the international filing date	200
Fee for conversion	1,000

Utility models

Filing fee	1,500

How can payment of fees be effected?

The payment of fees has to be effected in Honduran lempiras. 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.

[1] The fees are reduced by 90% where the applicant is the inventor and she/he provides a declaration indicating that her/his economic situation prevents her/him from paying the full amount of the fees.

STATE INTELLECTUAL PROPERTY OFFICE (CROATIA)

AS

DESIGNATED (OR ELECTED) OFFICE

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Request for recording of changes . . . . . Annex HR.III

List of abbreviations:

Office: State Intellectual Property Office (Croatia)

PL: Patent Law of 20 February 2020

PReg: Patent Regulations of 16 May 2020

SUMMARY **Designated (or elected) Office** SUMMARY

HR STATE INTELLECTUAL PROPERTY OFFICE (CROATIA) HR

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:[1]	Croatian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[1]	Currency: Croatian kuna (HRK)

	Patent	*Utility model*
Filing fee:		
— up to 30 sheets and 10 claims	HRK 1,300	HRK 760
— for each additional sheet	HRK 5	
— for each additional claim	HRK 10	

Exemptions, reductions or refunds of the national fee:	Filing fee, examination fee, publication and maintenance fees are reduced by 50% where the applicant is also the inventor The filing fee is reduced by 50% if the application is filed by electronic means; the same reduction applies where the text of the patent application filed on paper has been furnished additionally on an electronic carrier in accordance with the technical specifications published on the Office's website[2]
Special requirements of the Office (PCT Rule 51*bis*):[3]	Appointment of an agent if the applicant is not resident in Croatia Instrument of assignment of the international application if the applicant has changed after the international filing date and the change has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)

[Continued on next page]

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

[2] Refer to http://www.dziv.hr/files/file/obrasci/patent/Tehnicke_specifikacije_prijava_patenta.pdf

[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 of two months from the date of the invitation.

SUMMARY Designated (or elected) Office SUMMARY

HR STATE INTELLECTUAL PROPERTY OFFICE (CROATIA) HR

[Continued]

Who can act as agent?	1. any natural person who is a citizen of the Republic of Croatia or a citizen of a Contracting State of the Agreement on the European Economic Area (hereinafter: the EEA), having permanent residence in the Republic of Croatia or in a Contracting State of the EEA, holding a university degree in technical or natural sciences and having passed the professional examination for patent representative before the Office,[4] 2. any natural person who is a citizen of the Republic of Croatia or a citizen of a Contracting State of the EEA, having permanent residence in the Republic of Croatia or in a Contracting State of the EEA, holding a university degree in an area other than technical or natural sciences, having at least five years of working experience in jobs relating to the acquisition and maintenance of industrial property rights, obtained after completing the studies and having passed the professional examination for patent representative before the Office,[4] 3. an attorney entered in the Register of Attorneys maintained by the Croatian Bar Association who passed the professional examination for patent representative before the Office, or a law firm employing such an attorney or cooperating with him pursuant to some other contractual relationship, 4. any legal person with a registered office in the Republic of Croatia or in a Contracting State of the EEA, employing at least one person meeting the conditions referred to in point 1 or 2 of this paragraph or cooperating with such person pursuant to some other contractual relationship and performing the activities of representation before the Office as its registered activity.[4]
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

[4] A list of patent representatives is available on the website of the Office at: www.dziv.hr/en/representation-before-sipo/patent-representatives/

THE PROCEDURE IN THE NATIONAL PHASE

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

HR.02 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is Croatian.

HR.03 **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).

HR.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex HR.I.

PL Art. 17

HR.05 **APPOINTMENT OF AGENT.** An agent must be appointed by filing a power of attorney if the applicant is not a resident in Croatia. A foreign legal or natural person may however, without a representative, file a patent application, perform other acts relating to the establishment of the filing date of a patent application, file true copies of the first patent application (when claiming a priority right), receive notifications relating to the above mentioned procedures and pay the administrative fees and procedural charges. In these cases, a foreign legal or natural person shall communicate to the Office the address for correspondence, which shall be in the territory of Croatia.

PL Art. 88

HR.06 **ANNUAL FEES.** Annual fees shall be paid to the Office from the third anniversary of the international filing date. A period of grace of six months shall be allowed for the late payment of the annual fee on payment of the prescribed surcharge. The amounts of the annual fees and the surcharge are indicated in Annex HR.I.

PL Art. 61

HR.07 **EXAMINATION.** The applicant may file a request for substantive examination until the expiry of the six-month time limit after the publication of the search report in the Official Gazette of the Office.

HR.08 During the substantive examination procedure, novelty, inventive step and industrial applicability are examined.

PCT Art. 28
41
PL Art. 55

HR.09 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend or correct the international application up to the grant of a patent, provided that the scope of the subject matter of the application is not extended.

The applicant cannot amend the description, claims and drawings of the application before having received a search report on the state of the art. After receipt of the search report, the applicant may, of his own volition, amend the description, claims and drawings once, provided that the amendment is filed together with a response to the report.

PCT Art. 25
PCT Rules 51
82*ter*
PL Art. 18

HR.10 **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, the decision issued by the Office cannot be appealed, but an administrative dispute can be instituted before the Administrative court in Zagreb. The procedure before the Administrative Court is deemed urgent.

PCT Art. 24(2) 48(2)
PCT Rules 49.6 82*bis*

HR.11 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PL Art. 28
PReg. 6

HR.12 Reinstatement of rights may be requested where the applicant, in spite of all due care required by the circumstances, failed to observe a time limit set by the Office, which is prejudicial to his rights. A request for reinstatement must be presented in writing within:
- three months after the removal of the cause of the failure to observe the time limit or 12 months after the expiry of the missed time limit if the request for reinstatement relates to the non-payment of maintenance fee, or
- 12 months after the expiry of the additional 6 months time limit for payment, whichever time limit expires earlier.

Within the said time limits, the omitted action must be completed, the fee for reinstatement of rights (see Annex HR.I) must be paid and the request must set out the facts on which it relies.

PL Art. 29

HR.13 Continued processing may be requested where the applicant failed to observe a time limit fixed by the Office and that failure directly causes a loss of rights conferred by a patent application or a patent. Continued processing may not be requested for certain time limits set out in PL Art. 29. The request for continued processing must be filed within two months from the day on which the applicant learned of the legal consequences. The Office shall authorize continued processing if the applicant files a request, performs all the omitted acts within the time limit, and pays the prescribed fee.

PL Art. 71-77

HR.14 **UTILITY MODEL.** If the applicant wishes to obtain utility model protection on the basis of an international application instead of a patent, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office by entering the national phase as a utility model application.

A utility model shall be registered for an invention whose subject-matter of invention is patentable in compliance with the Patent Law. A utility model shall not be registered for an invention in the field of biotechnology; a chemical or pharmaceutical substance; an invention where its commercial exploitation would be contrary to public order or morality, where exploitation shall not be considered contrary to public order or morality only because such exploitation is forbidden by law or another regulation; and an invention which refers to a process.

The maximum term of protection of a utility model is 10 years from the date of filing of the application for a utility model. The holder of a registered utility model may request substantive examination to determine whether the invention is new, inventive and industrially applicable. Such a request may be submitted no later than upon expiry of the seventh year of duration of the utility model.

Preg. 32

HR.15 **RECORDING OF CHANGES.** A request for the recording of changes shall be filed on Form P-2 (see Annex HR.III).

FEES

(Currency: Croatian kuna)

	Patent	*Utility model*
Filing fee:		
— up to 30 sheets and 10 claims	1,300	760
— for each additional sheet	5	
— for each additional claim	10	
Application filed in electronic format	50% of the applicable fee	
Fee for requesting examination on the basis of the request for substantive examination	2,000	
Fee for reinstatement of rights	800	
Publication fee for granted patent or registered utility model	160	160
Fee for issuing patent specification or utility model specification and re-issuing	300	
Maintenance fees:		
— for the 3rd year	260	260
— for the 4th year	320	320
— for the 5th year	440	440
— for the 6th year	560	560
— for the 7th year	640	640
— for the 8th year	820	820
— for the 9th year	940	940
— for the 10th year	1,200	1,200
— for the 11th year	1,500	
— for the 12th year	1,800	
— for the 13th year	2,100	
— for the 14th year	2,300	
— for the 15th year	2,600	
— for the 16th year	3,000	
— for the 17th year	3,500	
— for the 18th year	4,600	
— for the 19th year	5,800	
— for the 20th year	6,900	
Surcharge for late payment of the annual fee	100% of the applicable annual fee	
Fee for restoration of the right of priority	300	

How can payment of fees be effected?

The payment of the fees has to be effected in Croatian kuna. Payment may be effected by transfer to the following bank:

Bank name and address:	Croatian National Bank, Trg hrvatskih velikana 3, 10000 Zagreb, Croatia
Account holder name and address:	Ministry of Finance of the Republic of Croatia, Katanciceva 5, 10000 Zagreb, Croatia
Account name:	State Budget of the Republic of Croatia
Account number / IBAN:	HR12 1001 0051 8630 0016 0
BIC/SWIFT Code:	NBHRHR2XXXX

Payment relating to Renewal fees for European patents must include the following details: MODEL: HR63; PNB: 5657-6179-140007 (in the remarks field).

All payments must include the name of the patent applicant/holder and one of the following information:

— the international application/patent number or

— the European patent number

This information should be entered in the free text field of the payment order.

Any additional exchange and/or bank fees must be paid separately, so as not to reduce the amount of the respective annual fee. In the case of insufficient payment, the Office will send an invitation to pay the difference up to the legally prescribed fee amount, or the right will be lost.

The evidence of payment should be submitted to the Office either by e-mail or by other suitable means.

DRŽAVNI ZAVOD ZA INTELEKTUALNO
VLASNIŠTVO REPUBLIKE HRVATSKE
Ulica grada Vukovara 78
10000 ZAGREB

Obrazac P-1, stranica 1

ZAHTJEV ZA PRIZNANJE PATENTA
(Čitko popuniti)

Rubrike 1-3 popunjava Zavod

1	**BROJ PRIJAVE**	*3*	*Datum primitka, klasifikacijska oznaka i ur. broj:*
2	**DATUM PODNOŠENJA PRIJAVE**		

OVOM PRIJAVOM SE ZAHTIJEVA PRIZNANJE PATENTA

4	**NAZIV IZUMA**

5	**PODNOSITELJ PRIJAVE**

Osobni identifikacijski broj **(OIB)**	
Ime i prezime ili naziv pravne osobe	
Ulica i broj Poštanski broj i mjesto Država prebivališta/sjedišta	
Telefon	
E-pošta	

Podaci o ostalim podnositeljima na dodatnom listu u prilogu, ako postoje ☐

Izjava o zajedničkom predstavniku u slučaju više podnositelja, ako postoji ☐

6	**IZUMITELJ**

Podnositelj(i) iz rubrike broj 5 ujedno je(su) izumitelj(i) ☐

(ako je znak „x" upisan u kućicu, nije potrebno ispunjavati rubriku broj 6)

Osobni identifikacijski broj **(OIB)**	
Ime i prezime	
Ulica i broj Poštanski broj i mjesto Država prebivališta	

Izumitelj ne želi biti naveden u prijavi ☐

Podaci o ostalim izumiteljima na dodatnom listu u prilogu ☐

Obrazac P-1, stranica 2

7	**POZIVANJE NA PRETHODNO PODNESENU PRIJAVU**

Prethodno podnesena prijava zamjenjuje opis i crteže

Broj prijave	Dan podnošenja prijave	Država/međunarodna/ međuvladina organizacija

8	**NACIONALNA FAZA MEĐUNARODNE PRIJAVE**

Broj međunarodne prijave:	Međunarodni datum podnošenja:

9	**ZAHTJEV ZA PRIZNANJE PRAVA PRVENSTVA**

Izjava o pravu prvenstva na temelju sljedećih prijava:

R.br.	Broj prve prijave	Dan podnošenja prve prijave	Država/međunarodna/ međuvladina organizacija
1.			
2.			
3.			
4.			

10	**IZLAGANJE NA MEĐUNARODNOJ IZLOŽBI**

Izum je izložen na međunarodnoj izložbi	☐

11	**IZDVAJANJE IZ PRVOBITNE PRIJAVE**

Prijava je izdvojena iz prvobitne prijave patenta broj:	

Niže navedena osoba odabrana je da djeluje u ime podnositelja kao:

12	**OPUNOMOĆENIK**	☐	**OSOBA ZA PRIMANJE PISMENA**	☐

Osobni identifikacijski broj **(OIB)**	
Ime i prezime ili naziv pravne osobe	
Ulica i broj Poštanski broj i mjesto Država prebivališta/sjedišta	
Telefon	
E-pošta	

Obrazac P-1, stranica 3

13	**KONTROLNA LISTA**

Prijava sadržava:		***Broj stranica***
1.	*Zahtjev za priznanje patenta (uključujući dodatne listove):*	
2.	*Opis izuma*	
3.	*Patentni zahtjev(i)*	
4.	*Sažetak*	
5.	*Crtež(i)*	
6.	*Popis nukleotidnih i/ili aminokiselinskih odsječaka:*	
	Ukupan broj stranica:	

7.	*Broj patentnih zahtjeva:*	
8.	*Broj crteža:*	

	Prilozi uz prijavu:	***Označiti***
1.	*Punomoć: - posebna* *- opća punomoć upisana u registar općih punomoći*	☐ ☐
2.	*Ovjereni prijepis prve prijave*	☐
3.	*Izjava o zajedničkom predstavniku*	☐
4.	*Izjava izumitelja da ne želi biti naveden u prijavi*	☐
5.	*Potvrda o izlaganju na međunarodnoj izložbi*	☐
6.	*Dokaz o pohranjenom uzorku živog biološkog materijala*	☐
7.	*Istovjetan tekst prijave u elektroničkom obliku*	☐
8.	*Popis nukleotidnih i/ili aminokiselinskih odsječaka u elektronički čitljivom obliku*	☐
9.	*Dokaz o uplaćenoj: - pristojbi* *- troškovima postupka*	☐ ☐
10.	*Zahtjev za oslobođenje od plaćanja, odnosno dokaz o njegovoj osnovanosti*	☐
11.	*Ostalo (navesti):*	

Slika crteža koja se predlaže objaviti u službenom glasilu uz sažetak prijave: ☐

Pristajem da mi se dostava pismena u postupku vrši elektroničkim putem ☐

Potpis podnositelja prijave odnosno potpis opunomoćenika	***Potpis i pečat Državnog zavoda za intelektualno vlasništvo***

Obrazac P-1, Dodatni list 1

ZAHTJEV ZA PRIZNANJE PATENTA

BROJ PRIJAVE

PODACI O OSTALIM PODNOSITELJIMA PRIJAVE

PODNOSITELJ PRIJAVE	
Osobni identifikacijski broj **(OIB)**	
Ime i prezime ili naziv pravne osobe	
Ulica i broj Poštanski broj i mjesto Država prebivališta/sjedišta	
Telefon	
E-pošta	

PODNOSITELJ PRIJAVE	
Osobni identifikacijski broj **(OIB)**	
Ime i prezime ili naziv pravne osobe	
Ulica i broj Poštanski broj i mjesto Država prebivališta/sjedišta	
Telefon	
E-pošta	

PODNOSITELJ PRIJAVE	
Osobni identifikacijski broj **(OIB)**	
Ime i prezime ili naziv pravne osobe	
Ulica i broj Poštanski broj i mjesto Država prebivališta/sjedišta	
Telefon	
E-pošta	

Obrazac P-1, Dodatni list 2

ZAHTJEV ZA PRIZNANJE PATENTA

BROJ PRIJAVE

PODACI O OSTALIM IZUMITELJIMA

IZUMITELJ	
Osobni identifikacijski broj **(OIB)**	
Ime i prezime	
Ulica i broj Poštanski broj i mjesto Država prebivališta/sjedišta	
Izumitelj ne želi biti naveden u prijavi	☐

IZUMITELJ	
Osobni identifikacijski broj **(OIB)**	
Ime i prezime	
Ulica i broj Poštanski broj i mjesto Država prebivališta/sjedišta	
Izumitelj ne želi biti naveden u prijavi	☐

IZUMITELJ	
Osobni identifikacijski broj **(OIB)**	
Ime i prezime	
Ulica i broj Poštanski broj i mjesto Država prebivališta/sjedišta	
Izumitelj ne želi biti naveden u prijavi	☐

DRŽAVNI ZAVOD ZA INTELEKTUALNO
VLASNIŠTVO REPUBLIKE HRVATSKE
Ulica grada Vukovara 78
10000 ZAGREB

Obrazac P-2, stranica 1

ZAHTJEV ZA UPIS PROMJENE U REGISTAR
(Čitko popuniti)

Rubriku 1 popunjava Zavod

1	*Datum primitka, klasifikacijska oznaka i ur. broj:*

OVIME SE ZAHTIJEVA UPIS:

- ☐ **PRIJENOSA PRAVA**
- ☐ **LICENCIJE**
- ☐ **ZALOGA ILI DRUGOG STVARNOG PRAVA**
- ☐ **OSTALO:** _____
- ☐ **PROMJENE IMENA**
- ☐ **PROMJENE ADRESE**
- ☐ **STEČAJA ILI PREDSTEČAJNOG POSTUPKA**

2	**BROJ PRIJAVE/PATENTA/UPORABNOG MODELA/SVJEDODŽBE O DODATNOJ ZAŠTITI**

Podaci o ostalim prijavama/pravima daju se na dodatnom listu u prilogu ☐

3	**PODNOSITELJ PRIJAVE/NOSITELJ PRAVA**

Osobni identifikacijski broj **(OIB)**

Ime i prezime ili naziv pravne osobe

Ulica i broj
Poštanski broj i mjesto
Država prebivališta/sjedišta

Telefon E-pošta

4	**PODNOSITELJ ZAHTJEVA**

Podnositelj iz rubrike broj 3 ujedno je podnositelj zahtjeva ☐
(ako je znak „x" upisan u kućicu, rubriku broj 4 nije potrebno ispunjavati)

Osobni identifikacijski broj **(OIB)**

Ime i prezime

Ulica i broj
Poštanski broj i mjesto
Država prebivališta/sjedišta

Telefon E-pošta

Obrazac P-2, stranica 2

5	**OPUNOMOĆENIK**

Osobni identifikacijski broj **(OIB)**	
Ime i prezime ili naziv pravne osobe	
Ulica i broj Poštanski broj i mjesto Država prebivališta/sjedišta	
Telefon	E-pošta

6	**PODATAK PRIJE PROMJENE**

7	**PODATAK KOJI SE UPISUJE U REGISTAR**

8	**PODATAK O LICENCIJI**

LICENCIJA JE: ☐ ISKLJUČIVA ☐ NEISKLJUČIVA

Datum licencije: _____ Vrijeme trajanja: _____

10	**PRILOZI UZ ZAHTJEV**	
1.	*Primjerak dokaza o pravnom temelju upisa promjene*	☐
2.	*Punomoć:* *- posebna*	☐
	- opća punomoć upisana u registar općih punomoći	☐
3.	*Dokaz o uplaćenoj:* *- pristojbi*	☐
	- troškovima postupka	☐
4.	*Ostalo (navesti):*	

Potpis podnositelja zahtjeva odnosno potpis opunomoćenika	***Potpis i pečat Državnog zavoda za intelektualno vlasništvo***

HUNGARIAN INTELLECTUAL PROPERTY OFFICE (HIPO)

(SZELLEMI TULAJDON NEMZETI HIVATALA)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE PROCEDURE IN THE NATIONAL PHASE

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Declaration of assignment . . . . . Annex HU.II
Power of attorney . . . . . Annex HU.III

List of abbreviations:

Office:	Hungarian Intellectual Property Office (HIPO)
HPL:	Hungarian Law on the Protection of Inventions by Patents, Law No. XXXIII of 1995
HUML:	Hungarian Law on Utility Model Protection, Law No. XXXVIII of 1991

SUMMARY **Designated (or elected) Office** SUMMARY

HU HUNGARIAN INTELLECTUAL PROPERTY OFFICE (HIPO) HU

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:[1]	Hungarian
Required contents of the translation for entry into the national phase: [1]	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:[1]	Currency: Hungarian forint (HUF) For patent: — where the Office is a designated Office: HUF 37,400 plus; HUF 1,900 per claim for the 11th to the 20th claim; HUF 3,800 per claim for the 21st to the 30th claim; HUF 5,600 for each claim in excess of 30 — where the Office is an elected Office: HUF 18,700 plus; HUF 950 per claim for the 11th to the 20th claim; HUF 1,900 per claim for the 21st to the 30th claim; HUF 2,800 for each claim in excess of 30 For utility model: HUF 18,700 plus; HUF 1,200 for each claim in excess of 10
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

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

SUMMARY Designated (or elected) Office SUMMARY

HU HUNGARIAN INTELLECTUAL PROPERTY OFFICE (HIPO) HU

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[2] Declaration of assignment where the applicant is not the inventor[3] Appointment of an agent if the applicant has neither a residence nor his principal place of business within the territory of the European Union or in a State party to the Agreement on the European Economic Area[4]
Who can act as agent?	Any authorized representative, such as a Hungarian patent attorney or attorney-at-law or registered European patent attorney[5]
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

2 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

3 Even if a corresponding declaration has been made in accordance with PCT Rule 4.17, the Office may nevertheless require further documents or evidence (see *PCT Gazette* No. 05/2001, page 2024).

4 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.

5 The list of registered patent attorneys is available on the website of the Hungarian Chamber of Patent Attorneys (HCPA) at www.szabadalmikamara.hu/Index.aspx?MN=Tagok_MindenTag&LN=English

THE PROCEDURE IN THE NATIONAL PHASE

HU.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).

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

HPL Art. 8(1)

HU.03 **DECLARATION OF ASSIGNMENT.** For details, see the model of such declaration (not an official form) in Annex HU.II. Legalization is not required. For time limits, see the Summary.

HPL Art. 51(2)

HU.04 **APPOINTMENT OF AGENT.** Foreign applicants (natural persons or legal entities not having permanent residence or domicile in the territory of a Member State of the European Economic Area) shall be represented by an authorized patent attorney or an attorney-at-law in all patent matters before the Office. An agent must be appointed by filing a power of attorney. A model is given in Annex HU.III.

HPL Art. 84/S (7)-(9)

HU.05 **SUPPLEMENTARY HUNGARIAN SEARCH REPORT (IN CASE OF LACK OF UNITY OF INVENTION).** Where a part of the international application was not subjected to international search, the applicant must, within three months from the date of furnishing a Hungarian translation of the international application, pay the additional fee for search (see Annex HU.I); otherwise the parts not searched will be considered withdrawn.

PCT Art. 7(2)(ii)
HPL Art. 57(2)
57(3)
68
84/Z (1)

HU.06 **DRAWINGS ILLUSTRATING THE INVENTION.** Upon special invitation by the Office during patent examination the applicant must furnish drawings illustrating the invention, even where they are not necessary for the understanding of the invention, but the nature of the invention admits of illustration by drawings.

HPL Art. 70
23

HU.07 **ANNUAL FEES.** The international application is published by the Office as soon as possible following the filing of the Hungarian translation of the international application. By the date of that publication, of which the applicant is informed by the Office, annual fees must be paid for each year which has lapsed since the international filing date. Annual fees for subsequent years must be paid in advance and are due on the anniversary of the international filing date. Payment can still be made within six months from the due date. The amounts of the annual fees are indicated in Annex HU.I.

PCT Art. 28
41
HPL Art. 72

HU.08 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make amendments to the description, claims and drawings until the day on which the decision on the grant of the patent is delivered. The amendments should not go beyond the content of the application as filed. Any amendment during the national phase is subject to the payment of an amendment fee (see Annex HU.I).

PCT Art. 25
PCT Rule 51
HPL Art. 84/Z (3)

HU.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 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. The Budapest-Capital Regional Court (Fővárosi Törvényszék) will then decide that request.

PCT Art. 24(2)
48(2)

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

HPL Art. 48

HU.11 Certain time limits are prescribed by the law; these shall not be extended and their non-observance involves legal consequences without notice. Time limits not prescribed by the law are fixed by the Office; these time limits of at least two months, but not more than four months, may be extended by at least two months, but not more than four months upon request and payment of a fee for extension of time limits (see Annex HU.I). Further extensions of the time limit and an extension of more than four months, but not more than six months, may be given only in special cases.

HPL Art. 49
61(1)(c)
48(3)
par. (1) to (3)
HPL Art. 61(2) and (6)

HU.12 *Restitutio in integrum* may be requested where the applicant has failed to observe a time limit during the international phase or before the Office.

A request for *restitutio in integrum* may be submitted within two months of the unobserved date or on the last day of the unobserved time limit, if the failure occurred through no fault of the applicant. The request must indicate the reasons for failing to comply and that the failure was unintentional.

Where the failure to comply became known to the applicant subsequently or the cause thereof was removed subsequently, the time limit shall be calculated from the date on which the failure to comply became known or the cause thereof was removed. The request for *restitutio in integrum* shall only be admissible within twelve months from the date not complied with or the last day of the time limit not complied with.

Where a time limit is not complied with, the omitted act must be carried out simultaneously with the filing of the request for *restitutio in integrum*.

If the Office grants *restitutio in integrum*, the acts carried out by the applicant in default shall be considered to have been performed within the time limit not complied with; a hearing held on the date not complied with shall be repeated where necessary. The decision taken as a result of the failure shall be revoked in whole or in part, modified or maintained as necessary or depending on the outcome of the new hearing.

Restitutio in integrum shall be excluded in the event of failing to comply with the following time limits:

(a) time limits fixed for filing the request for *restitutio in integrum* and the request for continuation of the procedure;

(b) time limits fixed for filing and correcting the declaration of priority.

Restitutio in integrum shall not be admissible with respect to time limits the consequences of failing to comply with which may be averted by a request for continuation of the procedure.

HPL Art. 40

Where the patent protection ceased due to failure to pay the annual fee and such failure was caused by a justifiable reason, the patent protection may be restored upon request filed within three months after the expiration of the six-month grace period referred to in paragraph HU.07 and provided that double the annual fee for the year in question is paid.

HUML Art. 1
PCT Rule 49*bis*.1 (a), (b)
76.5

HU.13 **UTILITY MODEL.** If the applicant wishes to obtain utility model protection on the basis of an international application—instead of a patent—, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office. The subject of utility model protection can be any solution relating to the configuration or construction of an article or to the arrangement of parts thereof which is new, involves inventive step and is susceptible of industrial application. Utility model protection does not cover processes, chemical compositions, foodstuffs, pharmaceuticals, plant varieties or animal breeds, microorganisms or aesthetic designs of an article.

HUML Art. 30

HU.14 **DERIVATION.** The applicant may retain the priority of an international patent application in the national phase if in an additional application for a utility model for the same subject matter (derivation from patent application) he makes a declaration, filed within two months from the date of filing of the utility model application, to this effect, provided that the derived utility model application is filed within the following time limits:

(a) in the course of the patent application procedure up to the date when the decision on the grant of patent becomes final or within three months from the date when the decision rejecting the patent application becomes final, or

(b) within three months from the date when the decision declaring nullity of the patent for lack of novelty or lack of inventive step becomes final.

The application for the derivation of a utility model application is admissible only within 10 years from the filing date of the patent application.

HPL Art. 62

HU.15 The applicant may retain the priority of an earlier filed international utility model application in the national phase if, in an additional patent application for the same subject matter (derivation from utility model application), he makes a declaration, filed within two months from the date of filing of the patent application, to this effect, provided that the patent application is filed within three months from the date when the decision on the grant of utility model protection becomes final, but not later than within 20 years from the filing date of the utility model application.

FEES

(Currency: Hungarian forint)

National fee for a patent application:	
— where the Office is a designated Office	37,400
— plus for each claim from 11 to 20	1,900
— plus for each claim from 21 to 30	3,800
— plus for each claim in excess of 30	5,600
— where the Office is an elected Office	18,700
— plus for each claim from 11 to 20	950
— plus for each claim from 21 to 30	1,900
— plus for each claim in excess of 30	2,800
National fee for a utility model application	18,700
— plus for each claim in excess of 10	1,200
Additionnal fee for late furnishing of the translation of the international application and/or late payment of the national fee	58,700
Fee for a request for reestablishment of rights where the effect of an international patent application has ceased	117,700 in addition to the national fee
Fees in the national procedure:	
— examination fee[1]	63,800
— fee for grant and printing fee[1] (including six pages)	35,200
— for each page of the specification and drawings in excess of six[1]	3,500
— fee for grant and printing fee where the application contains disclosure of one or more nucleotide or amino acid sequences only on electronic medium	117,700
Amendment fee:	
— for the first request	5,300
— for the second request	9,350
— for further requests	17,600
— plus for each claim from 11 to 20	1,900
— plus for each claim from 21 to 30	3,800
— plus for each claim in excess of 30	5,600
Fee for extension of time limits :	
— for the first extension	5,300
— for the second extension	9,350
— for further extensions	17,600
National additional fee where certain parts of the international application have not been searched	half the amount of the national fee where the Office is a designated Office

[1] Where the applicant is exclusively the inventor on the date of payment of the fee, one fourth of the amount of fee must be paid, if no priority of a foreign application was claimed in respect of the application.

Annual fee for a patent:[2]

— for the first to the 3rd year, per year	17,600
— for the 4th year, per year	88,000
— for the 5th year, per year	110,000
— for the 6th to the 12th year, per year	148,500
— for the 13th to the 16th year, per year	154,000
— for the 17th to the 18th year, per year	159,500
— for the 19th to the 20th year, per year	165,000

Annual fee for a utility model:[2]

— for the first to the 5th year, per year	21,400
— for the 6th to the 10th year, per year	32,000

The annual fee for a utility model for the first year is increased by HUF 3,500 for each page in excess of 6 pages of the description and of the drawings.

Time of payment of the annual fees:

The first annual fee is due on the filing date, fees for the subsequent years are due on the anniversary of that date. There is a six-month grace period for the payment of all annual fees and the earliest date for effecting payment is two months preceding the starting date of the grace period. Fees which become due before publication can be paid within a six-month grace period counted from the publication date.

Surcharge for payment during the grace period:

— during the first three months	none
— during the 4th to the 6th month	50% of the annual fee

Fee for a request for restoration of patent protection ceased due to failure to pay the annual fee	twice the annual fee for the year in question

How can payment of fees be effected?

All fees must be paid to the account of the Hungarian Intellectual Property Office (HIPO) with the indication of the data enabling identification of the case (file number or registration number). If the applicant is not resident in Hungary or in one of the member States of the European Union, he can validly effect payments exclusively through his agent—patent attorney or attorney-at-law—domiciled in Hungary.

[2] Where the holder of the right is exclusively the inventor on the date of payment of the fee, one half of the fee must be paid, if protection is based on an application in respect of which no priority of a foreign application was claimed.

ÁTRUHÁZÁSI NYILATKOZAT ÜBERTRAGUNGSERKLÄRUNG DECLARATION OF ASSIGNMENT

Alulirott Unterzeichneter Undersigned

.....

.....

.....

ezennel kijelenti, hogy a
erklärt hiermit, das/die/ ungarische Patent/Patentanmeldung
hereby declare to transfer the Hungarian Patent/Application/.....
Számu/Nummer/Number)

magyar szabadalmat/bejelentést/minden arra vonatkozó joggal és kötelezettséggel együtt
mit allen Rechten und Verpflichtungen an
and all rights, title and interest attached to it to

.....

.....

.....

részére átruházza.
übertragen zu haben.

Kelt: Aláirás:*
Datum: ..... Unterschrift: .....
Date: Signature:

Alulirott a fenti átruházást elfogadja.
Die obige Übertragung wird angenommen.
The undersigned declares to be fully satisfied with the preceding assignment.

Kelt: Aláirás:*
Datum: ..... Unterschrift: .....
Date: Signature:

* hitelesitést nem igényel
keine Beglaubigung
no legalization

Szellemi Tulajdon Nemzeti Hivatala
1081 Budapest, II. János Pál pápa tér 7.

L13

Egyedi meghatalmazás / Individual Authorisation

Alulírott /I (We)

Név / Name

Cím / Address

Ország / country: Irányítószám / Postal code:

Fax szám / Telefax number: Telefonszám / Telephone number:

E-mail cím / E-mail address:

Levelezési cím (amennyiben eltér a címtől) / Mailing address (in case it differs from the address)

Ország / Country: Irányítószám / Postal code:

ezennel meghatalmazzuk a / do hereby authorise

Név / Name

Cím / Address

Ország / Country: Irányítószám / Postal code:

Fax szám / Telefax number: Telefonszám / Telephone number:

E-mail cím / E-mail address:

Levelezési cím (amennyiben eltér a címtől) / Mailing address (in case it differs from the address)

Ország / Country: Irányítószám / Postal code:

hogy a **következők szerint lásson el képviseletet a Szellemi Tulajdon Nemzeti Hivatala előtt, éljen jogorvoslattal, illetve tegyen jognyilatkozatot vagy egyéb nyilatkozatot / to represent me (us), to seek remedy, to make statements and declarations with or without legal effect before the Hungarian Intellectual Property Office according to the following**

☐ a meghatalmazás a **megjelölt ügy(ek)el kapcsolatos valamennyi eljárás vitelére,** így különösen okirat, pénz és más vagyontárgy átvételére **jogosít** / This authorisation gives power to the representative to **act for me (us) in all proceedings concerning the following cases and to receive payments on my (our) behalf:**

☐ a meghatalmazás a **megjelölt ügy(ek)el kapcsolatos következő eljárás(ok)ban jogosít fel képviseletre /** This authorisation gives power to the representative to **act for me (us) in the following type of proceedings, in the cases specified below:**

Eljárás megjelölése / Following type of proceedings:

Ügyszám / Application number*: **Lajstromszám / Registration number:**

*Az ügy beazonosításához kérjük feltétlenül adja meg az ügyszámot! / Please specify the application number, it is necessary for the identification of the case!

(ha nincs elég hely, ***használja a pótlapot és csatolja kérelméhez /*** If the space is not enough, ***use a continuation sheet and attach it to the form***)

Pótlapok száma / Number of continuation sheets:

Egyéb információ / Other information:

Aláírás(ok), dátum, hely / Signature(s), date and place

Aláírás(ok) / Signature(s):	
Aláíró(k) neve / Name(s) of the signing person(s):	
Aláíró(k) beosztása / Title, position of the signing person(s):	
Hely / Place:	
Dátum / Date:	

Szellemi Tulajdon Nemzeti Hivatala

1081 Budapest, II. János Pál pápa tér 7.

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Kérjük, hogy az **eredeti példányt** a Szellemi Tulajdon Nemzeti Hivatalának (SZTNH) **Iparjogvédelmi Jogi Osztályára** nyújtsa be / Please forward the **original** directly to the, **Industrial Property Law Section** of the Hungarian Intellectual Property Office (HIPO)

Nyomtat

Általános meghatalmazás iktató száma / Filing number of the general authorisation:
(A Szellemi Tulajdon Nemzeti Hivatala tölti ki / Filled by the Hungarian Intellectual Property Office)

Általános meghatalmazás / General Authorisation

Alulírott /I (We)

Név / name:

Cím / Address:

Ország / Country: Irányítószám / Postal code:

Fax szám / Telefax number: Telefonszám / Telephone number:

E-mail cím / E-mail address:

Levelezési cím (amennyiben eltér a címtől) /

Mailing address (in case it differs from the address) Ország / Country: Irányítószám / Postal code:

ezennel meghatalmazzuk a / do hereby authorise

Név / name:

Cím / Address:

Ország / Country: Irányítószám / Postal code:

Fax szám / Telefax number: Telefonszám / Telephone number:

E-mail cím / E-mail address:

Levelezési cím (amennyiben eltér a címtől) /

Mailing address (in case it differs from the address) Ország / Country: Irányítószám / Postal code:

hogy a következők szerint lásson el képviseletet a Szellemi Tulajdon Nemzeti Hivatala előtt, éljen jogorvoslattal, illetve tegyen jognyilatkozatot vagy egyéb nyilatkozatot / to represent me (us), to seek remedy, to make statements and declarations with or without legal effect before the Hungarian Intellectual Property Office according to the following:

☐ **általános, valamennyi iparjogvédelmi** ügyben történő eljárásra jogosító meghatalmazás / **General authorisation, in all industrial property proceedings**

☐ általános, valamely ügycsoportban történő eljárásra jogosító meghatalmazás / general authorisation in the type of proceedings defined below

Ügycsoport megjelölése / General authorisation in the followingproceedings:

Ezen meghatalmazás feljogosítja a meghatalmazottat minden olyan cselekményre, amely a rábízott ügy ellátásával jár, így különösen okirat, pénz és más vagyontárgy átvételére. / This authorisation gives power to the representative to perform any act necessary to conduct said proceedings, to receive documents, money or other valuables.

Az általános meghatalmazás érint-e valamely korábban az SZTNH-hoz benyújtott más általános meghatalmazást?/
Does the general authorisation affect any other general authorisation(s) submitted previously to the HIPO?

☐ **nem /no**
☐ **igen / yes**

Amennyiben a fenti kérdésre „igen" a válasza, kérjük részletezze /In case your answer is „yes" please provide details :

Egyéb információ / Other information:

Aláírás(ok), dátum, hely / Signature(s), date and place

Aláírás(ok) / Signature(s):

Aláíró(k) neve / Name(s) of the signing person(s):

Aláíró(k) beosztása / Title, position of the signing person(s):

Hely / Place:

Dátum / Date:

DIRECTORATE GENERAL OF INTELLECTUAL PROPERTY (INDONESIA)

AS

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List of abbreviations:

Office: Directorate General of Intellectual Property (Indonesia)

PL: Indonesian Patent Law

GR: Government Regulations of the Republic of Indonesia concerning Procedure for Patent Application

SUMMARY Designated (or elected) Office SUMMARY

ID DIRECTORATE GENERAL OF INTELLECTUAL PROPERTY (INDONESIA) ID

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[1] Under PCT Article 39(1)(b): 31 months from the priority date[1]
Translation of international application required into:[2]	Indonesian
Required contents of the translation for entry into the national phase:[2]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19[3]), 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[2])
Is a copy of the international application required?	No
National fee: [2]	Currency: Indonesian rupiah (IDR) Filing fee: — electronic filing: IDR 1,250,000 — paper filing: IDR 1,500,000 Claim fee for each claim in excess of 10: IDR 75,000 Substantive examination fee: IDR 3,000,000
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[4]	Appointment of an agent if the applicant is not resident in Indonesia Instrument of assignment of the international application if the applicant has changed after the international filing date Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Translation of the international application to be furnished in three copies[5]
Who can act as agent?	Any person registered to practice as a patent consultant in Indonesia
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No

[1] This time limit may be extended provided the applicant pays an additional fee for late entry into the national phase.

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

[3] Where the applicant furnishes only one translation and does not furnish the missing translation upon invitation by the office, the latter will proceed upon the basis of the translation of the international application as originally filed or as amended, as the case may be.

[4] 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.

[5] Where the application is filed electronically, only one copy of the translation in electronic form has to be furnished.

THE PROCEDURE IN THE NATIONAL PHASE

ID.01 **FORMS FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase (see Annex ID.II). The form should preferably (but need not) be used. It is strongly recommended that the national phase application be filed through the Office's online system at: https://paten.dgip.go.id/site/login.

ID.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).

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

PL Art. 25

ID.04 **INVENTOR.** The indication of the name and nationality of the inventor is required and must be furnished, at the latest, at the time of entry into the national phase.

PL Art. 51

ID.05 **REQUEST FOR EXAMINATION.** The Office examines patent applications as to substance. The applicant must request substantive examination on a special form (see Annex ID.III) no later than 36 months from the international filing date and pay a special fee (see Annex ID.I).

GR Art. 2(3), 3

ID.06 **POWER OF ATTORNEY**. An agent must be appointed by means of a separate power of attorney.

ID.07 **PRIORITY DOCUMENT (TRANSLATION).** The Office requires a translation of the priority document in English but only if needed during national examination or other processing. If the required translation is not furnished, the Office will invite the applicant to furnish it within two months from the date of the invitation. The translation need neither be certified nor verified.

PCT Art. 28
41
PL Art. 38-39

ID.08 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend or correct the claims, description, and drawings in the international application at any time before the grant of the patent provided that the scope of protection of the application is not extended thereby.

PL Art. 126-129

ID.09 **ANNUAL FEES.** The first payment of the annual fees must be made before the expiration of six months as of the date the patent is granted. The first payment of the annual fees includes annual fees for the first year as from the international filing date of the application until and including the year the patent was granted plus the annual fee for the following year. Each subsequent payment of the annual fees should be made in the relevant subsequent year no later than one month before the date having the same number as the month and the day on which the patent was granted. If the annual fee has not been paid within the applicable time limit, the patent will be declared null and void. Annual fees may be paid within a grace period of 12 months from the expiration of the deadline for paying the fees, upon a written request for extension of the time limit and payment of the prescribed surcharge fee for late payment (see Annex ID.I). A request for extension of the time limit must be submitted to the Office not later than seven days before the expiration of the time limit for paying the fees.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

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

PCT Art. 25
Rule 51

ID.11 **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, an appeal against the decision may be lodged with the national IP Office.

PL Art. 67-73

ID.12 **APPEALS.** An appeal may be filed:

a) against refusal of a patent application,
b) to correct the description, claims, and/or drawings after the grant of a patent,
c) against a decision to grant a patent.

An appeal shall be filed in writing to the Patent Appeal Commission, with a copy to the Patent Office, and is subject to the payment of a fee (see Annex ID.I). An appeal against a refusal of the application shall be filed not later than three months as of the mailing date of the notification of refusal of the patent application. An appeal to correct the description, claims, and/or drawings after the grant of a patent shall be filed within three months as of the mailing date of the notification of intention to grant a patent.

Corrections must be limited to the following:

a) limitation on the scope of claims,
b) corrections of errors in the translation of the description, and/or
c) clarification of the contents of the description that is unclear or ambiguous.

Corrections may not result in a wider scope of protection of the invention than the scope of protection of the invention as originally filed. An appeal against the decision to grant a patent shall be filed not later than nine months from the date of the notification to grant a patent. If the appeal against a decision to grant a patent has not been made within the applicable period, an applicant may appeal by filing a lawsuit to the Commercial Court.

FEES

(Currency: Indonesian rupiah)

Filing fee	
— electronic filing	1,250,000
— paper filing	1,500,000
Substantive examination fee	3,000,000
Additional fee for each claim in excess of 10	75,000
Change in type of patent application	450,000
Fee for recordation of assignment of patent	150,000
Appeal fee:	
— refusal of the application	3,000,000
— correction of the description, claims and/or drawings after the patent application has been granted	3,000,000
— decision on granting a patent	3,000,000
Additional fee for late entry into national phase	5,000,000

	Basic fee	*Additional fee for each claim*
Annual fees:		
— from the 1st to the 3rd year, per year	1,000,000	75,000
— from the 4th year to the 5th year, per year	1,250,000	100,000
— for the 6th year, per year	1,750,000	175,000
— from the 7th year to the 8th year, per year	2,250,000	225,000
— for the 9th year, per year	3,000,000	300,000
— for the 10th year, per year	4,000,000	300,000
— from the 11th year to the 20th year, per year	6,500,000	500,000

Fee for late payment of the annual fee . . . . . 100% of the applicable annual fee

How can payment of fees be effected?

The payment of fees must be effected in Indonesian rupiah. Payments can be made by money order, cheque or bank draft (transfer to Government account). All payments must indicate the application number (national if already known; international if the national number is not yet known), the name of the applicant and the category of fee being paid.

KEMENTERIAN HUKUM DAN HAK ASASI MANUSIA R.I.
DIREKTORAT JENDERAL KEKAYAAN INTELEKTUAL

Dibuat rangkap 2

Formulir Permohonan Paten

	Diisi oleh petugas Tanggal pengajuan : Nomor permohonan :
Dengan ini saya/kami [1] : (71) Nama : Alamat[2] : Alamat surat menyurat : Warga Negara : Email : Telepon/HP :	
mengajukan permohonan paten/paten sederhana	[ ]
yang merupakan permohonan paten Internasional/PCT dengan nomor : Tanggal Penerimaan Internasional :	 [ ] [ ]
(74) melalui/tidak melalui *) Konsultan KI Nama Badan Hukum [3] : Alamat Badan Hukum [2] : Nama Konsultan KI : Alamat[2] : Nomor Konsultan KI : Telepon/Fax : Email :	[ ]
(54) dengan judul invensi :	[ ]
Permohonan paten ini merupakan pecahan/perubahan dari permohonan paten nomor :	[ ]

	Diisi oleh petugas
(72) Nama dan kewarganegaraan para inventor : ..... warga negara …… ..... warga negara …… ..... warga negara …… ..... warga negara ……	[ ]
(30) Permohonan paten ini diajukan dengan/tidak dengan *) hak prioritas [4]) Negara : Tgl. Penerimaan permohonan Nomor prioritas	[ ]
Bersama ini saya lampirkan [5]) : 1 (satu) rangkap : [ ] dokumen non elektronik (sebutkan) : 🗀 Surat Kuasa 🗀 Surat Pengalihan Hak atas Invensi 🗀 Surat Pernyataan Kepemilikan Invensi oleh Inventor (jika ada) 🗀 Bukti penunjukan negara tujuan (DO/EO) 🗀 Dokumen prioritas dan terjemahan halaman pertama 🗀 Dokumen permohonan paten Internasional/PCT 🗀 Sertifikat penyimpanan jasad renik dan terjemahannya 🗀 Dokumen lain (sebutkan) : [ ] dokumen elektronik (*softcopy*) (sebutkan) : 🗁 Formulir Permohonan Paten 🗁 Deskripsi, Klaim, Abstrak, Sequence bahasa Indonesia/Inggris 🗁 Gambar 🗁 Formulir Substantif Paten / Formulir Kelebihan Klaim/Halaman 🗁 Surat Kuasa 🗁 Surat Pengalihan Hak 🗁 Surat Pernyataan Kepemilikan Invensi oleh Inventor (jika ada) 🗁 Dokumen Prioritas/PCT/lainnya [ ] surat pernyataan sumber asal genetika dan pengetahuan tradisional dan 1 (satu) rangkap invensi yang terdiri dari : [ ] uraian ..... halaman [ ] klaim …….. buah [ ] abstrak [ ] gambar …….. buah	[ ] [ ] [ ]
Saya/kami usulkan, gambar nomor ..... dapat menyertai abstrak pada saat dilakukan pengumuman atas permohonan paten (UU No. 13 Tahun 2016)	[ ]

Demikian permohonan paten ini saya/kami ajukan untuk dapat diproses lebih lanjut

Pemohon/Konsultan

(……[6])

Keterangan :

1) Jika lebih dari satu orang maka cukup satu saja yang dicantumkan dalam formulir ini sedangkan lainnya harap ditulis pada lampiran tambahan.
2) Adalah alamat kedinasan/surat-menyurat.
3) Jika Konsultan Paten yang ditunjuk bekerja pada Badan Hukum tertentu yang bergerak dibidang konsultan paten maka sebutkan nama Badan Hukum yang bersangkutan.
4) Jika lebih dari ruang yang disediakan agar ditulis pada lampiran tambahan.
5) Berilah tanda silang atau contreng pada jenis dokumen yang saudara lampirkan.
6) Jika permohonan paten diajukan oleh :
   - Lebih dari satu orang, maka setiap orang yang ditunjuk oleh kelompok/group
   - Konsultan Paten maka berhak menandatangani adalah konsultan yang terdaftar di Kantor Paten.

*) Coret yang tidak sesuai.

Form No. 001/P/KI/2018

KEMENTERIAN HUKUM DAN HAK ASASI MANUSIA R.I.
DIREKTORAT JENDERAL KEKAYAAN INTELEKTUAL

Dibuat rangkap 2

Formulir Permohonan
Pemeriksaan Substantif Paten

Diisi oleh petugas
Tanggal pengajuan :

Dengan ini saya/kami [1]) : (71) Nama : Alamat[2]) : Warga Negara : Email : Telepon/HP :	
yang telah mengajukan permohonan paten sendiri/melalui Konsultan paten: (74) Nama Konsultan KI : Nomor Konsultan KI : Email :	[ ] [ ]
dengan : (21) Nomor permohonan paten : (22) Tanggal penerimaan permohonan paten : (54) Judul Invensi :	[ ] [ ] [ ]
mengajukan permohonan pemeriksaan substantif untuk permohonan paten tersebut diatas.	
Bersama ini, saya/kami sampaikan : [ ] Biaya pemeriksaan subtantif paten sebesar Rp. ……... (…….. …) [ ] Biaya klaim yang belum dibayar …… buah @ Rp. ……. sejumlah Rp. ……...…….. (…….) [ ] Kekurangan-kekurangan lain yang rincian ringkasnya tersebut dalam lampiran formulir ini.	[ ] [ ] [ ]

Yang mengajukan permohonan,

(……..……..)

Form No. 017/P/KI/2018

ISRAEL PATENT OFFICE

AS

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List of abbreviations:

Office: Israel Patent Office

PL: Patents Law (5727-1967), as amended

PR: Patents Regulations (Office Practice, Rules of Procedure, Documents and Fees) (5728-1968), as amended

SUMMARY Designated (or elected) Office SUMMARY

IL ISRAEL PATENT OFFICE IL

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	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 Under PCT Article 39(1): Description, claims, any text matter of drawings (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?	Yes
National fee:	Currency: New Israeli sheqel (ILS) Filing fee: ILS 2,030[2]
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[3]	Document evidencing a change of name of applicant if the change occurred after the international filing date[4] Document of assignment or transfer if the applicant has changed after the international filing date[4] Address for notification in Israel if the applicant is not resident in Israel
Who can act as agent?	Any member of the Israel Bar Association or patent attorney registered and holding a current license to practice in Israel
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

[1] Where the translation of the application as filed or the translation of the application as amended is not furnished within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to furnish the missing translation within a time limit of three months fixed in the invitation.

[2] A 40% reduction in the fee will be applicable for applications first filed in Israel for an individual applicant or for a corporate entity with a turnover of less than ILS 10 million in the last calendar year.

[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 of three months fixed in the invitation.

[4] If the change is recorded by the International Bureau, and the Office is able to verify it by consulting the International Bureau's electronic records, no further document is required.

THE PROCEDURE IN THE NATIONAL PHASE

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

IL.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).

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

PL Sec. 39

IL.04 **MENTION OF INVENTOR.** The name of the inventor is mentioned in the Patent Register and in the publication of the patent only upon express request. The naming of the inventor in the "Request" part of the international application is not considered as a request to mention the name of the inventor. The request may be made by mention of the inventor on the national phase form.

PL Sec. 56-57

IL.05 **RENEWAL FEES.** After examination and publication in the Patents and Designs Journal of the examined application, renewal fees must be paid to the Office. The first renewal fee is due within three months from the date of grant of the patent. The second renewal fee falls due six years from the international filing date (sixth anniversary fee); thereafter, renewal fees become due on the 10th, 14th and 18th anniversaries of the international filing date. A renewal fee for the entire duration of the patent may be paid before the expiration of three months from the date of grant of the patent. The amounts of the fees are indicated in Annex IL.I.

PCT Art. 28 41
PL Sec. 22 65

IL.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make the following modifications to his application before the Office:

(i) up to the time when the Office decides to publish the examined application: additions to, and correction of, any part of the application; if the scope of the subject matter of the application is broadened thereby, post-dating of the additions may be required;

(ii) after the Office has decided to publish the examined application: only restriction or withdrawal of claims or amendments absolutely necessary for the elimination of obscurities in the application. For the amount of the fee for amending the application, see Annex IL.I.

PL Sec. 164
PR Reg. 5

IL.07 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. The time limits under PCT Articles 22 and 39(1) are extendible only in case of interruptions in the mail service or unavoidable loss or delay in the mail. Substantial proof is required.

PL Sec. 10 164

IL.08 **RESTORATION OF THE RIGHT OF PRIORITY.** Where the receiving Office has either refused a request for the restoration of the right of priority, under PCT Rule 26*bis*.3, or where no such request has been made, the applicant may file a request for the restoration of the right of priority with the Israel Patent Office under PCT Rule 49*ter*.2 and the Israeli Patents Law, Sections 164 and 10.

The criterion for restoration is "due care" which in accordance with Section 164 is considered to have been met if the applicant can show that he has undertaken "reasonable means to ensure that the international application was submitted on time". The request for restoration should be presented in writing and should state the reasons for the failure to file the international application within the priority period.

Preferably, the request for restoration should also be accompanied by an *affidavit* signed before a person authorized for this purpose (attorney, notary). The *affidavit* must be made by a person knowing personally the stated facts and must show adequate reasons for the failure to file the international application within the priority period.

FEES[1]

(Currency: New Israeli sheqel)

Filing fee	2,030
Claim fee for the 51st and each subsequent claim	521
Application size fee for each additional 50 sheets that exceed 100 sheets	254
Filing a request for an extension of time, for each month of extension or part thereof	203
Filing a request to amend a specification	711
Renewal fees:	
— before the expiry of three months from the date of grant of the patent:	
(a) for the whole period of validity of the patent	12,183
(b) for the period of six years from the international filing date (due three months after grant)	812
— before the expiry of the 6th year from the international filing date, for the following four years	1,624
— before the expiry of the 10th year from the international filing date, for the following four years.	2,437
— before the expiry of the 14th year from the international filing date, for the following four years.	4,061
— before the expiry of the 18th year from the international filing date, for the following two years	5,685
Fee for restoration of the right of priority	None

How can payment of fees be effected?

Fees may be paid:

1) by deposit at any branch of the Israeli Postal Bank, in New Israeli sheqels, into the Office post office account (No. 0-24145-2), preferably using a deposit slip which may be obtained from the Office. Payment by bank transfer is not recommended. The Office cannot accept responsibility if the sum received after deduction of bank charges is incorrect, if the fee is late due to delay, or if insufficient information is forwarded to identify the application. The receipt of payment must be filed with the Office;

2) through the Government web site for on line payments: http://ecom1.gov.il/patents. The site is in Hebrew. A copy of the receipt must be forwarded to the Office.

[1] A 40% reduction in the fee will be applicable for applications first filed in Israel for an individual applicant or for a corporate entity with a turnover of less than ILS 10 million in the last calendar year.

חוק הפטנטים, התשכ"ז-1967
PATENTS LAW, 5727-1967

בקשה בינלאומית לפטנט - שלב לאומי

INTERNATIONAL PATENT APPLICATION - NATIONAL PHASE

שם המבקש, מענו, ת.ז. - ולגבי גוף מאוגד – ח.פ., מקום התאגדותו

Name and address of applicant, and, in case of body corporate, place of incorporation

NAMES OF INVENTORS: **שמות הממציאים:**

בעל אמצאה מכח_____ששמה הוא:
Owner, by virtue of of an invention, the title of which is:

(בעברית)
(Hebrew)

(באנגלית)
(English)

*בקשת חלוקה- Application for Division	*בקשת פטנט מוסף- Application for Patent of Addition	*דרישת דין קדימה **Priority Claim**		
מבקשת פטנט from Application	*לבקשה/לפטנט to Patent/Appl.	מספר/סימן **Number/Mark**	תאריך **Date**	מדינת האיגור **Convention Country**
מס' No_____ מיום dated_____	מס' No_____ מיום dated_____			
*יפוי כח: כללי/מיוחד - רצוף בזה / עוד יוגש **P.O.A.: general / specific - attached / to be filed later-** הוגש בענין _____ **Has been filed in case**				
המען למסירת הודעות ומסמכים בישראל **Address for Service in Israel** _____ _____ _____				
חתימת המבקש **Signature of Applicant** **DATE :** תאריך:		מס' בקשה בינ"ל **INT. APP. PCT/** תאריך הגשה בינ"ל **INT. FIL. DATE** מס' פרסום בינ"ל **INT. PUBL. WO/**		

YOUR REFERENCE: סימוכין שלך:

*מחק את המיותר Delete whatever is inapplicable

INDIAN PATENT OFFICE

AS

DESIGNATED (OR ELECTED) OFFICE

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Form to be Submitted by a Small Entity (Form 28) . . . . . Annex IN.XX
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List of abbreviations:

Office:	Indian Patent Office
Controller:	Controller of Patents
PA:	The Patents Act, 1970 as amended by the Patents (Amendment) Act, 2005
PR:	The Patents Rules, 2003 as amended by the Patents (Amendment) Rules, 2016

SUMMARY Designated (or elected) Office SUMMARY

IN INDIAN PATENT OFFICE IN

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:[1]	English
Required contents of the translation for entry into the national phase:[1]	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?	A copy is required only if the applicant has not received Form PCT/IB/308 and the Indian Patent Office has not received a copy of the international application from the International Bureau under PCT Article 20.

National fee:[2] Currency: Indian rupee (INR)

	Natural person(s) or startup(s) or small entity(ies)	*Other(s), alone or with natural person(s) or startup(s) or small entity(ies)*
Filing fee:[1]		
– Up to 30 sheets and 10 claims:		
– electronic filing:	1,600	8,000
– paper filing:	1,750	8,800
– For each additional priority, multiple of:		
– electronic filing:	1,600	8,000
– paper filing:	1,750	8,800
– For each additional sheet in addition to 30:		
– electronic filing:	160	800
– paper filing:	180	880
– For each claim in addition to 10:		
– electronic filing:	320	1,600
– paper filing:	350	1,750
– For each page of sequence listing of nucleotides and/or amino acid sequences under Rule 9(3):		
– electronic filing:	160[3]	800[4]
– paper filing:	—[5]	—[5]

[Continued on next page]

1 Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1), or at the time of any earlier express request by the applicant to proceed earlier with the national phase.

2 The Office's fee schedule is available at: www.ipindia.nic.in/writereaddata/portal/ipoformupload/1_11_1/fees.pdf

3 Subject to a maximum of INR 24,000.

4 Subject to a maximum of INR 120,000.

5 Not allowed.

SUMMARY Designated (or elected) Office SUMMARY

IN INDIAN PATENT OFFICE IN

[Continued]

Exemptions, reductions or refunds of the national fees:	See Summary above and Annex IN.I
Special requirements of the Office (PCT Rule 51*bis*):[6]	Name, address and nationality of the inventor if they have not been furnished in the "Request" part of the international application[7] Instrument of assignment or transfer where the applicant is not the inventor[7] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Declaration of inventorship by the applicant[7] Address for service in India (but no representation by an agent is required) Power of attorney if an agent is appointed Verification of translation Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any patent agent registered to practice before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No

6 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.

7 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

PCT Art.. 22
PR Rule 20(7)

IN.01 **FORMS FOR ENTERING THE NATIONAL PHASE.** The Office has a form (Form 1 – see Annex IN.II) for providing details of an international application entering the national phase. This form should preferably be used. PCT applicants are not, in accordance with Article 22, required, at this stage, to furnish all the items set out in Box 10 of the form, namely the statement of undertaking nor any priority document or translations thereof.

PR Rule 20(3)

IN.02 **TRANSLATION (VERIFICATION).** The required verification of the translation of the international application and of any other document, which was not either filed or published in English, consists of a simple statement by the applicant, or the person duly authorized by the applicant, to the effect that the translation is correct and complete.

PA Sec. 57
PR Rule 81(1)

IN.03 **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). A request for correction or amendment must be made on Form 13 (see Annex IN.XII) together with the payment of the prescribed fee.

PA Sec. 142
PR Rule 7
First Schedule

IN.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex IN.I.

PR Rule 7
First Schedule

IN.05 **CLAIMS FEE.** The claims fee is calculated on the basis of the number of claims contained in the international application at the time of national phase entry including, where amendments have been filed during the international phase, the claims as amended under PCT Article 19 or 34(2). Where the applicant fails to pay the correct amount of the claims fee within the prescribed time limit, the application will be deemed not to have been filed under Section 142(3) of the Patents Act, 1970 (for the amount of the claims fee see Annex IN.I).

PA Sec. 53
142
PR Rule 80

IN.06 **RENEWAL FEES.** After a patent has been granted, renewal fees must be paid for maintaining the patent in force. The renewal fees indicated in Annex IN.I shall be payable to the office at the expiry of the second year from the date of the patent. Further renewal fees are due before the expiry of each succeeding year. If the renewal fee is not paid within the prescribed time limit, the patent will cease to have effect. However, a patent may be restored provided that an application for restoration is made on Form 15 (see Annex IN.XIV) within 18 months from the date of cessation (see paragraph IN.15). Where the patent is granted later than two years after filing, the fees which have become due must be paid within three months of grant (extendable up to an additional six months using Form 4 (see Annex IN.V)). Thereafter every renewal fee becomes due before the anniversary of the granted patent. A request for renewal of a patent must be made on plain paper accompanied by the prescribed fee (see Annex IN.I).

PA Sec. 127
132
135
PR Rules 5

IN.07 **REPRESENTATION.** An applicant, irrespective of whether or not he is a national of or a resident in India, is not required to be represented by an agent, but he is required to have an address for service (for notices and other communications) in India. If an agent is appointed to represent the applicant, a written authorization should be filed on Form 26 (see Annex IN.XIX) or a power of attorney should be submitted.

PA Sec. 8
PR Rule 12

IN.08 **STATEMENT CONCERNING CORRESPONDING APPLICATIONS IN OTHER COUNTRIES.** The applicant must file within six months from the date of entry into the national phase, a statement concerning any corresponding applications filed in other countries. The statement must be made on Form 3 (see Annex IN.IV) which includes an undertaking that the applicant will update the statement. No fee is required.

PCT Art. 28, 41
PA Secs. 57 to 59
PR Rule 81

IN.09 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may, at any time before the patent is granted, make amendments to his application during the national phase provided that these do not exceed the scope of the application as originally filed. The applicant may amend the patent application or the complete specification or any document related thereto, at the discretion of the Controller, by filing a formal request on Form 13 (see Annex IN.XII) and paying the prescribed fees (see Annex IN.I). It should be noted that amendments may only be requested during the national phase proceedings and not before or at the time of national phase entry. An application for amendments may also be filed after the grant of patent. However, such amendments can only be filed by way of disclaimer, correction or explanation as prescribed under Section 59 of the Patents Act. Where an amendment is made after the grant of patent, any interested person may oppose the amendment of the patent application by filing a notice of opposition on Form 14 (see Annex IN.XIII) within three months from publication of the amended application in the Official Journal of the Indian Patent Office.

PA Sec. 11A
PR Rule 24

IN.10 **PUBLICATION OF APPLICATION.** All applications for patents are published and open to the public after the expiry of 18 months from the priority date except for applications which are provisional or withdrawn or have secrecy provisions under the Act.

PA Sec. 25(1)
PR Rule 55

IN.11 **PRE-GRANT OPPOSITION.** Any person may, at any time after the publication of the application but before the grant of the patent, file an opposition to the grant of the patent on Form 7(A) (see Annex IN.VIII) with the Controller with a copy to the applicant. A statement in support of the opposition should also be filed, together with evidence, if any, and a request for a hearing, if so desired.

PA Sec. 11B
PR Rule 24B
20(4)(ii)

IN.12 **REQUEST FOR EXAMINATION.** A patent application shall not be examined unless the applicant or any other interested person makes a request for such examination in the prescribed manner within 48 months from the date of priority of the application (if applicable) or from the date of filing of the patent application, whichever is earlier. Such a request must be made on Form 18 (see Annex IN.XVI).

PA Sec. 11B
PR Rule 24A-C

IN.13 **REQUEST FOR EXPEDITED EXAMINATION.** An applicant may file a request for expedited examination on Form 18A (see Annex IN.XVII) and pay the fee indicated in Annex IN.I. The request must be filed by electronic means within the period prescribed in Rule 24B. A request for expedited examination can only be filed where:

- the Office has been specified as the competent International Searching Authority or International Preliminary Examination Authority in the corresponding international application, or
- the applicant is a startup, or
- the applicant is a small entity, or
- if the applicant is a natural person or in the case of joint applicants, all the applicants are natural persons, then the applicant or at least one of the applicants is a female, or
- the applicant is a department of the Government, or
- the applicant is an institution established by a Central, Provincial or State Act, which is owned or controlled by the Government, or
- the applicant is a Government company as defined in clause (45) of section 2 of the Companies Act, 2013 (18 of 2013), or
- the applicant is an institution wholly or substantially financed by the Government, or
- the application pertains to a sector which is notified by the Central Government on the basis of a request from the head of a department of the Central Government, or
- the applicant is eligible under an arrangement for processing a patent application pursuant to an agreement between the Indian Patent Office and a foreign Patent Office.

A request for examination may be converted into a request for expedited examination, subject to the furnishing of the required documents and the payment of a balance fee (see Annex IN.I.) The request to convert the request for examination into a request for expedited examination must be accompanied by a request for publication under Rule 24A, except where the application has been published or where a request for publication under Rule 24A has already been filed.

PA Sec. 11B
PR Rule 26

IN.14 **REQUEST FOR WITHDRAWAL OF APPLICATION.** An applicant may file a request for withdrawal of the application under paragraph 4(i) of Section 11B and Rule 26 on Form 29 (see Annex IN.XXI). If the application is withdrawn after the filing of a request for examination but before the issuance of the first statement of objection, the fee may be refunded under Rule 7(4A) as indicated in Annex IN.I.

PA Sec. 21(1)
PR Rule 24B(4)

IN.15 **PERIOD FOR RESPONDING TO A STATEMENT OF OBJECTIONS.** A statement of objections will be issued by the Controller in respect of applications that fail to comply with the requirements of the Patents Act. An application will be considered as abandoned unless the applicant complies with all the requirements of the Patents Act and the rules made thereunder within six months from the date on which a first statement of objection is issued. The time for putting an application in order for grant may be further extended for a period of 3 months on a request for extension made on Form 4 (see Annex IN.V) along with the payment of the prescribed fee as indicated in Annex IN.I.

PA Sec. 25(2)
PR Rule 55A

IN.16 **POST-GRANT OPPOSITION.** At any time after the grant of the patent but before the expiry of a period of one year from the date of publication of the grant of the patent, any person may file a notice of opposition on Form 7 (see Annex IN.IX).

PCT Art. 25
PCT Rule 51

IN.17 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art 24(2)
48(2)
PCT Rule 49.6

IN.18 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PA Sec. 24B
53(2)
142(4)
PR Rule 6(6)
13(6)
55(4)
80(1A)
130
137
138
24B(6)
24C(11)

IN.19 Where, during the national phase, the applicant wishes to extend a time limit for performing certain acts relating to the patent application, such as:

- filing of a statement and undertaking regarding foreign applications (Form 3 – see Annex IN.IV)
- filing of a declaration of inventorship (to be made using Form 5 – see Annex IN.VI)
- filing of a request for renewal of a patent (Rule 80(1A))
- filing a petition to review an order of the Controller under Section 77(1)(f)
- payment of accumulated renewal fees under Section 142(4) after the grant of the patent

he should furnish Form 4 (see Annex IN.V) before the expiry of the time limit together with payment of the prescribed fee. The time limit may then be extended if the Controller thinks fit and so directs.

The Controller has the power to extend the time limit up to one month beyond that prescribed in the patent rules provided that the fee for such request is paid in advance (Rule 138). It should be noted that the extended time limit does not apply to the filing of a national phase application (Rule 20(4)(i)), of a translation of amended claims (Rule 20(6)), of a priority document (Rule 21), of a request for examination (Section 24B(1), the time limit for putting the application in order for grant under Rule 24B(5) and (6) and 24C(10) and 11, the applicant's statement and evidence in the opposition proceedings (Rule 55(4)), the payment of renewal fees (Rule 80(1A)) and the time limit for filing an application for review of a decision or setting aside of orders of the Controller (Rule 130(1) and (2)).

PR Rule 6(6) The Controller may also excuse the delay in transmitting or resubmitting a document to the Office or performing any act by a party, if a petition to excuse such a delay is made by the party to the Controller along with a statement regarding the circumstances of the delay and evidence in support of the statement. The evidence must, to the satisfaction of the Controller, show that the delay was due to war, revolution, civil disorder, strike, natural calamity, a general unavailability of electronic communication services or other like reason in the locality where the party resides or has his place of business, and that such situation was of such severity that it disrupted the normal communication in that area and that the relevant action was taken as soon as reasonably possible but not later than one month from the date when such situation had ceased to exist. The maximum delay shall not exceed six months from the expiry of the prescribed period, whichever is earlier.

PA Secs. 60 to 62
PR Rules 84 to 86

IN.20 **RESTORATION OF A LAPSED PATENT.** Where a patent has lapsed by reason of failure to pay any renewal fee, the patentee or his representative may, within 18 months from the date on which the patent ceased to have effect, make a request for restoration of the patent using Form 15 (see Annex IN.XIV). If the Controller is satisfied that the failure to pay the renewal fee was unintentional and that there has been no undue delay in the making of the request for restoration, he will publish the request for restoration in the prescribed manner, and within the prescribed period. Any interested person may oppose the restoration of the patent by filing an opposition on Form 14 (see Annex IN.XIII). The Controller shall publish his decision concerning restoration of a lapsed patent.

PA Sec. 117A IN.21 **APPEAL.** Applicants may appeal to the Appellate Board against any decision, order or direction of the Controller as provided for in the Patents Act Section 117A(2). Appeals shall be made in writing and submitted within three months from the date of the decision, order or direction of the Controller, or within such further time limit as the Appellate Board may allow.

PA Rule 9(3) IN.22 **NUCLEOTIDE AND AMINO ACID SEQUENCES.** Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, the applicant must furnish a sequence listing in electronic form. No paper copy of the sequence listing is required.

FEES[1]

(Currency: Indian rupee)

Patents Form No.	Item	Electronic filing		Physical (paper) filing	
		Natural person(s) or startup(s) or small entity(ies)	*Other(s), alone or with natural person(s) or startup(s) or small entity(ies)*	*Natural person(s) or startup(s) or small entity(ies)*	*Other(s), alone or with natural person(s) or startup(s) or small entity(ies)*
1	Application for grant of patent:	1,600	8,000	1,750	8,800
	— for each additional priority claim, multiple of: .	1,600	8,000	1,750	8,800
	– for each additional sheet in addition to 30: . .	160	800	180	880
	– for each additional claim in addition to 10: . .	320	1,600	350	1,750
	– for each page of sequence listing of nucleotides and/or amino acid sequences under Rule 9(3):	160[2]	800[3]	—[4]	—[4]
9	Request for early publication:	2,500	12,500	2,750	13,750
18	Request for examination fee:[5]				
	— under Section 11(B)	4,000	20,000	4,400	22,000
	— under Rule 20(4)(ii)	5,600	28,000	6,150	30,800
18A	Request for expedited examination fee:[5, 6]	8,000	60,000		
	Balance fee for converting a request for examination into a request for expedited examination:	4,000	40,000		
13	Application for amendment of patent application complete specification or other related documents:				
	— before grant	800	4,000	880	4,400
	— after grant.	1,600	8,000	1,750	8,800
	Renewal fee under Section 53:				
	(a) for the 3rd, 4th, 5th and 6th year of the patent . .	800	4,000	880	4,400
	(b) for the 7th, 8th, 9th, and 10th year of the patent	2,400	12,000	2,650	13,200
	(c) for the 11th, 12th, 13th, 14th and 15th year of the patent	4,800	24,000	5,300	26,400
	(d) for the 16th, 17th, 18th, 19th and 20th year of the patent	8,000	40,000	8,800	44,000
13	Request for amendments to name, address, nationality or address for service under Section 57 (for each amendment)	320	1,600	350	1,750

1 The Office's fee schedule is available at: www.ipindia.nic.in/form-and-fees.htm

2 Subject to a maximum of INR 24,000.

3 Subject to a maximum of INR 120,000.

4 Not allowed.

5 If the application is withdrawn before the issuance of a first statement of objection using Form 29 (see Annex XXI), the fee may be refunded up to 90%.

6 The request for expedited examination must be filed by electronic means.

Patents Form No.	Item	Electronic filing		Physical (paper) filing	
		Natural person(s) or startup(s) or small entity(ies)	*Other(s), alone or with natural person(s) or startup(s) or small entity(ies)*	*Natural person(s) or startup(s) or small entity(ies)*	*Other(s), alone or with natural person(s) or startup(s) or small entity(ies)*
4	Request for an extension of time limit under Sections 53(2) and 142(4), Rules 13(6), 80(1A) and 130 (per month, for each month for which the extension is sought)	480	2,400	530	2,600
4	Request for an extension of time limit under Rule 24B(5) (per month, for each month for which the extension is sought)	1,000	4,000	1,100	4,400
4	Request for an extension of time limit under Rule 24C(11) (per month, for each month for which the extension is sought)	2,000	10,000	2,200	11,000
15	Request for restoration of patent:				
	— under Section 60.	2,400	12,000	2,650	13,200
	— additional fee under Rule 86(1)	4,800	24,000	5,300	26,400
7	Notice of opposition to an application under Section 25(2)	2,400	12,000	2,600	13,200
14	Notice of opposition to an application under Sections 57(4), 61(1) and 87(2)	2,400	12,000	2,650	13,200

How can payment of fees be effected?

The payment of fees must be effected in Indian rupees. All payments must be made together with the filing of the form related to the fee to be paid, and indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and type of fee being paid.

Payments may be made by one of the following means: cash, banker's cheque, electronic means or by bank draft payable to the Controller of Patents at any accepted bank in India where the Office namely, Chennai, Delhi, Kolkata or Mumbai is situated.

<table>
<tr><td colspan="3">"FORM 1
THE PATENTS ACT 1970 (39 of 1970) and
THE PATENTS RULES, 2003
APPLICATION FOR GRANT OF PATENT
(See section 7, 54 and 135 and sub-rule (1) of rule 20)</td><td colspan="3">(FOR OFFICE USE ONLY)</td></tr>
<tr><td colspan="3"></td><td>Application No.</td><td colspan="2"></td></tr>
<tr><td colspan="3"></td><td>Filing date:</td><td colspan="2"></td></tr>
<tr><td colspan="3"></td><td>Amount of Fee paid:</td><td colspan="2"></td></tr>
<tr><td colspan="3"></td><td>CBR No:</td><td colspan="2"></td></tr>
<tr><td colspan="3"></td><td>Signature:</td><td colspan="2"></td></tr>
<tr><td colspan="3">1. APPLICANT'S REFERENCE / IDENTIFICATION NO. (AS ALLOTTED BY OFFICE)</td><td colspan="3"></td></tr>
<tr><td colspan="6">2. TYPE OF APPLICATION [Please tick (✓) at the appropriate category]</td></tr>
<tr><td colspan="2">Ordinary ( )</td><td colspan="2">Convention ( )</td><td colspan="2">PCT-NP ( )</td></tr>
<tr><td>Divisional ( )</td><td>Patent of Addition ( )</td><td>Divisional ( )</td><td>Patent of Addition ( )</td><td>Divisional ( )</td><td>Patent of Addition ( )</td></tr>
<tr><td colspan="6">3A. APPLICANT(S)</td></tr>
<tr><td colspan="2">Name in Full</td><td>Nationality</td><td>Country of Residence</td><td colspan="2">Address of the Applicant</td></tr>
<tr><td colspan="2" rowspan="6"></td><td rowspan="6"></td><td rowspan="6"></td><td>House No.</td><td></td></tr>
<tr><td>Street</td><td></td></tr>
<tr><td>City</td><td></td></tr>
<tr><td>State</td><td></td></tr>
<tr><td>Country</td><td></td></tr>
<tr><td>Pin code</td><td></td></tr>
<tr><td colspan="6">3B. CATEGORY OF APPLICANT [Please tick (✓) at the appropriate category]</td></tr>
<tr><td colspan="2" rowspan="2">Natural Person ( )</td><td colspan="4">Other than Natural Person</td></tr>
<tr><td>Small Entity ( )</td><td>Startup ( )</td><td colspan="2">Others ( )</td></tr>
<tr><td colspan="6">4. INVENTOR(S) [Please tick (✓) at the appropriate category]</td></tr>
<tr><td colspan="2">Are all the inventor(s)</td><td colspan="2">Yes ( )</td><td colspan="2">No ( )</td></tr>
</table>

1

same as the applicant(s) named above?		

If "No", furnish the details of the inventor(s)

Name in Full	Nationality	Country of Residence	Address of the Inventor	
			House No.	
			Street	
			City	
			State	
			Country	
			Pin code	

5. TITLE OF THE INVENTION

6. AUTHORISED REGISTERED PATENT AGENT(S)	IN/PA No.	
	Name	
	Mobile No.	
7. ADDRESS FOR SERVICE OF APPLICANT IN INDIA	Name	
	Postal Address	
	Telephone No.	
	Mobile No.	
	Fax No.	
	E-mail ID	

8. IN CASE OF APPLICATION CLAIMING PRIORITY OF APPLICATION FILED IN CONVENTION COUNTRY, PARTICULARS OF CONVENTION APPLICATION

Country	Application Number	Filing date	Name of the applicant	Title of the invention	IPC (as classified in the convention country)

9. IN CASE OF PCT NATIONAL PHASE APPLICATION, PARTICULARS OF INTERNATIONAL APPLICATION FILED UNDER PATENT CO-OPERATION TREATY (PCT)

International application number	International filing date

10. IN CASE OF DIVISIONAL APPLICATION FILED UNDER SECTION 16, PARTICULARS OF ORIGINAL (FIRST) APPLICATION

Original (first) application No.	Date of filing of original (first) application

2

11. IN CASE OF PATENT OF ADDITION FILED UNDER SECTION 54, PARTICULARS OF MAIN APPLICATION OR PATENT	
Main application/patent No.	Date of filing of main application
12. DECLARATIONS	
(i) Declaration by the inventor(s) (**In case the applicant is an assignee**: the inventor(s) may sign herein below or the applicant may upload the assignment or enclose the assignment with this application for patent or send the assignment by post/electronic transmission duly authenticated within the prescribed period). I/We, the above named inventor(s) is/are the true & first inventor(s) for this Invention and declare that the applicant(s) herein is/are my/our assignee or legal representative. (a) Date (b) Signature(s) (c) Name(s)	
(ii) Declaration by the applicant(s) in the convention country **(In case the applicant in India is different than the applicant in the convention country:** the applicant in the convention country may sign herein below or applicant in India may upload the assignment from the applicant in the convention country or enclose the said assignment with this application for patent or send the assignment by post/electronic transmission duly authenticated within the prescribed period) I/We, the applicant(s) in the convention country declare that the applicant(s) herein is/are my/our assignee or legal representative. (a) Date (b) Signature(s) (c) Name(s) of the signatory	

3

(iii) Declaration by the applicant(s)

I/We the applicant(s) hereby declare(s) that: -

- ☐ I am/ We are in possession of the above-mentioned invention.
- ☐ The provisional/complete specification relating to the invention is filed with this application.
- ☐ The invention as disclosed in the specification uses the biological material from India and the necessary permission from the competent authority shall be submitted by me/us before the grant of patent to me/us.
- ☐ There is no lawful ground of objection(s) to the grant of the Patent to me/us.
- ☐ I am/we are the true & first inventor(s).
- ☐ I am/we are the assignee or legal representative of true & first inventor(s).
- ☐ The application or each of the applications, particulars of which are given in Paragraph-8, was the first application in convention country/countries in respect of my/our invention(s).
- ☐ I/We claim the priority from the above mentioned application(s) filed in convention country/countries and state that no application for protection in respect of the invention had been made in a convention country before that date by me/us or by any person from which I/We derive the title.
- ☐ My/our application in India is based on international application under Patent Cooperation Treaty (PCT) as mentioned in Paragraph-9.
- ☐ The application is divided out of my /our application particulars of which is given in Paragraph-10 and pray that this application may be treated as deemed to have been filed on DD/MM/YYYY under section 16 of the Act.
- ☐ The said invention is an improvement in or modification of the invention particulars of which are given in Paragraph-11.

13. FOLLOWING ARE THE ATTACHMENTS WITH THE APPLICATION

(a) Form 2

Item	Details	Fee	Remarks
Complete/ provisional specification)#	No. of pages		
No. of Claim(s)	No. of claims and No. of pages		
Abstract	No. of pages		
No. of Drawing(s)	No. of drawings and No. of pages		

4

In case of a complete specification, if the applicant desires to adopt the drawings filed with his provisional specification as the drawings or part of the drawings for the complete specification under rule 13(4), the number of such pages filed with the provisional specification are required to be mentioned here.

(b) Complete specification (in conformation with the international application)/as amended before the International Preliminary Examination Authority (IPEA), as applicable (2 copies).

(c) Sequence listing in electronic form

(d) Drawings (in conformation with the international application)/as amended before the International Preliminary Examination Authority (IPEA), as applicable (2 copies).

(e) Priority document(s) or a request to retrieve the priority document(s) from DAS (Digital Access Service) if the applicant had already requested the office of first filing to make the priority document(s) available to DAS.

(f) Translation of priority document/Specification/International Search Report/International Preliminary Report on Patentability.

(g) Statement and Undertaking on Form 3

(h) Declaration of Inventorship on Form 5

(i) Power of Authority

(j).....

Total fee ₹.....in Cash/ Banker's Cheque /Bank Draft bearing No..... Date.....on ..... Bank.

I/We hereby declare that to the best of my/our knowledge, information and belief the fact and matters slated herein are correct and I/We request that a patent may be granted to me/us for the said invention.

Dated this.....day of.....20.....

Signature:

Name:

To,

The Controller of Patents

The Patent Office, at.....

Note: -

* Repeat boxes in case of more than one entry.
* To be signed by the applicant(s) or by authorized registered patent agent otherwise where mentioned.
* Tick (✓)/cross (x) whichever is applicable/not applicable in declaration in paragraph-12.
* Name of the inventor and applicant should be given in full, family name in the beginning.
* Strike out the portion which is/are not applicable.
* For fee: See First Schedule";

5

FORM 2
THE PATENT ACT 1970
(39 of 1970)
&
The Patents Rules, 2003
PROVISIONAL/COMPLETE SPECIFICATION
(See section 10 and rule13)

1. TITLE OF THE INVENTION

2. APPLICANT (S)
(a) NAME:
(b) NATIONALITY:
(c) ADDRESS:

3. PREAMBLE TO THE DESCRIPTION

PROVISIONAL	COMPLETE
The following specification describes the invention.	The following specification particularly describes the invention and the manner in which it is to be performed.

4. DESCRIPTION (Description shall start from next page.)

5. CLAIMS (not applicable for provisional specification. Claims should start with the preamble — "**I/we claim**" on separate page)

6. DATE AND SIGNATURE (to be given at the end of last page of specification)

7. ABSTRACT OF THE INVENTION (to be given along with complete specification on separate page)

Note: -
***Repeat boxes in case of more than one entry.**
***To be signed by the applicant(s) or by authorized registered patent agent.**
***Name of the applicant should be given in full , family name in the beginning .**
***Con.plete address of the applicant should be given stating the postal index no./code, state and country.**
***Strike out the column which is/are not applicable**

FORM 3

THE PATENTS ACT, 1970

(39 of 1970)

and

THE PATENTS RULES, 2003

STATEMENT AND UNDERTAKING UNDER SECTION 8

(See section 8; Rule 12)

1. Name of the applicant(s).	I/We..... .... hereby declare:
2. Name, address and nationality of the joint applicant.	(i) that I/We have not made any application for the same/substantially the same invention outside India Or (ii) that I/We who have made this application No.....dated .....alone/jointly with ....., made for the same/ substantially same invention, application(s) for patent in the other countries, the particulars of which are given below:

Name of the country	Date of application	Application No.	Status of the application	Date of publication	Date of grant

3. Name and address of the assignee	(iii) that the rights in the application(s) has/have been assigned to.....

	..... that I/We undertake that upto the date of grant of the patent by the Controller, I/We would keep him informed in writing the details regarding corresponding applications for patents filed outside India within six months from the date of filing of such application. Dated this.....day of.....20.....
4. To be signed by the applicant or his authorized registered patent agent.	Signature. .....
5. Name of the natural person who has signed.	(.....).
	To The Controller of Patents, The Patent Office, at.....
Note.- Strike out whichever is not applicable;	

FORM 4

THE PATENTS ACT, 1970

(39 of 1970)

and

THE PATENTS RULES, 2003

REQUEST FOR EXTENSION OF TIME

[See sections 53(2), and 142 (4); rules 13(6), 24B(6), 24C(11) and 80(1A), 130]

1. Name of the applicant	I/We..... .... hereby request for extension of time for .....months(s) under section/rule.....in connection with my/our/application/Patent No..... The reasons for making the request are as follows:- .... Dated this.....day of .....20....
2. To be signed by the applicant or his authorized registered patent agent	Signature (.....)
3. Name of the natural person who has signed	
	To The Controller of Patents, The Patent Office, at.....

F O R M 5
THE PATENTS ACT, 1970
(39 of 1970)
&
The Patents Rules, 2003
DECLARATION AS TO INVENTORSHIP
[See section 10(6) and rule 13(6)]

1. NAME OF APPLICANT (S)	

hereby declare that the true and first inventor(s) of the invention disclosed in the complete specification filed in pursuance of my /our application numbered dated is/are

2. INVENTOR (S)
(a) NAME
(b) NATIONALITY
(c) ADDRESS

Dated this .....day of.....20.....

Signature: -
Name of the signatory: -

3. DECLARATION TO BE GIVEN WHEN THE APPLICATION IN INDIA IS FILED BY THE APPLICANT (S) IN THE CONVENTION COUNTRY: -

We the applicant(s) in the convention country hereby declare that our right to apply for a patent in India is by way of assignment from the true and first inventor(s).

Dated this .....day of.....20.....

Signature: -
Name of the signatory: -

4. STATEMENT (to be signed by the additional inventor(s) not mentioned in the application form)

I/We assent to the invention referred to in the above declaration, being included in the complete specification filed in pursuance of the stated application.

Dated this .....day of.....20.....

Signature of the additional inventor(s): -

Name: -

To, The Controller of Patent

The Patent Office, at.....

Note
***Repeat boxes in case of more than one entry.**
***To be signed by the applicant(s) or by authorized registered patent agent otherwise where mentioned.**
***Name of the inventor and applicant should be given in full, family name in the beginning .**
***Complete address of the inventor should be given stating the postal index no./code, state and country.**
***Strike out the column which is/ are not applicable**

FORM 6

THE PATENTS ACT, 1970

(39 of 1970)

&

The Patents Rules, 2003

CLAIM OR REQUEST REGARDING ANY CHANGE IN APPLICANT FOR PATENT

[See sections 20(1), 20(4) and 20(5); rules 34(1), 35(1) and 36(1)]

1. Repeat the columns (a) to (c) if there are more than one applicant.

2. Insert the name in full. The family or principal name in the beginning if the applicant is a natural person.

3. Insert the complete address including postal index number/code and state and/or country.

4. Insert the nationality.

5. State the name of the applicant(s) for patent.

6. Original and certified copies of the documents shall accompany the claim or request. Consent by the legal representative of the deceased joint applicant shall be filed whenever required.

7. Insert the details of the documents.

8. Complete address including postal index number/code and state along with Telephone and fax number(s).

9. To be signed by the applicant(s) or authorized registered patent agent.

10. Name of the natural person who has signed.

I/We,[1] _____

(a) [2] _____

(b) [3] _____

(c) [4] _____

hereby request that the application for patent No.....dated .....

made by[5]._____

_____

may proceed in my/our name and further request that direction of the Controller, if necessary be made in that effect

Reasons for making the above request are as follows:-

_____

_____

I furnish the following document(s) in support of my above request:[6]

(a)[7]_____

(b)[7]_____

(c)[7]_____

My/our address for service in India is:.[8]

_____

_____

Dated this ..... day of ....., 200

Signature [9]..

(----------) [10].

To
The Controller of Patents,
The Patent Office,
At .....

N.B.: This form is not applicable for mere change of name.

Note: (a) Strike out whichever is not applicable.

(b) For fee:-See First Schedule.

"FORM 7A
THE PATENTS ACT, 1970 (39 OF 1970)
AND
THE PATENTS RULES, 2003
REPRESENTATION FOR OPPOSITION TO GRANT OF PATENT
[see rule 55]

1.	State names, address and nationality.	I/We,..... ..... hereby give representation by way of opposition to the grant of patent in respect of application no.....dated..... made by..... and published on ....
2.	State the grounds taken one after another.	on the grounds ....
3.	Complete address including postal index number/code and state along with telephone and fax number.	My/our address for service in India is ....
4.	To be signed by the opponent or by his/her authorized registered patent agent.	Signature
5.	Name and designation of the natural person who has signed.	(.....)

To
The Controller of Patents,
The Patent Office,
At ....." ;

FORM 7
THE PATENTS ACT, 1970
(39 of 1970)
&
The Patents Rules, 2003
NOTICE OF OPPOSITION
[See sections 25(3) and rule 55A]

1. State names, address and nationality.

I/We,[1]..._____

_____

_____

hereby give notice of opposition to

2. State the grounds taken one after another.

patent No. .....) granted on application No. .....dated..... published on dated.....made by_____ on the grounds [2].

3. Complete address including postal index number/code and state along with Telephone and fax number.

_____

_____

4. To be signed by the opponent or by his authorized registered patent agent.

My/Our address for services in India is..[3]
.....
.....

5. Name of the natural person who has signed.

Signature [4]....
(----------) [5]....

To
The Controller of Patents,
The Patent Office,
At .....

For fee : See First Schedule.

FORM 8

THE PATENTS ACT, 1970

(39 of 1970)

&

The Patents Rules, 2003

REQUEST OR CLAIM REGARDING MENTION OF INVENTOR AS SUCH IN A PATENT

[See sections 28(2), 28(3) and 28(7); rules 66, 67 and 68]

1. State names, address and nationality of the person making this application.

I/We,[1].....
.....
.....

hereby state/claim that the following person(s) be mentioned as inventor(s) in the patent application No. .....dated.....made by_____

2. Insert the name of the person mentioned as inventor.

_____or hereby declare that.[2]..
.....
.....

ought not to have mentioned as inventor in the application for Patent No. .....dated ..... made by .....and I/We hereby apply for a certificate to that effect.

3. Complete address including postal index number/code and state along with Telephone and fax number(s).

A Statement setting out the circumstances under which this application is made is attached together with the copy/copies thereof as required under the rules.

4. To be signed by the applicant or his authorized registered patent agent.

My/Our address for service in India is[3],
_____
_____

Dated this ..... day of 20

5. Name of the natural person who has signed.

Signature.. [4]...
(----------)[5]....

To
The Controller of Patents,
The Patent Office,
At .....

Note :- For fee : See First Schedule.

FORM 9
THE PATENTS ACT, 1970
(39 of 1970)
&
The Patents Rules, 2003
REQUEST FOR PUBLICATION
[See section 11A(2); rule 24A]

1. Name, address and nationality of the applicant(s).

I/We[1].....
.....
.....
.....

2. To be signed by the applicant or his authorized registered patent agent.

hereby request for early publication of my/our application for Patent No..... dated .....under section 11A(2) of the Act.

Dated this .....day of 20

3. Name of the natural person who has signed.

Signature .. [2]...
(----------). [3]....

To
The Controller of Patents,
The Patent Office,
At .....

Note: - For fee : See First Schedule

FORM 13

THE PATENTS ACT, 1970

(39 of 1970)

and

THE PATENTS RULES, 2003

APPLICATION FOR AMENDMENT OF THE APPLICATION FOR PATENT/ COMPLETE SPECIFICATION/ANY DOCUMENT RELATED THERETO

[See section 57; sub-rule (1) of rule 81]

1. Name of the applicant(s).	I/We..... ..... request leave to amend the application/any document related thereto/complete specification with respect to application for patent No.....dated.....as highlighted in the copy hereto annexed. My/Our reason for making this request are as follows:- .... I/We declare that no action for infringement or for the revocation of the patent in question is pending before Appellate Board or a Court. I/We declare that the facts and matters stated herein are true to the best of my/our knowledge information and belief.
2. To be signed by the applicant(s) or patentee(s) or by his authorized registered patent agent	Dated this.....day of.....20..... Signature.....

3. Name of the natural person who has signed	(.....)
	To The Controller of Patents, The Patent Office, at.....
Note.- For fee: See First Schedule.";	

FORM 14
THE PATENTS ACT, 1970
(39 of 1970)
&
The Patents Rules, 2003
NOTICE OF OPPOSITION TO AMENDMENT / RESTORATION / SURRENDER OF PATENT/GRANT OF COMPULSORY LICENCE OR REVISION OF TERMS THEREOF OR TO CORRECTION OF CLERICAL ERRORS
[See sections 57(4), 61(1), 63(3), 78(5) and 87(2); rules 81(3)(b), 85(1), 87(2), 98(1), 101(3) and 124]

1. State the name, address and nationality.

2. Complete address including postal index number/code and state along with Telephone and fax number(s).

3. To be signed by the opponent or his authorised registered patent agent.

4. Name of the natural person who has signed.

I/We[1].....
.....
hereby give notice of opposition: -
to the amendment of the application/specification with respect to application for Patent No. _____dated .....
OR
to the application for restoration of Patent No. .....dated.....
OR
to the offer to surrender the Patent No. .....dated.....
OR
for the grant of compulsory licence, or revocation of Patent No. ..... dated .....
OR
for the revision of the terms and conditions of licence in respect of Patent No. .....dated .....
OR
for correction of a clerical error in Patent No. ..... dated ..... / Specification No. ..... dated ..... in respect of Patent No. .....dated .....or Patent application No. ..... dated .....

The grounds in which the said opposition is made are as follows:
.....
.....
My / Our address for service in India is: [2].
.....
.....
Dated this ..... day of 20

Signature . 3. ....

(----------) [4]. ....

To
The Controller of Patents,
The Patent Office,
At .....

Note: -(a) Strike out whichever is not applicable.
(b) For fee : See First Schedule.

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FORM 15
THE PATENTS ACT, 1970
(39 of 1970)
&
The Patents Rules, 2003
APPLICATION FOR THE RESTORATION OF PATENT
[See section 60; rule 84]

1. Insert the name, address, nationality of the applicant(s).

I/We[1].....
.....
.....
hereby apply for an order of the Controller for the restoration of Patent No. .....dated .....granted to.....
.....
The circumstances which led to the failure to pay the renewal fee to pay the renewal fee for the year .....
on or before ..... are as follows:
.....
I/We declare that I/We have not assigned the patent to any other person(s) and that the facts and matters stated herein are true to the best of my/our knowledge information and belief.

Dated this ..... day of 20

2. To be signed by the applicant(s) or by his authorised registered patent agent.

Signature [2].....
(----------) [3]

3. Name of the natural person who has signed.

To
The Controller of Patents,
The Patent Office,
At ....

Note: For fee : See First Schedule.

FORM 16
THE PATENTS ACT, 1970
(39 of 1970)
&
The Patents Rules, 2003

APPLICATION FOR REGISRATION OF TITLE/INTEREST IN A PATENT OR SHARE IN IT OR REGISTRATION OF ANY DOCUMENT PURPORTING TO AFFECT PROPRIETORSHIP OF THE PATENT

[See sections 69(1), 69(2); rules 90(1) and 90(2)]

1. Insert the name, address and nationality of the applicant(s).

I/We[1].
.....
.....
hereby apply that my/our name(s) may be registered in the register of patent as a person entitled to the patent/a share in the patent/an interest in the patent details of which are specified below:

2. A description of the nature of the document, giving the date and the names, address and nationality of the parties thereto.

Patent No. .....dated.....
Grantee.....Patentee .....
and in proof thereof we transmit the accompanying[2].....
.....with a certified copy thereof.

OR

Transmit herewith an attested copy of[2]
.....
.....in respect of Patent No(s).....dated .....
granted to .....
of which the patentee is ..... as well as the original document for verification and I/We hereby apply that a notification thereof may be entered in the register of patents.

3. Complete address including postal code and state along with telephone and fax number(s).

My/Our address for service in India is[3].
.....
.....

4. To be signed by the applicant or his authorised registered patent agent.

Dated this .....day of 20

Signature . 4.....
(----------)[5]

5. Name of the natural person who has signed.

To
The Controller of Patents,
The Patent Office,
At .....

Note : - (a) For fee : See First Schedule.
(b) Strike out whichever is not applicable.

F O R M 18 **THE PATENTS ACT, 1970** **(39 of 1970)** **&** **The Patents Rules, 2003** **REQUEST/EXPRESS REQUEST FOR EXAMINATION OF APPLICATION FOR PATENT** **[See section 11B and rule 20(4)(ii), 24B(1)(i)]**	**(FOR OFFICE USE ONLY)** RQ. No: Filing Date: Amount of Fee Paid: CBR No: Signature:

1. APPLICANT (S)/OTHER INTERESTED PERSON

(a) NAME :

(b) NATIONALITY :

(c) ADDRESS :

2. Statement in case of request for examination made by the applicant(s)

.I/We hereby request that my/our application for patent no. _____filed on _____ for the invention titled_____ shall be examined under sections 12 and 13 of the Act.

Or

I/We hereby make an express request that my/our application for patent no. _____filed on._ _____based on Patent Cooperation Treaty (PCT) application no. _____dated_____ made in country _____shall be examined under sections 12 and 13 of the Act, immediately without waiting for the expiry of 31 months as specified in rule 20(4)(ii).

3. Statement in case of request for examination made by any other interested person

I/We the interested person request for the examination of the application no. _____dated _____filed by the applicant _____titled_____ under sections 12 and 13 of the Act.

As an evidence of my/our interest in the application for patent following documents are submitted.

(a) _____

_____

4. ADDRESS FOR SERVICE

Dated this_____ day of_____ 20

Signature
Name of the signatory

To, The Controller of Patent
The Patent Office, at .....

NOTE:
***To be signed by the applicant(s) or by his authorized registered patent agent**
***Strike out the column which is/are not applicable**

"FORM 18 A THE PATENTS ACT,1970 and THE PATENT RULES,2003 REQUEST FOR EXPEDITED EXAMINATION OF APPLICATION FOR PATENT [See section 11B and Rule 24C]	(FOR OFFICE USE ONLY) RQ. No.: Filing Date: Amount of fee Paid: CBR no: Signature:

1. APPLICANT(s)

(A)NAME:

(B) NATIONALITY:

(C) ADDRESS:

2. I/We ----------hereby request that my/our application for patent no.----------filed on----------for ---------- ----------the----------invention titled ---------- ----------shall be examined under sections 12 and 13 of the Act.

or

I/We ----------hereby request that my/our application for patent no.----------filed on----------for ---------- ----------the----------invention titled ---------- ---------- based on Patent Cooperation Treaty (PCT) application no..... dated..... made in country ..... shall be examined under sections 12 and 13 of the Act, immediately without waiting for the expiry of 31 months as specified in rule 20(4)(ii).

or

I/We hereby request that my/our request for examination bearing no.----------for application for patent no.----------filed on----------for ---------- the----------invention titled ---------- ----------may be converted to a request for expedited examination of patent application under rule 24C and the application shall be examined under sections 12 and 13 of the Act.

3. The applicant(s) to indicate (by ticking the appropriate box) any of the grounds applicable in case of request for expedited examination made by on any of the following grounds:

☐ that the applicant is a startup, or

☐ that India has been indicated as the competent International Searching Authority or elected as an International Preliminary Examining Authority in the corresponding international application.

ADDRESS FOR SERVICE IN INDIA:

.....

.....

Dated this day of 20

Signature

Name of the signatory

To

The Controller of Patent

The Patent Office, at .....

NOTE:

To be signed by the applicant(s) or by his/ their authorized registered patent agent

"Strike out the column(s) which is/ are not applicable.";

For fee: See First Schedule.";

FORM 25
THE PATENTS ACT, 1970
(39 of 1970)
&
The Patents Rules, 2003

No Fee **REQUEST FOR PERMISSION FOR MAKING PATENT APPLICATION OUTSIDE INDIA**

[See section 39 and Rule 71(1)]

1. State the title of the invention.

I am/We are in possession of an invention for[1] .....
.....
I/We have made an application for the grant of a patent for the said invention, its number being No.....of .....Dated..... .....

OR

2. Name and address of the person (s)

I/we hereby attach the brief description of the invention.

I/We intend to make application (s) alone/jointly with[2].....
.....
....
for the same/substantially same invention for patent in the following country/countries/convention countries, namely:-
.....
..... I/We declare that the rights in the application (s) has/have been assigned to

3. Name and address of the assignee

[3]._____
_____

I/We request that I/We may be granted permission to make application (s) for the said invention in the said country/countries. The reasons for making this application, are as follows:-

The facts and matters stated above are true to the best of my/our knowledge, information and belief.
Dated this .....day of .....20 .....

4. To be signed by the applicant (s) or authorised patent agent.

Signature[4].....

To
The Controller of Patents
The Patent Office
at .....

Note: (a) Strike out whichever is not applicable.

FORM 26
THE PATENTS ACT, 1970
(39 of 1970)
&
The Patents Rules, 2003
FORM FOR AUTHORISATION OF A PATENT AGENT/OR ANY PERSON IN A MATTER OR PROCEEDING UNDER THE ACT

[See sections 127 and 132; and rule 135]

1. Insert name, address and nationality.
2. Insert the name, address and nationality of the person(s) to be authorized.
3. State the particular matter or proceeding for which the authorisation is made.

I/We[1] .....
.....
.....
hereby authorise[2] .....
.....
.....
to act on my/our behalf in connection with[3]
.....
and request that all notices, requisitions and communication relating thereto may be sent to such person at the above address unless otherwise specified.

I/We hereby revoke all previous authorisation, if any made, in respect of same matter or proceeding.

I/We hereby assent to the action already taken by the said person in the above-matter.

Dated this ..... day of ...../20 .....

4. To be signed by the person(s) making this authorisation.
5. Name of the natural person who has signed along with designation and official seal, if any.

Signature[4] .....

(----------)[5]

To
The Controller of Patents
The Patent Office
at .....

To be stamped under the Indian Stamp Act, 1899 (2 of 1899).

"FORM 28 **THE PATENTS ACT, 1970** **(39 of 1970)** **AND** **THE PATENTS RULES, 2003** **TO BE SUBMITTED BY A SMALL ENTITY / STARTUP** **[See rules 2 (fa), 2(fb) and 7]**		
1	Insert name, address and nationality.	I/We .... applicant/ patentee in respect of the patent application no. .....or patent no..... hereby declare that I/we am/are a small entity in accordance with rule 2(fa) or a startup in accordance with rule 2(fb) and submit the following document(s) as proof:
2	Documents to be submitted	
	i. For claiming the status of a small entity:	
	A. For an Indian applicant: Evidence of registration under the Micro, Small and Medium Enterprises Act, 2006 (27 of 2006).	
	B. In case of a foreign entity: Any other document.	
	ii. For claiming the status of a startup	
	A. For an Indian applicant: Any document as evidence of eligibility, as defined in rule 2(fb).	
	B. In case of a foreign entity: Any other document.	
3	To be signed by the applicant(s) / patentee (s) / authorised registered patent agent.	The information provided herein is correct to the best of my/our knowledge and belief. Dated this .....day of ..... 20...
4	Name of the natural person who has signed.	Signature .....

	Designation and official seal, if any, of the person who has signed.	(Name) ..... (Designation) ..... To The Controller of Patents, The Patent Office, At.....”;

"FORM 29

THE PATENTS ACT, 1970

(39 of 1970)

and

THE PATENTS RULES, 2003

REQUEST FOR WITHDRAWAL OF THE APPLICATION FOR PATENT

[See Section 11B(4) and rules 7(4A), 26]

1. Name of the applicant	I/ We_____request that the application for patent numbered ..... _____dated _____filed by me/us, if applicable, having the request for examination / request for expedited examination numbered..... _____dated_____, be treated as withdrawn under rule 7(4A) / 26.
2. To be signed by the applicant or his authorized registered patent agent	Dated ----------day of----------
3. Name of the natural person who has signed	Signature (_____) (Name) ..... (Designation) .....
N.B. strike out whichever not applicable	To The Controller of Patents Patent Office at _____

INTELLECTUAL PROPERTY CENTER (ISLAMIC REPUBLIC OF IRAN)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE – SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEX

Fees . . . . . Annex IR.I

List of abbreviations:

Office:	Intellectual Property Center (Islamic Republic of Iran)
PA:	Patents, Industrial Designs and Trademarks Registration Act, 2008
PR:	Executive Regulations of the Patents, Industrial Designs and Trademarks Registration Act, 2009

SUMMARY **Designated (or elected) Office** SUMMARY

IR INTELLECTUAL PROPERTY CENTER (ISLAMIC REPUBLIC OF IRAN) IR

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Farsi
Required contents of the translation for entry into the national phase:[1]	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?	The applicant should only send a copy of the international application if he/she has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee:[1]	Currency: Iranian rial (IRR) or equivalent in euro (EUR) or US dollar (USD)[2] Filing fee: IRR 100,000 (10,000)[3]
Exemptions, reductions or refunds of the national fee:	Reductions of the national fee are indicated above and in Annex IR.I.
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4, 5] Declaration as to the applicant's entitlement to apply for and be granted a patent [4, 5] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)[4] Appointment of an agent if the applicant is not a resident of the Islamic Republic of Iran[4] Instrument appointing the agent (authorization or power of attorney)[4] Translation of the international application to be furnished in three copies

[Continued on next page]

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

2 For non-residents of the Islamic Republic of Iran, payment should be effected in euro or US dollar.

3 The amount in parentheses is applicable in case of filing by a natural person.

4 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 of 60 days from the date of receipt of the invitation.

5 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

IR INTELLECTUAL PROPERTY CENTER (ISLAMIC REPUBLIC OF IRAN) IR

[Continued]

Who can act as agent?	Any agent authorized to practice before the Office
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

PA Art. 6
PR Art. 3

IR.01 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is Farsi.

IR.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

PR Art. 6(8)

IR.03 **FEES (MANNER OF PAYMENT).** The applicant must attach the receipt showing payment of the national fee to his application. The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex IR.I.

PR Art. 8

IR.04 **LACK OF UNITY OF INVENTION.** In case of lack of unity of invention, the applicant shall file divisional applications in respect of the additional inventions claimed in the international application and pay filing fees for each divisional application.

PR Art. 66

IR.05 **ANNUAL FEES.** Annual fees are payable two months prior to the first anniversary of entry into the national phase and each subsequent year thereafter. If an annual fee is not paid within the prescribed time limit, the patent will cease to have effect. The amounts of the annual fees are indicated in Annex IR.I.

PA Art. 51

IR.06 **APPOINTMENT OF AN AGENT.** If the applicant does not reside in the Islamic Republic of Iran, an agent shall be appointed by filing a legalized power of attorney, signed by the applicant.

PR Art. 28

IR.07 **EXAMINATION.** A patent will be granted only after examination. Examination takes place within six months of entry into the national phase.

PA Art. 8(a)

IR.08 **AMENDMENT OF THE APPLICATION.** The applicant may, at any time before the patent is granted, make amendments to his application, provided that the amendment does not go beyond the original disclosure. The amount of the fee for amendment is indicated in Annex IR.I.

PA Art. 14(c)

IR.09 **FEE FOR GRANT.** The Office shall provide the original Letters Patent to the applicant after the fee for grant has been paid.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

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

IR.11 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Rule 49.6

IR.12 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant, in spite of due care required by the circumstances having been taken, failed to perform the acts referred to in Article 22 within the applicable time limit. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit, or 12 months from the date of expiration of the applicable time limit, whichever time limit expires earlier. Within the said time limit, the omitted action must be completed and the fee for reinstatement of rights must be paid.

PCT Rule 49*ter*.2

IR.13 **RESTORATION OF THE RIGHT OF PRIORITY.** Where the international application was filed within two months from the end of the period for claiming priority of an earlier application, a request for restoration of the right of priority may be made to the Office in accordance with the national law (see National Phase, paragraphs 6.006 to 6.011). Such a request will be allowed if the Office is satisfied that the failure to file the application within the 12-month priority period occurred in spite of due care required by the circumstances. The time limit for filing the request is one month from the date of entry into the national phase.

A declaration or other evidence in support of a request for restoration of the right of priority should be filed within the time limit set out in PCT Rule 49*ter*.2(b)(i).

FEES

(Currency: Iranian rial (IRR) or equivalent in euro (EUR) or US dollar (USD))[1]

Filing fee	100,000	(10,000)[2]
Fee for amendment	500,000	(50,000)[2]
Grant fee	150,000	(15,000)[2]
Annual fees:		
– from the 1st to the 5th year, per year	1,000,000	(100,000)[2]
– from the 6th to the 10th year, per year	2,000,000	(200,000)[2]
– from the 11th to the 15th year, per year	3,000,000	(300,000)[2]
– from the 16th to the 20th year, per year	4,000,000	(400,000)[2]
Surcharge for the late payment of annual fees	50% of the amount due	

How can payment of fees be effected?

The payment of fees should be effected in Iranian rial or the equivalent in euro or US dollar[1]. 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 type of fee being paid.

Payments by bank transfer should be made to the following bank:

Bank Melli Iran
Argentin Square
Bucharest Street, Ninth Alley
Armita Towers, Branch of Armita Towers, Code 1033
Tehran, Iran

Bank Account No.: 2103310000042

[1] For non-residents of the Islamic Republic of Iran, payment should be effected in euro or US dollar.

[2] The amount in parentheses is applicable in the case of filing by a natural person.

ICELANDIC INTELLECTUAL PROPERTY OFFICE (ISIPO)

(HUGVERKASTOFAN)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Icelandic Intellectual Property Office (ISIPO)

IPL: Patents Act (Iceland)

IPR: Regulation Concerning Patent Applications, etc

SUMMARY Designated (or elected) Office SUMMARY

IS ICELANDIC INTELLECTUAL PROPERTY OFFICE (ISIPO) IS

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:[1]	Icelandic, Danish, English, Norwegian or Swedish
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as originally filed or as amended together with any statement under PCT Article 19, at applicant's option), 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, as originally filed or as amended by the annexes to the international preliminary examination report, at applicant's option)
Is a copy of the international application required?	No
National fee:	Currency: Icelandic krona (ISK) Application fee:[2] ISK 67,800 Claim fee for each claim in excess of 10:[3] ISK 4,400 Additional fee for late furnishing of translation:[4] ISK 18,300 Annual fees for the first three years:[5] ISK 34,800
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[6]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[7] If the applicant is someone other than the inventor, the application must state how the applicant acquired title to the invention.[7] Appointment of an agent if applicant is not resident in Iceland

[Continued on next page]

1 Must be furnished within the time limit applicable under PCT Article 22 or 39(1). However, where a language other than Icelandic was used the Office will, before the application is made available to the public, invite the applicant to furnish a translation into Icelandic of the abstract, claims and text matter of the drawing which will appear with the abstract.

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

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 Where the basic national fee has been paid within the applicable time limit under PCT Article 22 or 39(1), the prescribed translation may be filed within a further period of two months, provided that it is accompanied by the additional fee.

5 These fees are payable within two months after performing the acts for entering the national phase.

6 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.

7 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

IS ICELANDIC INTELLECTUAL PROPERTY OFFICE (ISIPO) IS

[Continued]

Who can act as agent?	Any natural or legal person residing in the European Economic Area (EEA), in a member state of the European Free Trade Association (EFTA) or in the Faroe Islands
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

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

IS.02 **LANGUAGE OF PROCEEDINGS.** The language of correspondence may be Danish, English, Icelandic, Norwegian or Swedish although the Office may require a translation into Icelandic where needed.

IPL Sec. 31(3)

IS.03 **TRANSLATION (LATE FURNISHING OF).** If the translation of the international application has not been furnished by the applicant within the time limit applicable under PCT Article 22 or 39(1) but the national fee indicated in the Summary has been paid within that time limit, the translation can still be furnished within a further period of two months, provided that the additional fee for late furnishing of the translation, indicated in the Summary, has been paid within those two months.

IS.04 **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).

IS.05 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex IS.I.

IPL Sec. 8(4)
IPR Art. 3

IS.06 **TITLE TO THE INVENTION.** If the applicant is someone other than the inventor, the application must state how the applicant acquired title to the invention. See paragraph 8 of the special form for entering the national phase (Annex IS.II). This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17. The Office can demand documentation proving the right of the applicant to the invention.

IPL Sec. 12
33(2)

IS.07 **POWER OF ATTORNEY.** An agent may be appointed either by filing a separate power of attorney or in a special form referred to in paragraph IS.01. A model of a separate power of attorney is given in Annex IS.III.

IPR Art. 23

IS.08 **SEARCH AND EXAMINATION.** In accordance with a special agreement, the Danish Patent and Trademark Office carries out search and examination on Icelandic patent applications. No special request is necessary. The Icelandic Intellectual Property Office (ISIPO) may also take into consideration searches and examinations carried out by other searching and examining authorities.

PCT Art. 28
41

IS.09 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make the following modifications before the Office, provided that the scope of the subject matter of the application is not broadened thereby:

IPL Sec. 31

(i) within 31 months from the priority date: corrections of defects and voluntary amendments;

IPL Sec. 19-21
IPR Art. 30-35

(ii) up to the notification that a patent can be granted: amendments or additions to the description and drawing(s) if they are necessary to comply with general requirements under PCT Articles 5 and 7; amendments or additions to the claims, which, unless the Office allows otherwise, must be made by filing a new document comprising all of the claims in sequence; where additions are made to the claims, the applicant must at the same time file a statement indicating the reference basis for these additions.

IPL Sec. 19

IS.10 **GRANT FEE.** A grant fee must be paid within two months after the date of the notification that a patent can be granted. The amount of the fee is indicated in Annex IS.I.

IPL Sec. 31(3), 19
IPR Art. 5

IS.11 **TRANSLATION FOR GRANT PURPOSE.** Together with the notification that a patent can be granted upon payment of the grant fee (see paragraph IS.10), the applicant is invited to furnish, within four months after the date of that notification, a translation of the final version of the patent claims, abstract and text of drawings into Icelandic and a translation of the final version of the description into Icelandic or English, if it is not already available.

IPL Sec. 8(5), 40-41

IS.12 **RENEWAL FEES.** Renewal fees must be paid for each year following the international filing date. For the due date of renewal fees for the first three years, see the Summary. Payment of the subsequent renewal fees must be made before the expiration of the month containing the anniversary of the international filing date. Payment can still be made, together with a 20% surcharge for late payment, before the expiration of the sixth month after the month containing the anniversary of the international filing date. The amounts of the renewal fees are indicated in Annex IS.I. Renewal fees may not be paid earlier than three months before the due date.

IPL Sec. 42

IS.13 If the applicant or the patent owner is the inventor, and if the payment of the renewal fees is deemed to involve great difficulties for him, the Office may grant him a temporary exemption from the payment thereof of up to three years, provided that a request to that effect is submitted not later than the date on which the renewal fees fall due the first time.

PCT Art. 25
PCT Rule 51
IPL Sec. 24(1), 25(1)

IS.14 **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, an appeal against this decision may be lodged with the Board of Appeals within two months from the date of the decision. Within the same two-month time limit, a fee for appeal must be paid (for the amount, see Annex IS.I).

PCT Art. 24(2), 48(2)
PCT Rule 82*bis*
IPL Sec. 72, 73

IS.15 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Reestablishment of rights may be requested where the applicant, in spite of all due care reasonably required, was unable to observe a time limit during the international phase or before the Office, default of which is prejudicial to his rights. A request for reestablishment must be presented in writing within two months after the removal of the cause of the failure to perform the action but not later than one year from the expiration of the time limit which has not been observed. Within the said two months, the omitted act must be completed, the fee for reestablishment of rights must be paid and the request must state the grounds on which it is based and set out the facts on which it relies. The amount of the fee for reestablishment of rights is indicated in Annex IS.I.

IPL Sec. 15

IS.16 Resumption of proceedings concerning the application may be requested from the Office where the applicant missed a time limit which has been fixed for a certain action by the Office. Resumption of proceedings may not be requested where the missed time limit is fixed in the PCT, the PCT Regulations, the Icelandic Patent Act or the Icelandic Patents Decree. A request for resumption of proceedings has the effect that the proceedings for grant will be resumed, provided that, within four months from the expiration of the missed time limit, the said request is presented in writing, the resumption fee is paid and the omitted act has been completed. The amount of the fee for resumption of proceedings is indicated in Annex IS.I.

FEES

(Currency: Icelandic krona)

Application fee	67,800
Claim fee for each claim in excess of 10	4,400
Additional fee for late furnishing of translation	18,300
Grant fee:	
— publication fee (for the first 40 pages of the description, patent claims, abstract and drawings)	29,000
— additional fee for each subsequent page in excess of 40	1,300
— additional fee for each claim added after the filing of the application	4,400
Fee for reissuing a patent	29,000
Fee for amendment of claims and reissuing a patent	29,900
Fee for change of applicant's name or address or change regarding the agent	3,700
Fee for reestablishment of rights	43,500
Fee for restoration of priority	43,500
Appeal fee	85,000
Resumption fee	11,600
— if the application has been previously resumed	11,600
Annual fees:	
— for the 1st to the 3rd year, per year	11,600
— for the 4th year	13,400
— for the 5th year	14,600
— for the 6th year	15,800
— for the 7th year	17,600
— for the 8th year	19,400
— for the 9th year	21,800
— for the 10th year	24,200
— for the 11th year	26,600
— for the 12th year	29,000
— for the 13th year	32,000
— for the 14th year	36,200
— for the 15th year	40,500
— for the 16th year	44,700
— for the 17th year	50,200
— for the 18th year	55,100
— for the 19th year	60,400
— for the 20th year	66,500
Supplement for late payment of annual fees	20% of the applicable annual fee

How can payment of fees be effected?

Fees can be paid in cash or check to the Office, or to the Office's bank account.

Name of bank:	Landsbankinn hf
Address:	Austurstræti 11, 155 Reykjavík
Beneficiary:	Hugverkastofan
Address:	Engjateigur 3, 105 Reykjavík
Account No.:	0111-26-12189
IBAN No.:	IS71 0111 2601 2189 6501 9121 89
SWIFT code:	NBIIISRE

All payments must indicate the application number (national, if already known; international, if the national number is not yet known).

Hugverkastofan
Icelandic Intellectual Property Office

Engjateigi 3
IS 105 Reykjavík
(+354) 580 9400

hugverk@hugverk.is
hugverk.is

Umsókn um einkaleyfi
Patent Application

Útfyllist af Hugverkastofunni

Umsóknardagur (22)	Umsóknarnúmer (21)

1. Umsækjandi (71)

Framhald á bakhlið, ef fleiri en einn ☐

Nafn		Kennitala
Heimilisfang		Netfang
Póstnúmer og staður	Land	Sími

Réttur umsækjanda til uppfinningar

☐ Umsækjandi hefur öðlast rétt til uppfinningar á grundvelli samnings/framsals

☐ Annað:

2. Uppfinningamaður (72)

Framhald á bakhlið, ef fleiri en einn ☐

Nafn		
Heimilisfang	Póstnúmer og staður	Land

3. Umboðsmaður (74)

Nafn		Kennitala
Heimilisfang		Netfang
Póstnúmer og staður	Land	Sími

☐ Umboð fylgir ☐ Allsherjarumboð ☐ Umboð liggur fyrir ☐ Annað:

4. Forgangsréttur (30)

Framhald á bakhlið, ef fleiri en tveir ☐

Dagsetning	Land	Númer
Dagsetning	Land	Númer

5. Uppfinning

Heiti uppfinningar (54)

6. Yfirfærð alþjóðleg PCT umsókn (86)

Alþjóðlegur umsóknardagur	Alþjóðlegt umsóknarnúmer

7. Umsókn hefur orðið til við hlutun eða úrfellingu

Númer frumumsóknar (62)	Gildisdagur sem krafist er

8. Umsókn tekur til sýnis af líffræðilegu efni (83)

Varðveisla hófst, dagsetning	Númer ræktunar	Heiti varðveislustofnunar

9. Fylgigögn og athugasemdir

☐ Ágrip	☐ Á íslensku	☐ Listi yfir aminósýru- eða kirnisraðir
☐ Lýsing	☐ Á íslensku	☐ Frekari gögn:
☐ Einkaleyfiskröfur	☐ Á íslensku	Kröfur umfram 10:
☐ Teikningar	☐ Á íslensku	Fjöldi blaðsíðna:
☐ Forgangsréttarskjöl		

Staður og dagsetning

Undirskrift umsækjanda eða umboðsmanns

Útfyllist af Hugverkastofunni

Umsóknargjald kr.		Móttekið dagsetning	Greitt
Viðbótargjald v. krafna kr.			
Samtals kr.			

Framhald af forsíðu

1. Umsækjandi (71)

Nafn		Kennitala
Heimilisfang		Netfang
Póstnúmer og staður	Land	Sími

2. Uppfinningamaður (72)

Nafn		
Heimilisfang	Póstnúmer og staður	Land

4. Forgangsréttur (30)

Dagsetning	Land	Númer
Dagsetning	Land	Númer

Hugverkastofan
Icelandic Intellectual Property Office

Engjateigi 3
IS 105 Reykjavík
(+354) 580 9400

hugverk@hugverk.is
hugverk.is

Umboð
Power of Attorney

Undirritaður / *The undersigned:*

Nafn / *Name*		Kennitala
Heimilisfang / *Address*		Netfang / *Email address*
Póstnúmer og staður / *Postcode and place*	Land / *Country*	Sími / *Phone number*

sem sækir um eða er eigandi eftirfarandi hugverkaréttinda á Íslandi / *who applies for registration of or is the owner of the following IP rights in Iceland*

Heiti umsóknar/skráningar/veitingar / *Name of the application/registration/grant*
Númer umsóknar/skráningar/veitingar / *Number of the application/registration/grant*

veitir hér með / *does hereby authorize:*

Nafn / *Name*		Kennitala
Heimilisfang / *Address*		Netfang / *Email address*
Póstnúmer og staður / *Postcode and place*	Land / *Country*	Sími / *Phone number*

umboð til að koma fram fyrir mína hönd í öllum málum er kunna að snerta umsóknina og/eða veitt réttindi, þar með talið að draga umsóknina til baka eða fella réttindin úr gildi. / *to act on my behalf in all matters concerning the application and/or the registered rights, including withdrawal of the application or cancellation of registered/granted rights.*

Umboðið er í gildi þar til annað kemur í staðinn eða það er afturkallað með bréfi til Hugverkastofunnar. / *The power of attorney is valid until it is replaced by another power of attorney or is revoked in writing to the Icelandic Intellectual Property Office.*

Staður og dagsetning / *Place and date of signing*

Undirskrift umsækjanda / *Signature of the applicant*

Tek að mér umboð þetta (undirskrift umboðsmanns)
Accept this power of attorney (signature of the agent)

ITALIAN PATENT AND TRADEMARK OFFICE

(UFFICIO ITALIANO BREVETTI E MARCHI)
AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Italian Patent and Trade Mark Office

IPC: Industrial Property Code

LD: Legislative Decree No. 30/2005 of 10 February 2005 on the Industrial Property Code

MD 33/2010: Ministerial Decree 33/2010 of 13 January 2010, Regulations for Implementation of the Industrial Property Code

MD 27/06/2008: Ministerial Decree of 27 June 2008, Novelty Search on Italian Patent Applications

MD 13/11/2019: Ministerial Decree of 13 November 2019, Implementing Rules for International Applications Entering the Italian National Phase

MD 02/04/2007: Ministerial Decree of 2 April 2007, Determination of Fees on Patents and Utility Models

SUMMARY Designated (or elected) Office SUMMARY

IT ITALIAN PATENT AND TRADEMARK OFFICE IT

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Italian
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)

		Online	*On paper*
For patent:			
Filing fee:[2]			
— application with up to 10 pages	EUR	50	120
— application with 11 to 20 pages	EUR	50	160
— application with 21 to 50 pages	EUR	50	400
— application more than 50 pages	EUR	50	600
— for each claim exceeding 10	EUR	45	45
For utility model:			
Filing fee:	EUR	50	120

Exemptions, reductions or refunds of the national fee:	No filing fee is payable if the application is filed by universities, public research institutions, defense or agricultural, food or forestry policies administrations
Special requirements of the Office (PCT Rule 51*bis*):	Name of the inventor if it has not been furnished in the "Request" part of the international application[3] Instrument of assignment of the priority right where the applicants are not identical[3] Address for service in the European Union or European Economic Area is necessary (but no reprentation by an agent is required) Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form

[Continued on next page]

[1] Must be furnished within the time limit applicable under PCT Article 22 or 39(1) or at the latest within two months from entry into the national phase. This deadline cannot be extended.

[2] The filing fee for entry into the national phase is calculated on the basis of the number of claims of the international application as amended (Ministerial Decree of 13 November 2019, Art. 2(1)).

[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

IT ITALIAN PATENT AND TRADEMARK OFFICE IT

[Continued]

Who can act as agent?[4]	Any patent attorney recorded in the official register established by the Board of the Industrial Property Consultants Institute[5] Citizens of the European Union qualified to practice as patent attorney in another member State, on a temporary basis, pursuant to the procedure under the legislative Decree No. 206/2007 Any Italian lawyer or attorney-at-law whose name appears in the pertinent professional roll or any law firm employing such a lawyer or attorney-at-law[6]
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

4 An agent, if any, must be appointed by filing a power of attorney, and payment of a special tax (*imposta di bollo*) is required. For further details, refer to Annex IT.I.

5 The list of patent attorneys can be obtained from the Ordine dei Consulenti in Proprietà Industriale (Board of the Industrial Property Consultants Institute (https://www.ordine-brevetti.it).

6 For further details, refer to https://www.consiglionazionaleforense.it.

THE PROCEDURE IN THE NATIONAL PHASE

IT.01 **FORM FOR ENTERING THE NATIONAL PHASE.** Forms for entering the national phase (paper filing) are available on the Office's website at: www.uibm.gov.it (see Annex IT.II – Patents and Annex IT.III – Utility Models). Online filing is available at https://servizionline.uibm.gov.it.

IPC/LD Art. 55, 160, 148(5)
MD 13/11/2019 Art. 4

IT.02 **TRANSLATION.** For entry into the national phase a complete Italian translation of the international application as published must be provided. The translation may be declared to be consistent with the original text by the applicant or a patent attorney. If the description is presented in a language other than Italian, the translation into Italian shall be filed within two months from the date of submission of the request to enter the national phase. This term cannot be extended.

IT.03 **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).

MD 13/11/2019 Art. 2 (3)
MD 02/04/2007

IT.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex IT.I.

IPC/LD Art.147 (3*bis*), 147(3*ter*)

IT.05 **ADDRESS FOR SERVICE.** An applicant, whether or not a national of or a resident in Italy, is not required to be represented by an agent, but is required to have an address for service (notices and other communications) in the European Union or the European Economic Area. Every person (including the applicant for, or proprietor of a patent) must also indicate a certified e-mail address or similar e-mail address based on technologies that certify the date and time of sending and receiving communications and the integrity of the contents.

IPC/LD Art. 201

IT.06 **APPOINTMENT OF AN AGENT.** An agent, if any, must be appointed by filing a power of attorney in Italian language. A model of power of attorney is given in Annex IT.IV. For the power of attorney, payment of a special tax (*imposta di bollo*) is required. For details, refer to Annex IT.I.

IPC/LD Art. 227
MD 02/04/2007

IT.07 **RENEWAL FEES.** After a patent has been granted, a fee must be paid for maintaining the patent in force starting at the beginning of the fifth year counted from the international filing date. Payment must be made each year before the expiration of the last day of the month in which the international application was filed. Payment can still be made, together with a surcharge, during a further period of six months. The amount of the annual fees and the surcharge are indicated in Annex IT.I.

IPC/LD Art. 169(2)
MD 13/11/2019 Art. 2(4)

IT.08 **DEED OF ASSIGNMENT.** When the applicant claims the priority of an earlier application filed by an applicant who is not identical with the applicant of the international application, a deed (or deeds) of assignment must be furnished.

PCT Art. 28, 41
IPC/LD Art. 172
MD 13/11/2019 Art. 3

IT.09 **AMENDMENT OF THE APPLICATION, TIME LIMITS.** The applicant may amend or correct the international application, provided that the scope of the subject matter of the application is not broadened thereby, according to the provisions of the law:

(i) after the receipt of the notification of the Office that the application has entered into substantial examination, within the time limit established by the Office in the aforementioned communication;

(ii) in any case, on its own initiative, before the grant or refusal of the patent.

The applicant may file amendments to any part of the application up to the decision to grant a patent.

IPC/LD Art. 45, 81*quinquies*, 170
MD 27/06/2008

IT.10 **EXAMINATION.** Italian patents shall not be granted for subject matter excluded from patentability. Examination of the patents which meet the formal requirements is aimed at determining that the subject matter of the application is consistent with what is established by IPC Articles 45, 50 and 82, including the validity requirements of novelty, inventive step and industrial application. Examination is made on the International Search Report results and taking into account observations or amendments filed by the applicant.

MD 33/2010 Art. 22(8)

IT.11 **NUCLEOTIDE AND AMINO ACID SEQUENCES.** If the application discloses one or more nucleotide and/or amino acid sequences and a standard-compliant sequence listing in TXT format is not contained in the international application, it must be provided or made available to the Office by other means, on entry into the national phase.

Furthermore, in case of late filing of a sequence listing in TXT format, the applicant must enclose a declaration to the effect that the sequence listing does not extend beyond the content of the application as originally filed.

IPC/LD Art.192
MD 13/11/2019 Art. 1, c. 5

IT.12 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

Where during the international phase or before the Office, the applicant has missed a time limit for performing any act in relation to the international application, further processing may be requested within two months of expiry of the time limit not complied with. The request must be completed with the omitted action and with the proof of payment of the fees prescribed for further processing (see Annex IT.I).

IPC/LD Art.193

IT.13 **RE-ESTABLISHMENT OF RIGHTS.** Reestablishment of rights may be requested where the applicant, in spite of all due care required by the circumstances, was unable to observe a time limit before the Office, default of which is prejudicial to his rights. A request for reestablishment must be presented in writing within two months after the removal of the cause of the failure to perform the action but no later than one year from the expiration of the time limit which has not been observed. Within the said two months, the omitted action must be completed, and the request must state the grounds on which it is based and set out the facts on which it relies. A special tax (*imposta di bollo*) must be paid when requesting re-establishment of rights as indicated in Annex IT.I.

IPC Art. 193(5)
LD 30/2005

IT.14 **REQUEST FOR RESTORATION OF RIGHT OF PRIORITY.** Where the international application was filed within two months from the end of the period for claiming priority of an earlier application, a request for restoration of the right of priority may be made to the Office in accordance with the national law (see National Phase, paragraphs 6.006 to 6.011). For the request to be granted, the Office must be satisfied that the failure to file the application within the 12-month priority period occurred in spite of due care required by the circumstances. A declaration or other evidence in support of a request for restoration of the right of priority should accompany the request. A special tax (*imposta di bollo*) must be paid when requesting restoration of priority as indicated in Annex IT.I.

IPC/LD Art.82-86

IT.15 **UTILITY MODEL.** If the applicant wishes to obtain a utility model instead of a patent in Italy, on the basis of an international application, the applicant, when performing the acts referred to in PCT Article 22 or 39, shall so indicate to the Office. The requirements for the national phase are basically the same as for patents, but utility model protection does not cover processes, according to IPC Article 82.

Instead of annual fees, maintenance fees have to be paid once for utility models at the beginning of the fifth year counted from the international filing date. The amount of the annual fees and the surcharge fee for late payment are indicated in Annex IT.I. The maximum term of protection is 10 years.

IPC/LD Art.84 (2)

IT.16 **CONVERSION.** The Office can invite the applicant to convert the international application for a patent into a utility model, after the applicant has complied with the requirements for entry into the national phase for a patent application, as indicated in the Summary.

FEES

(Currency: Euro)

Patents	*Online*	*On paper*
Filing fee[1]		
— application with up to 10 pages	50	120
— application with 11 to 20 pages	50	160
— application with 21 to 50 pages	50	400
— application more than 50 pages	50	600
— for each claim exceeding 10	45	45
Annual fees:		
— for the 5th year counted from the international filing date	60	
— for the 6th year counted from the international filing date	90	
— for the 7th year counted from the international filing date	120	
— for the 8th year counted from the international filing date	170	
— for the 9th year counted from the international filing date	200	
— for the 10th year counted from the international filing date	230	
— for the 11th year counted from the international filing date	310	
— for the 12th year counted from the international filing date	410	
— for the 13th year counted from the international filing date	530	
— for the 14th year counted from the international filing date	600	
— for the 15th to the 20th year counted from the international filing date, per year	650	
Surcharge for late payment of annual fees	100	
Fee for further processing	300	
Tax (*imposta di bollo*) for filing of power of attorney[2]	16	20
Tax (*imposta di bollo*) for request for re-establishment of rights:[2]	15	16
Tax (*imposta di bollo*) for request for restoration of the right of priority[2]	15	16

[1] The filing fee for entry into the national phase is calculated on the basis of the number of claims of the international application as amended (Ministerial Decree of 13 November 2019, Art. 2(1)).

[2] For filing a power of attorney, a request for re-establishment of rights or a request for restoration of the right of priority, payment of a special tax (*imposta di bollo*) is required. The following bank account should be used only for payments from abroad: Beneficiary: Banca d'Italia, Bank: Banca d'Italia, IBAN: IT07Y0100003245348008120501 -BIC: BITAITRRENT, reason for payment: Imposta di bollo. The proof of payment must be enclosed when filing a power of attorney, a request for re-establishment of rights or a request for restoration of the right of priority.

(1 July 2020)

Utility models	*Online*	*On paper*
Filing fee:	50	120
Annual fees: — from the 6th to the 10th year of protection	500	
Surcharge for late payment of annual fees	100	
Fee for further processing	300	
Tax (*imposta di bollo*) for filing of power of attorney[3]	16	20
Tax (*imposta di bollo*) for request for re-establishment of rights:[3]	15	16
Tax (*imposta di bollo*) for request for restoration of the right of priority[3]	15	16

How can payment of fees be effected?

The payment of fees should be effected in euros. Payment can be made by using payment form F24 or by electronic means (i.e. PagoPA).

All payments must indicate:

— the national application number; international application number only if the national application number is not yet known

— the name of the applicant

— the category of fee being paid

For more information, refer to https://uibm.mise.gov.it/index.php/en.

[3] See footnote 2.

Mod. INV-PCT pag.1

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER INVENZIONE INDUSTRIALE

N°_____

Al Ministero dello Sviluppo Economico

DGTPI-UIBM

1. DATI IDENTIFICATIVI DELLA DOMANDA

1.1 TIPO Ordinaria ☐ Contemporanea ☐ Divisionale ☐ convertita ☐

Numero di domanda PCT _____ Data di deposito domanda PCT _____

1.2 RIFERIMENTO A USO DEL DEPOSITANTE _____

1.3 TITOLO _____

1.4 NUMERO RIVENDICAZIONI _____

1.5 ESENZIONE AI SENSI DELLA LEGGE 20.11.1970 N.962 (BREVETTI DESTINATI ESCLUSIVAMENTE AI NON VEDENTI) (Si/No) ☐

1.6 CENTRO ABILITATO DI RACCOLTA COLTURE DI MICROORGANISMI
(solo per le domande del settore bio-tecnologico) _____

1.7 INVENTORE DESIGNATO

Cognome	Nome	Nazione di residenza

2. CLASSIFICAZIONE INSERITA NEL RAPPORTO DI RICERCA (IPC) (compilazione non obbligatoria)

SEZIONE ☐ CLASSE ☐ SOTTOCLASSE ☐ GRUPPO _____ SOTTOGRUPPO _____

3. PRIORITA' DELLA DOMANDA PCT

Nazione/Ente	Numero di domanda	Data della domanda prioritaria

FIRMA DEL RICHIEDENTE

Mod. INV-PCT pag.2

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER INVENZIONE INDUSTRIALE

N°_____

4. RICHIEDENTE

PERSONA FISICA

Codice fiscale***		Partecipazione ai diritti nella misura % *	
Cognome*		Nome*	
Comune e prov. nascita		Nazione di nascita	
Comune e prov. residenza**		Nazione di residenza*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

Codice fiscale***		Partecipazione ai diritti nella misura % *	
Cognome*		Nome*	
Comune e prov. nascita		Nazione di nascita	
Comune e prov. residenza**		Nazione di residenza*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

PERSONA GIURIDICA

C.F o P.IVA***		Partecipazione ai diritti nella misura %*	
Tipo società*			
Denominazione*			
Comune e prov. Sede/filiale**		Nazione sede legale*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

C.F o P.IVA***		Partecipazione ai diritti nella misura %*	
Tipo società*			
Denominazione*			
Comune e prov. Sede/filiale**		Nazione sede legale*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

*** Campi obbligatori**

**** Da inserire obbligatoriamente per i richiedenti residenti o con sede legale in uno Stato dell'Unione Europea**

***** Da inserire obbligatoriamente per i richiedenti in possesso di codice fiscale o partita IVA rilasciati da un Ente italiano**

FIRMA DEL RICHIEDENTE

Mod. INV-PCT pag.3

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER INVENZIONE INDUSTRIALE

N°_____

5. IDENTIFICAZIONE DEL MANDATARIO / RAPPRESENTANTE INCARICATO E/O DEL DOMICILIO ELETTIVO

☐ Il richiedente è rappresentato da un mandatario incaricato (compilare par. 5.1)

☐ Il richiedente è rappresentato da altro rappresentante incaricato (compilare par. 5.2)

☐ Il richiedente non è rappresentato (compilare par. 5.3)

5.1 MANDATARIO INCARICATO

Numero iscrizione albo*	Cognome*	Nome*

Denominazione studio*					
Indirizzo*				N. Civico*	
Comune e provincia*		Cap*		Nazione*	
Telefono*		Fax			
Email		Pec o o CECPAC*			

☐ Altri mandatari sono indicati nel Foglio Aggiuntivo (FA5)

5.2 RAPPRESENTANTE INCARICATO

Codice fiscale**	Cognome*	Nome*

c/o					
Indirizzo*				N. Civico*	
Comune e provincia*		Cap*		Nazione*	
Telefono*		Fax			
Email		Pec o o CECPAC			

☐ Altri rappresentanti sono indicati nel Foglio Aggiuntivo (FA5)

5.3 DOMICILIO ELETTIVO

c/o					
Indirizzo*				N. Civico*	
Comune e provincia*		Cap*		Nazione*	
Telefono*		Fax			
Email		Pec o o CECPAC			

*** Campi obbbligatori.**

**** Da inserire obbligatoriamente per rappresentanti in possesso di codice fiscale rilasciato da un Ente italiano**

Nota: Inserire almeno uno dei seguenti: email, PEC o CECPAC

FIRMA DEL RICHIEDENTE

Mod. INV-PCT pag.4

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER INVENZIONE INDUSTRIALE

N°_____

6. DOCUMENTAZIONE ALLEGATA O CON RISERVA DI PRESENTAZIONE

	in lingua italiana AL/RI/AS (*)	in altra lingua AL/AS (*)	N. pagine
Documentazione come originariamente depositata (deposito PCT)			
Descrizione	☐	☐	☐
Riassunto	☐	☐	☐
Rivendicazioni	☐	☐	☐
Disegni citati in descrizione	☐	☐	☐
Copia del modulo RO101 (request form)	☐	☐	☐
Rivendicazioni emendate ai sensi dell'art. 19 PCT e relativa dichiarazione art 19 (1) PCT	☐	☐	☐
Documentazione emendata ai sensi dell'art. 34 PCT, in caso di Esame Preliminare Internazionale			
Descrizione	☐	☐	☐
Rivendicazioni	☐	☐	☐
Disegni citati in descrizione	☐	☐	☐
Documentazione emendata presentata ai sensi degli artt. 41 PCT			
Descrizione	☐	☐	☐
Rivendicazioni	☐	☐	☐
Disegni citati in descrizione	☐	☐	☐
Designazione d'inventore	☐	☐	☐
Dichiarazione di indigenza o di altro tipo di esenzione	☐	☐	☐
Autorizzazione o atto di cessione	☐	☐	☐
Documento di priorità con traduzione in lingua italiana	☐	☐	☐
Certificato del Centro abilitato di raccolta colture di microrganismi	☐	☐	☐
Dichiarazione di provenienza del materiale biologico(art. 170 bis comma 2, CPI)	☐	☐	☐
Dichiarazione consenso informato per materiale biologico di origine umana(art. 170 bis comma 3, CPI)	☐	☐	☐
Dichiarazione su MOGM e OGM (art. 170 bis comma 4, CPI)	☐	☐	☐
Dichiarazioni 170 bis, CPI	☐	☐	☐
Sequenza di nucleotidi o aminoacidi in formato elettronico	☐	☐	☐
Lettera d'incarico	☐	☐	☐
Lettera d'incarico multipla	☐	☐	☐
Copia lettera d'incarico multipla	☐	☐	☐
Copia lettera d'incarico presentata con domanda collegata	☐	☐	☐
Riferimento al deposito dell'incarico generale	☐		

(*) AL = Allegato
RI = Riserva
AS = Assente

N° fogli aggiuntivi per i seguenti paragrafi 1 ☐ 3 ☐ 4 ☐ 5 ☐

Richiesta copia autentica (Si/No) ☐

Numero pagine totali ☐

FIRMA DEL RICHIEDENTE

Mod. INV-PCT pag.5

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER INVENZIONE INDUSTRIALE

N°_____

VERBALE DI PRESENTAZIONE

Numero di domanda

CCIAA di Sigla

In data è stata a me presentata la domanda di cui sopra corredata da N° fogli aggiuntivi

Annotazioni dell'Ufficiale rogante

Il depositante	Timbro dell'Ufficio	L'Ufficiale rogante

Mod. INV-PCT-FA1 pag. __/__

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER INVENZIONE INDUSTRIALE

N°_____

FOGLIO AGGIUNTIVO TIPO 1

1.7 INVENTORE DESIGNATO

Cognome	Nome	Nazione di residenza

FIRMA DEL RICHIEDENTE

Mod. INV-PCT-FA3 pag. __/__

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER INVENZIONE INDUSTRIALE

N°_____

FOGLIO AGGIUNTIVO TIPO 3

3. PRIORITA' DELLA DOMANDA PCT

Nazione/Ente	Numero di domanda	Data della domanda prioritaria

FIRMA DEL RICHIEDENTE

Mod.INV-PCT-FA4 PAG. __/__

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER INVENZIONE INDUSTRIALE

N°_____

FOGLIO AGGIUNTIVO TIPO 4

4. RICHIEDENTE

PERSONA FISICA

Codice fiscale***		Partecipazione ai diritti nella misura % *	
Cognome*		Nome*	
Comune e prov. nascita		Nazione di nascita	
Comune e prov. residenza**		Nazione di residenza*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

Codice fiscale***		Partecipazione ai diritti nella misura % *	
Cognome*		Nome*	
Comune e prov. nascita		Nazione di nascita	
Comune e prov. residenza**		Nazione di residenza*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

PERSONA GIURIDICA

C.F o P.IVA***		Partecipazione ai diritti nella misura %*	
Tipo società*			
Denominazione*			
Comune e prov. Sede/filiale**		Nazione sede legale*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

C.F o P.IVA***		Partecipazione ai diritti nella misura %*	
Tipo società*			
Denominazione*			
Comune e prov. Sede/filiale**		Nazione sede legale*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

*** Campi obbligatori**
**** Da inserire obbligatoriamente per i richiedenti residenti o con sede legale in uno Stato dell'Unione Europea**
***** Da inserire obbligatoriamente per i richiedenti in possesso di codice fiscale o partita IVA rilasciati da un Ente italiano**

FIRMA DEL RICHIEDENTE

Mod. INV-PCT-FA5 pag. __/__

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER INVENZIONE INDUSTRIALE

N°_____

FOGLIO AGGIUNTIVO TIPO 5

5.1 MANDATARI INCARICATI

Numero iscrizione albo*	Cognome*	Nome*

5.2 RAPPRESENTANTI INCARICATI

Codice fiscale**	Cognome*	Nome*

***Campi obbligatori per ogni Mandatario o Rappresentante incaricato aggiunto.**

**** Da inserire obbligatoriamente per rappresentanti in possesso di codice fiscale rilasciato da un Ente italiano**

FIRMA DEL RICHIEDENTE

Mod. MU-PCT pag.1

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER MODELLO DI UTILITA'

N°_____

Al Ministero dello Sviluppo Economico

DGTPI-UIBM

1. DATI IDENTIFICATIVI DELLA DOMANDA

1.1 TIPO Ordinaria ☐ Contemporanea ☐ Divisionale ☐ convertita ☐

Numero di domanda PCT ☐ Data di deposito domanda PCT ☐

1.2 RIFERIMENTO A USO DEL DEPOSITANTE ☐

1.3 TITOLO ☐

1.4 NUMERO RIVENDICAZIONI ☐

1.5 ESENZIONE AI SENSI DELLA LEGGE 20.11.1970 N.962 (BREVETTI DESTINATI ESCLUSIVAMENTE AI NON VEDENTI) (Si/No) ☐

1.6 INVENTORE DESIGNATO

Cognome	Nome	Nazione di residenza

2. CLASSIFICAZIONE INSERITA NEL RAPPORTO DI RICERCA (IPC) (compilazione non obbligatoria)

SEZIONE ☐ CLASSE ☐ SOTTOCLASSE ☐ GRUPPO ☐ SOTTOGRUPPO ☐

3. PRIORITA' DELLA DOMANDA PCT

Nazione/Ente	Numero di domanda	Data della domanda prioritaria

FIRMA DEL RICHIEDENTE

Mod. MU-PCT pag.2

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER MODELLO DI UTILITA'

N°_____

4. RICHIEDENTE

PERSONA FISICA

Codice fiscale***		Partecipazione ai diritti nella misura % *	
Cognome*		Nome*	
Comune e prov. nascita		Nazione di nascita	
Comune e prov. residenza**		Nazione di residenza*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

Codice fiscale***		Partecipazione ai diritti nella misura % *	
Cognome*		Nome*	
Comune e prov. nascita		Nazione di nascita	
Comune e prov. residenza**		Nazione di residenza*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

PERSONA GIURIDICA

C.F o P.IVA***		Partecipazione ai diritti nella misura %*	
Tipo società*			
Denominazione*			
Comune e prov. Sede/filiale**		Nazione sede legale*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

C.F o P.IVA***		Partecipazione ai diritti nella misura %*	
Tipo società*			
Denominazione*			
Comune e prov. Sede/filiale**		Nazione sede legale*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

*** Campi obbligatori**

**** Da inserire obbligatoriamente per i richiedenti residenti o con sede legale in uno Stato dell'Unione Europea**

***** Da inserire obbligatoriamente per i richiedenti in possesso di codice fiscale o partita IVA rilasciati da un Ente italiano**

FIRMA DEL RICHIEDENTE

Mod. MU-PCT pag.3

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER MODELLO DI UTILITA'

N°_____

5. IDENTIFICAZIONE DEL MANDATARIO / RAPPRESENTANTE INCARICATO E/O DEL DOMICILIO ELETTIVO

☐ Il richiedente è rappresentato da un mandatario incaricato (compilare par. 5.1)

☐ Il richiedente è rappresentato da altro rappresentante incaricato (compilare par. 5.2)

☐ Il richiedente non è rappresentato (compilare par. 5.3)

5.1 MANDATARIO INCARICATO

Numero iscrizione albo*	Cognome*	Nome*

Denominazione studio*					
Indirizzo*				N. Civico*	
Comune e provincia*		Cap*		Nazione*	
Telefono*		Fax			
Email		Pec o o CECPAC*			

☐ Altri mandatari sono indicati nel Foglio Aggiuntivo (FA5)

5.2 RAPPRESENTANTE INCARICATO

Codice fiscale**	Cognome*	Nome*

c/o					
Indirizzo*				N. Civico*	
Comune e provincia*		Cap*		Nazione*	
Telefono*		Fax			
Email		Pec o o CECPAC			

☐ Altri rappresentanti sono indicati nel Foglio Aggiuntivo (FA5)

5.3 DOMICILIO ELETTIVO

c/o					
Indirizzo*				N. Civico*	
Comune e provincia*		Cap*		Nazione*	
Telefono*		Fax			
Email		Pec o o CECPAC			

*** Campi obbligatori.**

**** Da inserire obbligatoriamente per rappresentanti in possesso di codice fiscale rilasciato da un Ente italiano**

Nota: Inserire almeno uno dei seguenti: email, PEC o CECPAC

FIRMA DEL RICHIEDENTE

Mod. MU-PCT pag.4

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER MODELLO DI UTILITA'

N°_____

6. DOCUMENTAZIONE ALLEGATA O CON RISERVA DI PRESENTAZIONE

	in lingua italiana AL/RI/AS (*)	in altra lingua AL/AS (*)	N. pagine
Documentazione come originariamente depositata (deposito PCT)			
Descrizione	☐	☐	☐
Riassunto	☐	☐	☐
Rivendicazioni	☐	☐	☐
Disegni citati in descrizione	☐	☐	☐
Copia del modulo RO101 (request form)	☐	☐	☐
Rivendicazioni emendate ai sensi dell'art. 19 PCT e relativa dichiarazione art 19 (1) PCT	☐	☐	☐
Documentazione emendata ai sensi dell'art. 34 PCT, in caso di Esame Preliminare Internazionale			
Descrizione	☐	☐	☐
Rivendicazioni	☐	☐	☐
Disegni citati in descrizione	☐	☐	☐
Documentazione emendata presentata ai sensi degli artt. 41 PCT			
Descrizione	☐	☐	☐
Rivendicazioni	☐	☐	☐
Disegni citati in descrizione	☐	☐	☐
Designazione d'inventore	☐	☐	☐
Dichiarazione di indigenza o di altro tipo di esenzione	☐	☐	☐
Autorizzazione o atto di cessione	☐	☐	☐
Documento di priorità con traduzione in lingua italiana	☐	☐	☐
Lettera d'incarico	☐	☐	☐
Lettera d'incarico multipla	☐	☐	☐
Copia lettera d'incarico multipla	☐	☐	☐
Copia lettera d'incarico presentata con domanda collegata	☐	☐	☐
Riferimento al deposito dell'incarico generale	☐		

(*) AL = Allegato
RI = Riserva
AS = Assente

N° fogli aggiuntivi per i seguenti paragrafi 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

Richiesta copia autentica (Si/No) ☐

Numero pagine totali ☐

FIRMA DEL RICHIEDENTE

Mod. MU-PCT pag.5

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER MODELLO DI UTILITA'

N°_____

VERBALE DI PRESENTAZIONE

Numero di domanda

CCIAA di Sigla

In data è stata a me presentata la domanda di cui sopra corredata da N° fogli aggiuntivi

Annotazioni dell'Ufficiale rogante

Il depositante	Timbro dell'Ufficio	L'Ufficiale rogante

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NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER MODELLO DI UTILITA'

N°_____

FOGLIO AGGIUNTIVO TIPO 1

1.6 INVENTORE DESIGNATO

Cognome	Nome	Nazione di residenza

FIRMA DEL RICHIEDENTE

Mod. MU-PCT-FA3 pag. __/__

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER MODELLO DI UTILITA'

N°_____

FOGLIO AGGIUNTIVO TIPO 3

3. PRIORITA' DELLA DOMANDA PCT

Nazione/Ente	Numero di domanda	Data della domanda prioritaria

FIRMA DEL RICHIEDENTE

Mod.MU-PCT-FA4 PAG. __/__

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER MODELLO DI UTILITA'

N°_____

FOGLIO AGGIUNTIVO TIPO 4

4. RICHIEDENTE

PERSONA FISICA

Codice fiscale***		Partecipazione ai diritti nella misura % *	
Cognome*		Nome*	
Comune e prov. nascita		Nazione di nascita	
Comune e prov. residenza**		Nazione di residenza*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

Codice fiscale***		Partecipazione ai diritti nella misura % *	
Cognome*		Nome*	
Comune e prov. nascita		Nazione di nascita	
Comune e prov. residenza**		Nazione di residenza*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

PERSONA GIURIDICA

C.F o P.IVA***		Partecipazione ai diritti nella misura %*	
Tipo società*			
Denominazione*			
Comune e prov. Sede/filiale**		Nazione sede legale*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

C.F o P.IVA***		Partecipazione ai diritti nella misura %*	
Tipo società*			
Denominazione*			
Comune e prov. Sede/filiale**		Nazione sede legale*	
Indirizzo**		N. Civico**	Cap**
Telefono		Fax	
Email		PEC o CECPAC	

*** Campi obbligatori**
**** Da inserire obbligatoriamente per i richiedenti residenti o con sede legale in uno Stato dell'Unione Europea**
***** Da inserire obbligatoriamente per i richiedenti in possesso di codice fiscale o partita IVA rilasciati da un Ente italiano**

FIRMA DEL RICHIEDENTE

Mod. MU-PCT-FA5 pag. __/__

NUOVA MODULISTICA DI DEPOSITO PER LE CAMERE DI COMMERCIO OVVERO DEPOSITO POSTALE

PROCEDURA NAZIONALE DOMANDA PCT (art. 55 CPI) - DOMANDA DI BREVETTO PER MODELLO DI UTILITA'

N°_____

FOGLIO AGGIUNTIVO TIPO 5

5.1 MANDATARI INCARICATI

Numero iscrizione albo*	Cognome*	Nome*

5.2 RAPPRESENTANTI INCARICATI

Codice fiscale**	Cognome*	Nome*

***Campi obbligatori per ogni Mandatario o Rappresentante incaricato aggiunto.**

**** Da inserire obbligatoriamente per rappresentanti in possesso di codice fiscale rilasciato da un Ente italiano**

FIRMA DEL RICHIEDENTE

LETTERA DI INCARICO – POWER OF ATTORNEY

(Art. 201 D. Lgs. 30/2005)

Il/I sottoscritto/i / I/We, the undersigned

nomina/no con la presente / do/does hereby appoint

domiciliati presso / domicilied at

come propri mandatari, con firma libera e disgiunta e con facoltà di farsi sostituire da un altro mandatario abilitato della predetta Società, con l'incarico di rappresentarlo/i di fronte all'Ufficio Italiano Brevetti e Marchi,ad ogni altro Ufficio competente, nonché alla Commissione dei Ricorsi, ai sensi dell'art. 201 D.Lgs. 30/2005 – Codice della Proprietà Industriale, riguardo al deposito di ogni presente o futura domanda di brevetto, istanza o atto e in generale qualsiasi procedura di cui al supramenzionato Codice e di fare quant'altro occorra per l'accoglimento e per il riconoscimento dei diritti di Proprietà Industriale.
A tale scopo, il/i sottoscritto/i elegge/eleggono domicilio presso detti mandatari, ai quali chiede/chiedono che vengano fatte direttamente dall'Ufficio Italiano Brevetti e Marchi e dagli altri Uffici competenti tutte le comunicazioni, nonché tutte le richieste e consegne di documenti che si rendessero necessarie, anche ai sensi e per gli effetti dell'art. 120, D.Lgs. 30/2005.

to act as my/our representative, with free and separate signature and with power to be substituted by another authorized professional of the aforesaid Society, with the power to represent me/us before the Italian Patent and Trademark Office and any other competent Office, as well as the Board of Appeal, pursuant to Art. 201 L.D. 30/2005 – Code of Industrial Property, in respect of the filing of any instant or future patent application, petition or deed and in general any procedure provided for by said Code of Industrial Property and to do whatever else is necessary for the acceptance thereof and for the recognition of the rights of Industrial Property.
To this purpose, I/we, the undersigned, elect domicile at the aforesaid representatives, to whom I/we request that the Italian Patent and Trade Mark Office and the other competent Offices directly address all communications as well as all requests and deliveries of documents which may be necessary, also pursuant to art. 120, L.D. 30/2005.

Data / Date _____

Firma / Signature _____

INDUSTRIAL PROPERTY PROTECTION DIRECTORATE, MINISTRY OF INDUSTRY, TRADE AND SUPPLY (JORDAN)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Industrial Property Protection Directorate, Ministry of Industry, Trade and Supply (Jordan)

JPL: Law No. 32 of 1999 on Patents and Law No. 28 of 2007 amending the Patents Law

JPR: Regulation No. 97 of 2001 on Patents

SUMMARY **Designated (or elected) Office** SUMMARY

JO INDUSTRIAL PROPERTY PROTECTION DIRECTORATE, MINISTRY OF INDUSTRY, TRADE AND SUPPLY (JORDAN) JO

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Arabic
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19)[2], 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)[2]
Is a copy of the international application required?	A copy is required only if the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) or 40(2).
National fee:	Currency: Jordanian dinar (JOD) Filing fee:[1] JOD 200[3] 100[4]
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

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

2 Where the applicant furnishes a translation of the international application only as amended or only as originally filed, the Office will invite the applicant to furnish the missing translation.

3 This amount is applicable in case of filing by a company or an organization.

4 This amount is applicable in case of filing by an individual.

SUMMARY **Designated (or elected) Office** SUMMARY

JO INDUSTRIAL PROPERTY PROTECTION DIRECTORATE, MINISTRY OF INDUSTRY, TRADE AND SUPPLY (JORDAN) JO

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[5, 6, 7] Evidence of entitlement to apply for or be granted a patent[5, 6, 7] Evidence of entitlement to claim priority of earlier application[5, 6, 7] Document evidencing a change of name of the applicant if the change occurred after the international filing date[6, 7] Appointment of an agent if the applicant is not resident in Jordan[6] Instrument appointing the agent (authorization or power of attorney)[6] Verification of the translation of the international application Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any patent attorney or patent agent registered before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

5 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

6 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 of two months from the date of receipt of the invitation.

7 The Office will charge a fee for compliance with that requirement in response to the invitation (see Annex JO.I).

THE PROCEDURE IN THE NATIONAL PHASE

JO.01 **TRANSLATION.** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

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

JPR Art. 10(f)

JO.03 **APPOINTMENT OF AN AGENT.** If the applicant does not reside in Jordan**,** a patent attorney or patent agent registered to practice before the Office must be appointed. If the applicant is represented by an agent, a power of attorney is required.

JPR Art. 20

JO.04 **EXAMINATION.** A patent will be granted only after substantive examination. There is no need for a special request for examination. The Registrar will send an invitation to the applicant requesting him to pay the fee for examination of the invention within 60 days from the date of the invitation. Please refer to the Office for the amount of the examination fee.

JPL Art. 9

JO.05 **AMENDMENT OF THE APPLICATION.** Amendments may be made in the national phase up to the grant of the patent, provided that the scope of the subject matter of the application is not broadened thereby.

JPR Art. 23(a)

JO.06 **PUBLICATION AND GRANT FEE.** A publication fee must be paid after preliminary acceptance of the application. The Office will invite the applicant to pay the publication fee within 60 days from the date of the invitation. Where the applicant fails to pay the fee within that time limit, the application shall be considered as null and void. The amount of the fee is indicated in Annex JO.I.

JPR Art. 25(a)

A fee for grant must be paid before the patent is granted. The amount of the fee is indicated in Annex JO.I.

JPR Art. 32

JO.07 **ANNUAL FEES.** For PCT applications, annual fees must be paid for maintaining the patent in force. In case of non-payment of the annual fees at the prescribed time limit, payment can still be made, upon payment of a 50% surcharge for late payment, within a period of six months from the date of expiration of the prescribed time limit. The amounts of these fees are indicated in Annex JO.I.

PCT Art. 25
PCT Rule 51

JO.08 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

JO.09 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PCT Rule 49.6

JO.10 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant, unintentionally or in spite of due care required by the circumstances having been taken, failed to perform the acts referred to in Article 22 within the applicable time limit. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit or twelve months from the date of expiration of the applicable time limit, whichever time limit expires earlier. Within the said two months, the omitted action must be completed and the fee for reinstatement of rights (see Annex JO.I) must be paid.

FEES

(Currency: Jordanian dinar)

Patents

Filing fee	200[1]	100[2]
Fee for furnishing the name or address of the inventor	50[1]	25[2]
Fee for addition, change or cancellation of a record of an application or patent	50[1]	25[2]
Fee for furnishing evidence of entitlement to apply for or be granted a patent	50[1]	25[2]
Fee for transfer of ownership	50[1]	25[2]
Examination fee	200[1]	100[2]
Grant fee	200[1]	150[2]
Fee for restoration of the right of priority	50[1]	25[2]
Fee for any correction request	50[1]	25[2]
Fee for any other request	100[1]	50[2]
Annual fees		
— for the 1st year	150[1]	100[2]
— for the 2nd year	250[1]	150[2]
— for the 3rd year	350[1]	200[2]
— for the 4th year	450[1]	250[2]
— for the 5th year	550[1]	300[2]
— for the 6th year	650[1]	350[2]
— for the 7th year	750[1]	400[2]
— for the 8th year	850[1]	450[2]
— for the 9th year	950[1]	500[2]
— for the 10th year	1,050[1]	550[2]
— for the 11th year	1,150[1]	600[2]
— for the 12th year	1,250[1]	650[2]
— for the 13th year	1,350[1]	700[2]
— for the 14th year	1,450[1]	750[2]
— for the 15th year	1,550[1]	800[2]
— for the 16th year	1,650[1]	850[2]
— for the 17th year	1,750[1]	900[2]
— for the 18th year	1,850[1]	950[2]
— for the 19th year	1,950[1]	1,000[2]
— for the 20th year	2,050[1]	1,050[2]

How can payment of fees be effected?

The payment of the fees has to be effected in Jordanian dinars. 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. Payments may be effected to the Office in cash or by cheque.

[1] This amount is applicable in case of filing by a company or an organization.

[2] This amount is applicable in case of filing by an individual.

JAPAN PATENT OFFICE (JPO)

AS

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Form No. 44: Request for examination of application (related to PR Rule 31-2) . . . . . Annex JP.V
Form No. 55: Request for review (related to PR Rule 38-8) . . . . . Annex JP.VI
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List of abbreviations:

Office: Japan Patent Office (JPO)

DA: Design Act of Japan

PA: Patent Act of Japan

PR: Patent Regulations under the Patent Act of Japan

UMA: Utility Model Act of Japan

Art.: Article

SUMMARY Designated (or elected) Office SUMMARY

JP JAPAN PATENT OFFICE (JPO) JP

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Japanese[2]
Required contents of the translation for entry into the national phase:	Under PCT Article 22: Description, claims (if amended, as originally filed or as amended, or both as originally filed and as amended, at applicant's option[3]), 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[3])
Is a copy of the international application required?	No
National fee:[4]	Currency: Japanese yen (JPY) For patent: Filing fee: JPY 14,000 For utility model: Filing fee: JPY 14,000
Exemptions, reductions or refunds of the national fees:	The fee for request for examination is reduced where an international search report has been established. Moreover, reductions are available to individuals, small and medium-sized enterprises, micro enterprises, academic institutions and certain other entities (see Annex JP.I)

[Continued on next page]

[1] The time limit for submission of the Japanese translation of the international application is 30 months from the priority date (under PCT Article 22(1) or 39(1)(a)). This time limit may be extended under certain circumstances (see paragraph JP.03).

[2] Where the international application was filed in Japanese, a copy of any amendments under PCT Articles 19 and 34 may be required, if the communication under Article 20 has not taken place within the time limit applicable under Article 22(1) or 39(1)(a) or if an express request for early processing was filed under Article 23(2).

[3] Where no translation of amendments is filed, the amendments are considered not to have been made. However, amendments may be made as specified in paragraph JP.13 of the JP national chapter.

[4] If not already paid within the applicable time limit under PCT Article 22(1) or 39(1)(a), the Office will invite the applicant to pay the national fee within a time limit fixed in the invitation. Where the translation of the international application is submitted in paper form, a special fee for conversion into electronic format is required.

SUMMARY Designated (or elected) Office SUMMARY

JP JAPAN PATENT OFFICE (JPO) JP

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	When the applicant is a legal entity, indication of the name of an officer representing that entity[5] (the indication of such a name is not required where the legal entity is represented by a patent attorney) Appointment of an agent if the applicant is not resident in Japan[6] Where the person, the name or the residence of the applicant is changed during the international phase and the change has not been reflected in the international publication or in a Notification of the Recording of a Change (Form PCT/IB/306), a statement indicating the change (preferably on a special request form) and, in case of a change in the person of the applicant, a document evidencing the change[7] Where a change (addition and/or deletion) in the person of the inventor during the international phase has not been reflected in the international publication or in a Notification of the Recording of a Change (Form PCT/IB/306), the correct indications relating to the inventor (preferably on a special transmittal form (Form 53)), a statement explaining the reasons for the change and a written oath of all inventors[7] Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any patent attorney, attorney-at-law or other person resident in Japan, or firm registered to practice before the Office
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[8]

[5] If not already complied with, no later than the date on which the relevant time for national processing occurs (see paragraph JP.02 of the JP national chapter), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

[6] Must be appointed within two months from the date of mailing of the invitation from the Office (see paragraph JP.08).

[7] Must be furnished no later than the date on which the relevant time for national processing occurs (see paragraph JP.02 of the JP national chapter); if not furnished, the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

[8] For international applications filed on or after 1 April 2015. For the relevant notification by the Office, see *Official Notices (PCT Gazette)* dated 12 March 2015, page 51.

THE PROCEDURE IN THE NATIONAL PHASE

PA Art. 184-5

JP.01 **FORMS FOR ENTERING THE NATIONAL PHASE.** The Office has available a special transmittal form (Form No. 53) for entering the national phase (see Annex JP.II). This form should preferably (but need not) be used when effecting the payment of the national fee (see paragraph JP.06) and for furnishing the translation of the international application into Japanese. Any document required for entry into the national phase may be submitted in paper form or online in electronic format. However, any document submitted in paper form will be converted by the Office into electronic format and subjected to the payment of a special fee (see Annex JP.I).

PA Art. 184-4

JP.02 **RELEVANT TIME FOR NATIONAL PROCESSING.** The relevant time for national processing occurs:

(i) on the date of the expiration of 30 months from the priority date,

(ii) at the time of filing of the request for examination, if filed on or before the date of (i) (see also JP.10).

PCT Art. 22
39(1)
PA Art. 184-4(1)

JP.03 **TRANSLATION (LATE FURNISHING OF).** The time limit for filing the Japanese translation of the international application is 30 months from the priority date. Where Form No. 53 (see Annex JP.II) is submitted within two months before the expiration of 30 months from the priority date, that is, during the period from the beginning of the 29th month to the end of the 30th month from the priority date, the translations may be filed within two months from the date of submission of Form No. 53.

PA Art. 17-2(2)
184-12(2)

JP.04 **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).

PA Art. 184-4(2)
184-6(3)
184-7(1), (2), (3)
184-8

JP.05 **TRANSLATION (COPY) OF AMENDMENTS UNDER PCT ARTICLES 19 AND 34.** Where the international application has not been filed in Japanese and amendments have been filed under PCT Article 19 or 34, the applicant should furnish a translation of such amendments into Japanese using Form No. 52 (for amendment under PCT Article 19, see Annex JP.III) or Form No. 54 (for amendments under PCT Article 34, see Annex JP.IV) no later than the date on which the relevant time for national processing occurs (see paragraph JP.02). Where the international application has been filed in Japanese and amendments have been filed under PCT Article 19 or 34, the applicant should furnish a copy of such amendments using the relevant Form No. 54 no later than the date on which the relevant time for the national processing occurs unless the Office has received them from the International Bureau under PCT Article 20 or 36. Any amendments for which the applicant fails to submit a translation, or a copy, within the applicable time limit, shall not be taken into consideration by the Office.

JP.06 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex JP.I.

PCT Rule 17.1(c)
PR Rule 38-14

JP.07 **PRIORITY DOCUMENT.** Where the priority document has not been furnished in compliance with PCT Rule 17.1(a), (b) or (b-*bis*), the applicant in the national phase has an opportunity to furnish the priority document to the Office within 32 months from the priority date.

PCT Rule 90
PA Art. 8
184-11(1), (2), (3), (4), (5)
PR Rule 2(2)

JP.08 **APPOINTMENT OF AGENT.** A person who has neither his domicile nor residence in Japan may not proceed except through his representative with respect to his patent who has his domicile or residence in Japan. If the applicant is not resident in Japan, appointment of an agent and filing of a power of attorney is necessary. Where the applicant filed any documents not through an agent, the Office sends to the applicant an invitation to appoint one. If the applicant fails to appoint one within two months from the date of mailing of the said invitation from the Office, the applications shall be deemed to have been withdrawn. Where the power of attorney is in a language other than Japanese, a Japanese translation is required. A model is given in Annex JP.VII (page 1 in English translation, page 2 in Japanese).

PA Art. 48-2
48-4

JP.09 **REQUEST FOR EXAMINATION.** Patentability will be examined only after request by the applicant or by a third party. The request for examination must be made in Japanese on Form No. 44 (see Annex JP.V).

PA Art. 48-3
184-17

JP.10 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within three years from the international filing date. Such request can only be made once all requirements for entry into the national phase have been complied with. The request for examination is considered by the Office as a request for early entry into the national phase if it is made before the expiration of the time limit applicable under PCT Article 22 or 39(1).

PA Art. 48-3(5), (6), (7), (8)
184-11(1)

Where the applicant failed to file a request for examination within three years from the international filing date, in spite of due care required by the circumstances having been taken, he may still do so within two months from the removal of the cause of the failure to observe the time limit or 12 months from the date of expiration of the time limit, whichever time limit expires earlier. The request must be made in writing and set out the reasons for the failure to comply with the time limit. Applicants are to submit any documents to support their reasons.

Applicants domiciled overseas who wish to file a request for examination after the prescribed period has expired must submit the request for examination (Form No. 44), together with a document stating the reasons for the late submission and any other documents through an agent domiciled or resident in Japan.

PA Art. 195(2)

JP.11 **FEE FOR REQUESTING EXAMINATION.** The request for examination is only effective if the fee for requesting examination has been paid. The amount of the fee is indicated in Annex JP.I.

PA Art. 107
108
112

JP.12 **ANNUAL FEES.** Annual fees for the first to the third year must all be paid at the same time, within 30 days after receipt of the decision to grant a patent. The annual fees for the fourth and subsequent years must be paid before the end of the previous year. Payment can still be made, together with a 100% surcharge for late payment, before the expiration of six months from the due date. The amounts of the annual fees are indicated in Annex JP.I.

PCT Art. 28
41
PA Art. 184-12(1)
17(2)
17-2

JP.13 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Amendments may be made to the description, claims or drawings, after the relevant time for national processing has occurred (see JP.02) and after Form No. 53 and any required translations of the international application have been filed and the national fee has been paid, within the following period:

(i) before the applicant receives either the decision to grant a patent or the first notice of reasons for refusal;

(ii) within a time limit designated in a non-final notice of reasons for refusal;

(iii) within a time limit designated in a final notice of reasons for refusal; or

(iv) where the applicant has filed an appeal against the examiner's decision of refusal, at the time of filing of the appeal.

Amendments shall not go beyond the extent of disclosure in the international application as originally filed. In addition, within the period (iii) or (iv), above, claims may be amended only to the extent that additional prior art search is not necessary.

PCT Art. 25
PCT Rule 51
PA Art. 184-20
PR Rule 38-7 to 38-9

JP.14 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. The request to the Office should be filed with Form No. 55 (see Annex JP.VI). 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, an administrative appeal against this denial may be lodged within 60 days from the receipt of the denial. The Commissioner of the Office will then decide on the appeal.

PCT Art. 4(3), 43
PCT Rule 49*bis*.1(a), 76.5
UMA Art. 48-5(1)

JP.15 **UTILITY MODEL.** Subject to what is said in paragraph JP.16, if the applicant wishes to obtain a utility model instead of a patent in Japan, on the basis of an international application, the applicant, on entry into the national phase, shall so indicate to the Office.

PCT Art. 7(2)(ii)
PCT Rule 7.2
UMA Art. 48-7

JP.16 Where, in the case referred to in paragraph JP.15, the international application does not contain drawings, the applicant must furnish the drawing(s) no later than the date on which the relevant time for national processing occurs (see paragraph JP.02). Where the applicant does not furnish the drawing(s) within that time limit, the Office will invite him to furnish the drawing(s) within a time limit fixed in the invitation. Where an international application for a patent is converted into a utility model application (see paragraph JP.19), the drawing(s) must be submitted with the request for conversion.

UMA Art. 14(2), 32

JP.17 Utility models are registered without any substantive examination thereof in the national phase.

The other requirements for the national phase and the procedures thereafter are basically the same as for patents except that the fees for utility models and registration fees from the first to the third year must be paid instead of the fees for patents. If the applicant desires his utility model to be registered earlier than the expiration of the time limit for entry into the national phase, he may file an express request for an early commencement of the national procedures under PCT Articles 23(2) and 40(2).

UMA Art. 48-8

JP.18 In addition to amendments under PCT Articles 19 and 34, amendments under PCT Article 28 or 41 are allowed to an international application for a utility model. The amendment in this case shall be made within the scope of the matter disclosed in the international application as originally filed (or translated into Japanese, see also paragraph JP.03).

PA Art. 46, 46-2, 184-16
UMA Art. 10, 48-11
DA Art. 13

JP.19 **CONVERSION.** An international application for a patent or utility model may be converted into the other kind of application or a design application by filing a request for conversion once the applicant has complied with the requirements for entry into the national phase.

The conversion of a patent application into a utility model application may be requested either:

(i) within nine years and six months from the international filing date; or

(ii) within three months from the transmittal of the first decision of the Office that the patent application shall be refused.

The conversion of a utility model application into a patent application may be requested, under certain circumstances, within three years from the international filing date.

The conversion of a patent application into a design application may be requested within three months from the transmittal of the first decision of the Office that the patent application shall be refused.

The conversion of a utility model application into a design application may be requested at any time.

The conversion is subject to payment of a fee for conversion as indicated in Annex JP.I. The original application for a patent or a utility model shall be deemed to have been withdrawn after the conversion of the application.

PR Rule 38-13-2(2)
27-5

JP.20 **NUCLEOTIDE AND/OR AMINO ACID SEQUENCES.** Where the international application contains the disclosure of a nucleotide and/or amino acid sequence, a diskette or CD-R containing coded data of the sequence listing must be furnished together with:

(i) a document which identifies the international application concerned and the diskette or CD-R furnished;

(ii) a statement that the sequences recorded on the diskette or CD-R are identical to those disclosed in the specification of the application as originally filed; and

(iii) a document which describes the recording format of the diskette or CD-R.

However, where the diskette or CD-R containing the coded data has already been furnished to the Office, the applicant is not required to submit it again.

PCT Rule 49*ter*.1
49*ter*.2
76.5
PA Art. 41(1)(i)
43-2(1), (2)
184-11(1)
PR Rule 27-4-2(1), (2)
38-14(3), (4), (5), (6)
38-14-2

JP.21 **RESTORATION OF THE RIGHT OF PRIORITY.** For international applications filed on or after 1 April 2015, restoration of the right of priority may be requested where the applicant, in spite of all due care required by the circumstances, failed to file the international application within the priority period, but within two months from the expiration of the priority period.

The request must be filed with the Office within one month from the expiration of the time limit to submit Form No. 53 (that is, the 30th month from the priority date, or if the application has not been filed in Japanese and Form No. 53 was filed during the period from the beginning of the 29th month to the end of the 30th month from the priority date, within two months from the date of submission of Form No. 53). The request must be made in writing and set out the reasons for the failure to file the international application within the priority period. Applicants are to submit any documents to support their reasons. Where the request for examination is made before the expiration of the time limit applicable under PCT Article 22 or 39(1), the request for restoration of the right of priority accompanied with any document to support their reasons must be filed within one month from the date of filing of the request for examination.

Any decision on restoration of the right of priority by the receiving Office, which was based on a finding by it that the failure to file the international application within the priority period occurred in spite of due care required by the circumstances having been taken, will be effective, unless the Office reasonably doubts that a requirement referred to in PCT Rule 49*ter*. 1 (c) was complied with. In such an exceptional case, the Office shall notify the applicant accordingly, indicating the reasons therefor and giving the applicant an opportunity to make observations within a specified time limit.

Applicants domiciled overseas who wish to request restoration of the right of priority must submit a document stating the reasons for the request and any other documents through an agent domiciled or resident in Japan.

PCT Art. 48(2)
PCT Rule 49.6
PA Art. 184-4(3), (4), (5)
184-11(4), (5)
PR Rule 38-2

JP.22 **REINSTATEMENT OF RIGHTS**. Reinstatement of rights may be requested either where the applicant failed to furnish a translation of the international application into Japanese within 30 months from the priority date or where the applicant failed to appoint the agent within two months from the date of mailing of the invitation from the Office in spite of due care required by the circumstances having been taken. A request for reinstatement must be made to the Office within two months from the removal of the cause of the failure to observe the time limit or twelve months from the date of expiration of the time limit, whichever time limit expires earlier. The request must be made in writing and set out the reasons for the failure to comply with the time limit. Within the said time limit, the omitted action must be completed. Applicants are to submit any documents to support their reasons.

Applicants domiciled overseas who intend to request reinstatement of rights must submit the translation and other documents through an agent domiciled or resident in Japan.

Even if the application is reinstated by the Office, the time limit for requesting examination remains three years from the international filling date (see paragraph JP.10).

FEES

(Currency: Japanese yen)

Patents

National fee	14,000				
National fee for request for review	14,000				
Fee for request for examination (for international applications filed before 1 April 2019):[1]					
(a) where no international search report has been established:	118,000	plus	4,000	for each claim[2]	
(b) where the international search report has been established by the Office:	71,000	plus	2,400	per claim	
(c) where the international search report has been established by an International Searching Authority other than the Office:	106,000	plus	3,600	per claim	
(d) where the search report has been established by a searching organization which is designated under Japanese law:	94,000	plus	3,200	per claim	
Fee for request for examination (for international applications filed on or after 1 April 2019):[1]					
(a) where no international search report has been established:	138,000	plus	4,000	for each claim[2]	
(b) where the international search report has been established by the Office:	83,000	plus	2,400	per claim	
(c) where the international search report has been established by an International Searching Authority other than the Office:	124,000	plus	3,600	per claim	
(d) where the search report has been established by a searching organization which is designated under Japanese law:	110,000	plus	3,200	per claim	
Fee for conversion of documents into electronic format	1,200	plus	700	per sheet	

Annual fees (per year):[1]	International applications for which an examination is requested on or after 1 April 2004				International applications filed on or after 1 January 1988, and for which an examination was requested on or before 31 March 2004			
— for the 1st to the 3rd years	2,100	plus	200	per claim	10,300	plus	900	per claim
— for the 4th to the 6th years	6,400	plus	500	per claim	16,100	plus	1,300	per claim
— for the 7th to the 9th years	19,300	plus	1,500	per claim	32,200	plus	2,500	per claim
— for the 10th to the 25th years	55,400	plus	4,300	per claim	64,400	plus	5,000	per claim

Fee for application for registration of extension of patent right[3]	74,000	
Fee for conversion	14,000	of a utility model application
	16,000	of a design application

1 Fee reductions may apply for certain applicants such as small and medium-sized enterprises, micro enterprises, and academic institutions. For further details on the eligibility, see https://www.jpo.go.jp/system/process/tesuryo/genmen/genmen20190401/document/index/leaflet_e.pdf

2 Hereinafter referred to as "per claim".

3 The patent term, which is 20 years from the filing date, may be extended by up to five years where there is a period during which patent owners have been unable to work their inventions due to the regulations under the laws (where the subject matter of the inventions relates to human or animal drugs or to agricultural chemicals), provided that the application for registration of extension of the term of the patent right is filed.

Utility models

National fee	14,000			
National fee for request for review	14,000			
Fee for conversion of documents into electronic format	1,200	plus	700	per sheet
Fee for conversion	15,000			of a patent application
	16,000			of a design application
Fee for technical opinion				
(a) where no international search report has been established	42,000	plus	1,000	per claim
(b) where the international search report has been established by the Office	8,400	plus	200	per claim
(c) where the international search report has been established by an International Searching Authority other than the Office	33,600	plus	800	per claim

Annual fees (per year):	International applications filed on or after 1 April 2005			
— for the 1st to the 3rd years	2,100	plus	100	per claim
— for the 4th to the 6th years	6,100	plus	300	per claim
— for the 7th to the 10th years	18,100	plus	900	per claim

How can payment of fees be effected?

Payment of the national fee to the Office has to be made in Japanese Yen, by means of patent revenue stamps. The patent revenue stamps can be purchased at major Japan Post Co., Ltd. offices in Japan. The necessary amount of stamps must be affixed to the related form.

Some other payment methods, such as the advance payment system, bank account transfer or online cash transfer, may be available provided that the applicant or their representative in Japan has carried out the necessary registration proceedings at the Office in advance.

In principle, the Office does not accept any payments made directly by overseas residents, such as payment by international bank account transfer, or by credit card or by check, therefore, payment by an applicant overseas has to be made through a representative appointed in Japan.

However, in the case of patent annuity fees for the 4th year onwards, direct payment by bank account transfer or patent revenue stamps is available for overseas residents. For detailed instructions please see: www.jpo.go.jp/e/system/process/tesuryo/160401_renewing_outside.html

Form No.53: Transmittal form
(Related to PR Rule 38-4)

【書類名】 国内書面

(【提出日】 令和　年　月　日)

【あて先】 特許庁長官　殿

【出願の表示】

　【国際出願番号】

　【出願の区分】

【発明者】

　【住所又は居所】

　【氏名】

【特許出願人】

　【住所又は居所】

　【氏名又は名称】

　(【国籍・地域】)

【代理人】

　【識別番号】

　【弁理士】

　【氏名又は名称】

(【手数料の表示】)

　(【予納台帳番号】)

　(【納付金額】)

【提出物件の目録】

【物件名】	明細書の翻訳文	1
【物件名】	請求の範囲の翻訳文	1
【物件名】	要約書の翻訳文	1
【物件名】	図面の翻訳文	1

Form No.52: Submission of translation of an amendment under Article 19 (Related to PR Rule 38-2)

【書類名】 特許協力条約第１９条補正の翻訳文提出書

（【提出日】 令和　年　月　日）

【あて先】 特許庁長官　殿

【出願の表示】

【国際出願番号】

【出願の区分】

【特許出願人】

【住所又は居所】

【氏名又は名称】

【代理人】

【識別番号】

【弁理士】

【氏名又は名称】

【補正書の提出年月日】

【手続補正１】

【補正対象書類名】 特許請求の範囲

【補正対象項目名】 全文

【補正の方法】 変更

【補正の内容】

【その他】

Form No.54: Submission of translation of an amendment under Article 34 (Related to PR Rule 38-6)

【書類名】 特許協力条約第３４条補正の翻訳文提出書

（【提出日】 令和　年　月　日）

【あて先】 特許庁長官　殿

【出願の表示】

　【国際出願番号】

　【出願の区分】

【特許出願人】

　【住所又は居所】

　【氏名又は名称】

【代理人】

　【識別番号】

　【弁理士】

　【氏名又は名称】

【補正書の提出年月日】

【手続補正１】

　【補正対象書類名】

　【補正対象項目名】

　【補正の方法】

　【補正の内容】

【その他】

Form No.44: Request for examination of application
(Related to PR Rule 31-2)

【書類名】 出願審査請求書

(【提出日】 令和　年　月　日)

【あて先】 特許庁長官　殿

【出願の表示】

　【出願番号】

【請求項の数】

【請求人】

　【住所又は居所】

　【氏名又は名称】

　(【国籍・地域】)

【代理人】

　【識別番号】

　【弁理士】

　【氏名又は名称】

(【手数料の表示】)

　(【予納台帳番号】)

　(【納付金額】)

Form No.55: Request for review
(Related to PR Rule 38-8)

【書類名】 特許協力条約第２５条の規定による検査の申出書
（【提出日】 令和　年　月　日）
【あて先】 特許庁長官　殿
【国際出願番号】
【発明者】
　【住所又は居所】
　【氏名】
【申出人】
　（【識別番号】）
　【住所又は居所】
　【氏名又は名称】
　（【国籍・地域】）
【代理人】
　（【識別番号】）
　【住所又は居所】
　【氏名又は名称】
【拒否（宣言、認定）の通知を受けた日】
【申出の趣旨】
【申出の理由】
【提出物件の目録】
【物件名】　国際出願の翻訳文　　1
【物件名】　（　　）

Power of attorney

POWER OF ATTORNEY

I/We[(i)]

of

do hereby appoint[(ii)]

my/our lawful representative(s) pursuant to the provisions of Art. 8 of the Patent Act, Art. 2-5 of the Utility Model Act and Art. 68 of the Design Act of Japan ("patent administrator"), to make on my/our behalf proceedings for making

a[(iii)] application based on PCT application

No. PCT[(iv)]

to the Japan Patent Office, and to perform all other formalities and acts under the provisions concerned of the Patent, Utility Model and Design Acts of Japan or any orders issued on the basis thereof.

Dated this day of

.....

By.....

(i) Insert the name and address of the applicant(s) (individual or legal entity) appointing the representative(s).
(ii) Insert the name of the representative(s).
(iii) State the particular kind of protection (patent or utility model) pursuant to the provisions of Art.43 of the PCT.
(iv) State the international application number for which the representative(s) are appointed.

Power of attorney (translation)

委　　任　　状　　（訳　　文）

私（等）　　（氏名又は名称）

所在　　（住所又は居所）

は、ここに　　（委任された者の氏名）

を特許法第８条、実用新案法第２条の５及び意匠法第６８条の規定による代理人（特許管理人）に選任し、私（等）の為に、
国際出願番号ＰＣＴ／××〇〇〇〇／〇〇〇〇〇〇に基づく（特許）出願の手続を日本国特許庁に対してなし、また日本国特許法、実用新案法若しくは意匠法又はこれらの法律に基づく命令に規定する一切の手続及び行為をなす権限を与えます。

年　　月　　日

署　　名＿＿＿＿＿＿＿＿＿＿＿＿

KENYA INDUSTRIAL PROPERTY INSTITUTE

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

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THE PROCEDURE IN THE NATIONAL PHASE

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List of abbreviations:

Office: Kenya Industrial Property Institute

KPL: Industrial Property Act of Kenya

KR: Regulations under the Industrial Property Act of Kenya

SUMMARY Designated (or elected) Office SUMMARY

KE KENYA INDUSTRIAL PROPERTY INSTITUTE KE

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	The applicant should only send a copy of the international application if he has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee:[1, 2]	Currency: Kenyan shilling (KES) and US dollar (USD) For patent: National processing fee: KES 3,000 or USD 150 Annual fee for the second year:[3] KES 2,000 or USD 300 For utility model: National processing fee: KES 1,000 or USD 50
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[4]	Appointment of an agent if the applicant is not resident in Kenya Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any person registered to practice before the Office. A list of registered agents may be obtained from the Office.
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies the "unintentional" criterion to such requests

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

2 This fee is payable in USD if the person paying the fee or on whose behalf the fee is being paid does not reside in Kenya and does not have a principal place of business in Kenya.

3 Late payment of annual fees is permitted in certain circumstances subject to the payment of a surcharge.

4 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.

THE PROCEDURE IN THE NATIONAL PHASE

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

KE.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).

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

KPL Sec. 44
KR Sec. 28

KE.04 **EXAMINATION.** The Office may subject the application to search and/or examination by competent authorities upon the request of the applicant and upon payment of a fee, the amount of which is indicated in Annex. KE.I.

KPL Sec. 34(2)
(3)
(4)

KE.05 **REPRESENTATION.** Where the ordinary residence or principal place of business of the applicant is outside Kenya, the appointment of an agent who is a citizen of Kenya and is registered to practice before the Office must be indicated for the purposes of national processing. This may be done on the form, a model of which is given in Annex KE.II.

PCT Art. 28
41
KPL Sec. 36
KR Sec. 20

KE.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend or correct the claims, description, and drawings in the international application at any time before the grant of the patent, provided that the scope of the subject matter of the application is not broadened thereby.

KPL Sec. 61
KR Sec. 38

KE.07 **ANNUAL FEES.** For the due date of the first annual fee, see the Summary. A grace period of six months is granted for the payment of the annual fee upon payment of a surcharge. Where the applicant fails to pay the annual fee, the surcharge or both within the six month grace period he may, within a period of six months from the expiration of that grace period, apply to the Managing Director of the Office for the restoration of the patent or the application upon payment of the prescribed fee. The amounts of the annual fees and of the restoration fee are indicated in Annex KE.I.

KPL Sec. 60

KE.08 **PATENT TERM.** The patent term expires at the end of 20 years from the filing date.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*
KR Sec. 76

KE.09 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. The Managing Director of the Office may, in his discretion, excuse the delay in meeting any time limit subject to such terms and conditions as he considers appropriate.

PCT Art. 25
PCT Rule 51
82*ter*
KR Sec. 33(1)

KE.10 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. Where an international application designating Kenya is considered withdrawn or alleged to have been refused a filing date on account of an error or omission by the receiving Office or the International Bureau, the applicant may request the Managing Director of the Office to treat the international application as a national application. Such request should be accompanied by a statement of facts.

KPL Sec. 47
112
113
114
115

KE.11 **APPEALS.** If, upon review under PCT Article 25, the Office denied an error or omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged with the Office. Appeals against a decision of the Managing Director are made to the Industrial Property Tribunal. Decisions of the Tribunal may be appealed to the High Court of Kenya and from there to the Court of Appeal.

KPL Sec. 81

KE.12 **UTILITY MODEL.** If the applicant wishes to obtain a utility model instead of a patent in Kenya on the basis of an international application, it must be indicated in the international application (in Box V of the request) when filed. The fees relating to utility models are indicated in Annex KE.I.

KPL Sec. 83

KE.13 **CONVERSION.** The applicant may at any time before grant or refusal of a patent convert an application for a patent into an application for a utility model and vice versa.

FEES

(Currency: Kenyan shilling (KES) and US dollar)[1]

Patents

	KES	USD
National processing fee	3,000	150
Request for substantive examination	5,000	250
Fee for amendment or division of an application	2,000	100
Fee for amendment of application (change in name, address or other contact information)	1,000	50
Fee for request for extension of time	1,000	50
Fee for publication	3,000	150
Annual fees:		
— for the 2nd year	2,000	300
— for the 3rd year	2,000	300
— for the 4th year	2,000	300
— for the 5th year	2,000	300
— for the 6th year	2,000	300
— for the 7th year	2,000	300
— for the 8th year	6,000	300
— for the 9th year	7,000	350
— for the 10th year	8,000	400
— for the 11th year	10,000	500
— for the 12th year	12,000	600
— for the 13th year	14,000	700
— for the 14th year	16,000	800
— for the 15th year	18,000	900
— for the 16th year	20,000	1,000
— for the 17th year	30,000	1,500
— for the 18th year	35,000	1,750
— for the 19th year	40,000	2,000
— for the 20th year	50,000	2,500
Surcharge for late payment of annual fees	3,000	150
Fee for restoration of an application or a patent	6,000	300
Fee for restoration of the right of priority	1,000	50

Utility models

National processing fee	1,000	50
Fee for amendment or division of an application	500	50
Fee for amendment of application (change in name, address or other contact information)	500	50
Fee for request for extension of time	500	50
Fee for publication	3,000	150

[1] Fees are payable in USD if the person paying the fees or on whose behalf the fees are being paid does not reside in Kenya and does not have a principal place of business in Kenya.

Annual fees for a utility model certificate:		
— for the 2nd year	1,500	75
— for the 3rd year	2,000	100
— for the 4th year	2,500	125
— for the 5th year	3,000	150
— for the 6th year	3,500	175
— for the 7th year	4,000	200
— for the 8th year	4,500	225
— for the 9th year	5,000	250
— for the 10th year	5,500	275
Surcharge for late payment of annual fees	3,000	150
Fee for restoration of a utility model application or registration	2,000	100
Fee for restoration of the right of priority	500	50

How can payment of fees be effected?

The payment of fees to the Office must be effected in Kenyan shilling or US dollars.[2] Payment of fees can be made by cash payment, bank deposit or check (clearing in Kenya). All payments must give the application number (national if already known; international if the national number is not yet known).

[2] See footnote 1.

FORM IP 13
Regulation 32

THE INDUSTRIAL PROPERTY ACT, 2001

The Managing Director,
Kenya Industrial Property Institute.

REQUEST FOR NATIONAL PROCESSING OF AN INTERNATIONAL APPLICATION FOR A PATENT

I/We, the applicants named below, request that our international application identified below be treated as an application under the Act.

Name and address of applicants(s)	
International Application number	
Name and address of agent (if any)	
This application is made by virtue of the fact that the Institute is	☐ A designated office under chapter 1 of the Patent Cooperation Treaty
	☐ An elected office under chapter 11 of the Patent Cooperation Treaty
Documents accompanying the application	☐ Search report
	☐ International Preliminary Examination report
	☐ Cited Documents
	☐ FORM IP 4(statement justifying applicants right to Patent/utility model certificate)
	☐ FORM IP 39 (appointment of Agent)
	☐ Any other (specify)

Dated at .....this.....day of ....., 20.....

Signature.....

STATE AGENCY OF INTELLECTUAL PROPERTY AND INNOVATION UNDER THE CABINET OF MINISTERS OF THE KYRGYZ REPUBLIC (KYRGYZPATENT)

(KYRGYZ RESPUBLIKASYNYN MINISTRLER CABINETINE KARASHTUU INTELLEKTUALDYK MENCHIK JANA INNOVACIALAR MAMLEKETTIK AGENTTIK (KYRGYZPATENT))

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: State Agency of Intellectual Property and Innovation under the Cabinet of Ministers of the Kyrgyz Republic (Kyrgyzpatent)

KPL: Kyrgyz Patent Law[1]

[1] The text of the Kyrgyz Patent Law may be obtained on the Internet at http://patent.kg.

SUMMARY **Designated (or elected) Office** SUMMARY

KG STATE AGENCY OF INTELLECTUAL PROPERTY AND INNOVATION UNDER THE CABINET OF MINISTERS OF THE KYRGYZ REPUBLIC (KYRGYZPATENT) KG

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:[1]	Kyrgyz or Russian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Kyrgyz som (KGS) or equivalent in EUR or in USD[2] Filing and provisional examination fee:[3] KGS 8,000 Claim fee for each independent claim in excess of one:[3] KGS 1,500 Examination fee:[4] KGS 15,000 Claim examination fee for each independent claim in excess of one:[4] KGS 7,500 Renewal fee for the third year: KGS 8,500
Exemptions, reductions or refunds of the national fee:	Fees are reduced by 90% where the applicant is a natural person or a non-commercial organization. Participants in the Great Patriotic War or persons equated to them, as well as persons with "Group 1" disabilities are exempted from the payment of fees.
Who can act as agent?	Any person registered to practice before the Office as patent attorney

[Continued on next page]

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

2 For non-residents of Kyrgyzstan, the equivalent amount of the fees can be paid in euro or US dollar in accordance with the exchange rate established by the National Bank of Kyrgyzstan and applicable on the date of payment.

3 Must be paid within the time limit applicable under PCT Article 22 or 39(1). The requirement may still be complied with within two months from the expiration of that time limit, provided that a surcharge is paid.

4 A written request for examination must be made and the examination fee simultaneously paid.

SUMMARY **Designated (or elected) Office** SUMMARY

KG **STATE AGENCY OF INTELLECTUAL PROPERTY AND INNOVATION UNDER THE CABINET OF MINISTERS OF THE KYRGYZ REPUBLIC (KYRGYZPATENT)** KG

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[5]	Instrument of assignment of the priority application where the applicants are not identical[6] Appointment of an agent if the applicant is not resident in Kyrgyzstan
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

[5] 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 of two months from the date of receipt of the invitation.

[6] This requirement may be satisfied if the corresponding declaration has been made in accordance with Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

KG.01 **FORMS FOR ENTERING THE NATIONAL PHASE.** The Office has no special form for entering the national phase.

KG.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).

PCT Rule 17.2(a)

KG.03 **PRIORITY DOCUMENT (TRANSLATION).** The Office requires the applicant to furnish a translation of the priority document into Russian or Kyrgyz only in certain cases where required for the examination. If not already furnished, the Office will invite the applicant to furnish a translation of the priority document within a time limit which shall be fixed in the invitation.

KG.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex KG.I.

KPL Art. 23

KG.05 **REQUEST FOR EXAMINATION.** The Office examines patent applications. At the request of the applicant, the Office will examine the application with or without conducting examination as to substance. The request for examination must be filed within 30 months from the date of entry into the national phase. If the request is not filed within the prescribed time limit, the application is considered withdrawn.

KPL Art. 17

KG.06 **REPRESENTATION.** An applicant must be represented before the Office if he is not resident in Kyrgyzstan. Any applicant may be represented by a patent attorney authorized to practice before the Office and the address for service should normally be that of a registered patent attorney. A list of registered patent attorneys is available upon request from the Office and on the Office's website at: http://patent.kg/en/attorneys/.

KPL Art. 28

KG.07 **FEE FOR GRANT.** A fee for grant must be paid within two months after receipt by the applicant of the decision to grant the patent. Where the applicant fails to pay the fee within that time limit, he can make this payment, together with a prescribed surcharge for late payment, within three months from the date of the expiration of the above-mentioned time limit.

KG.08 **INVENTOR.** The indication of the name and address of the inventor must be in the request but may be furnished at a later stage. The Office will invite the applicant to furnish the name and address of the inventor within two months from the date of the receipt of the invitation.

PCT Art. 28, 41
KPL Art. 22

KG.09 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Within two months after entry into the national phase, the applicant has the right to amend or correct any element of his international application on his own initiative, without paying any fee for that purpose, provided that the amendments or corrections do not modify the subject matter of the claimed invention or utility model beyond the original disclosure. After the expiration of the said time limit, such amendments or corrections may be made only on payment of the prescribed fee and only until the final decision on the results of the substantive examination.

KG.10 **RENEWAL FEES.** After a patent has been granted, a continuation (renewal) fee must be paid for maintaining the patent in force. The first continuation fee is to be paid simultaneously with payment of the fee for granting the patent. All subsequent fees are to be paid before the beginning of the corresponding year. Payment can still be made, upon application for extension of time together with the payment of a corresponding fee, within six months from the final date. The amounts of the annual fees and of the fees for late payment are indicated in Annex KG.I.

PCT Art. 24(2), 48(2)
PCT Rule 82*bis*

KG.11 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where, during the international phase or before the Office, the applicant has missed a time limit for performing any act in relation to the international application, such time limit may be extended by the Office upon request by the applicant and where justified.

PCT Art. 25
PCT Rule 51

KG.12 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 4(3), 43
PCT Rule 49*bis*.1 (a), (b), 76.5

KG.13 **UTILITY MODEL.** Where the applicant wishes to obtain a utility model, on the basis of an international application, instead of a patent, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

KG.14 **CONVERSION.** The applicant may, prior to publication of a patent application, convert the said application into a utility model application by filing a request to that effect. The utility model application may be converted into a patent application at any time before the decision to grant is taken. The converted application shall have the priority date of the initial application.

FEES[1]

(Currency: Kyrgyz som)

Filing and provisional examination fee	8,000
— plus, for each additional invention	1,500
Examination fee	15,000
— claim examination fee for each independent claim in excess of one	7,500

The examination fee is reduced by 25% where an international search report has been established and by 50% where an international preliminary examination report has been established.

Reinstatement fee for each delayed month up to 12 months from the expiry date	3,000
Conversion fee:	
— for a utility model application into a patent application	3,500
— for a patent application into a utility model application	2,000
Fee for grant and publication of description up to 35 pages	5,000
— for each page in excess of 35	500
Renewal fees for patents:	
— for the 3rd year	8,500
— for the 4th year	10,500
— for the 5th year	12,500
— for the 6th year	14,000
— for the 7th year	17,000
— for the 8th year	21,000
— for the 9th and 10th years, per year	25,000
— for the 11th and 12th years, per year	33,500
— for the 13th, 14th and 15th years, per year	50,500
— for the 16th, 17th and 18th years, per year	59,000
— for the 19th and 20th years, per year	67,000
Fee for restoration of the right of priority	3,500

How can payment of fees be effected?

The payment of fees should be effected in Kyrgyz som (KGS) or in equivalent amounts in euro (EUR) or US dollar (USD). All payments must indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and the category of fee being paid.

Fees in Kyrgyz som (KGS) must be paid to:

Beneficiary:	State Agency of Intellectual Property and Innovation under the Cabinet of Ministers of the Kyrgyz Republic (Kyrgyzpatent)
Beneficiary bank:	Central Treasury of the Ministry of Finance of the Kyrgyz Republic
Account No.:	4402042100005341
BIC:	440001
Payment reference:	14511200

[1] For non-residents of Kyrgyzstan, the equivalent amount of the fees can be paid in euro or US dollar in accordance with the exchange rate established by the National Bank of Kyrgyzstan and applicable on the date of payment.

For non-residents of Kyrgyzstan, the equivalent amount of the fees in US dollar must be paid to:

Beneficiary:	Central Treasury of the Ministry of Finance of the Kyrgyz Republic, State Agency of Intellectual Property and Innovation under the Cabinet of Ministers of the Kyrgyz Republic (Kyrgyzpatent)
Correspondence bank:	Federal Reserve Bank of New York, New York, US
SWIFT code:	FRNYUS33
USD account No.:	0210-8671-5

and the equivalent amount of the fees in euro must be paid to:

Correspondence bank:	Deutsche Bundesbank, Frankfurt am Main
SWIFT code:	MARKDEFF
EUR account No.:	5040040042
Beneficiary bank:	National Bank of the Kyrgyz Republic, Bishkek, Kyrgyz Republic
SWIFT code:	NBKIKG22
Account No.:	1013350100590106

Доверенность - Power of Attorney

Настоящая доверенность выдана (имя патентного поверенного, его N регистрации)	The present Power of attorney is granted to (name of the attorney and the number of his certificate)
Адрес (и наименование фирмы, если имеется):	Address (and the name of the firm if any):
в том, что ему поручается представлять интересы	which is hereby empowered to represent the interests of
по всем вопросам, связанным с приобретением, поддержанием и охраной прав промышленной собственности на территории Кыргызской Республики	in all matters related to application for granting, maintenance and protection of industrial property rights within the territory of the Kyrgyz Republic
Место:	Place:
Дата:	Date:
Подпись	Signature

DEPARTMENT OF INDUSTRIAL PROPERTY (DIP), MINISTRY OF INDUSTRY, SCIENCE, TECHNOLOGY AND INNOVATION (MISTI) (CAMBODIA)

AS

DESIGNATED (OR ELECTED) OFFICE

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Fees . . . . . Annex KH.I

List of abbreviations:

Office: Department of Industrial Property (DIP), Ministry of Industry, Science, Technology and Innovation (MISTI) (Cambodia)

PL: Law on Patents, Utility Models and Industrial Designs, 2003

SUMMARY **Designated (or elected) Office** SUMMARY

KH DEPARTMENT OF INDUSTRIAL PROPERTY (DIP), MINISTRY OF INDUSTRY, SCIENCE, TECHNOLOGY AND INNOVATION (MISTI) (CAMBODIA) KH

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Khmer
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only), 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	A copy is required only if the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) or 40(2).
National fee:	Currency: Cambodian riel (KHR) For patent: Filing fee:[1] KHR 320,000 Claim fee for each claim in excess of 10: KHR 20,000 For utility model: Filing fee:[1] KHR 160,000 Claim fee for each claim in excess of 10: KHR 20,000
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

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

SUMMARY Designated (or elected) Office SUMMARY

KH DEPARTMENT OF INDUSTRIAL PROPERTY (DIP), MINISTRY OF INDUSTRY, SCIENCE, TECHNOLOGY AND INNOVATION (MISTI) (CAMBODIA) KH

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[2, 3] Statement justifying the applicant's right to the patent[2, 3] Evidence of entitlement to claim priority where the applicant is not the applicant who filed the earlier application[2, 3] Document evidencing a change of name of the applicant if the change occurred after the international filing date[3] Appointment of an agent[4] Instrument appointing the agent (authorization or power of attorney)[4] Verification of translation of international application
Who can act as agent?	Any patent attorney or patent agent registered before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[2] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[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 of two months from the date of receipt of the invitation.

[4] 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 fixed in the invitation.

THE PROCEDURE IN THE NATIONAL PHASE

PCT Art. 46

KH.01 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

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

PL Art. 46
130

KH.03 **ANNUAL FEES.** Annual fees are payable before the second and each subsequent anniversary of the international filing date. Payment of annual fees may still be made within six months from the due date, subject to the payment of a surcharge. The amounts of the annual fees are indicated in Annex KH.I.

KH.04 **APPOINTMENT OF AN AGENT.** The applicant must be represented by an agent in all cases. The agent shall be appointed by filing a power of attorney, signed by the applicant.

PL Art. 37

KH.05 **EXAMINATION.** The Office carries out formal examination but it does not carry out substantive examination. The Office will take into account:

(i) the results of any international search and examination;

(ii) a search and examination report on the corresponding foreign application furnished by the applicant or a final decision on the refusal to grant the corresponding foreign application; and

(iii) the results of a search and examination report carried out upon its request by an external search and examination authority.

PCT Art. 28
41

KH.06 **AMENDMENT OF THE APPLICATION.** The applicant may, at any time before the patent is granted, make amendments to his application, provided that the amendment does not go beyond the original disclosure.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

KH.07 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PCT Art. 25
PCT Rule 51

KH.08 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 37
PCT Rule 49.6

KH.09 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant, in spite of due care required by the circumstances having been taken, failed to perform the acts referred to in Article 22 within the applicable time limit. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit or twelve months from the date of expiration of the applicable time limit, whichever time limit expires earlier. Within the said two months, the omitted action must be completed. Please refer to the Office for any fee payable for such request.

PL Art. 69

KH.10 **UTILITY MODEL.** If the applicant wishes to obtain a utility model instead of a patent in Cambodia, on the basis of an international application, the applicant, when performing the acts referred to in PCT Article 22 or 39(1), shall so indicate to the designated Office.

PL Art. 75

KH.11 **CONVERSION.** An international application for a patent may be converted into a utility model and vice-versa, after the applicant has complied with the requirements for entry into the national phase. Conversion may be requested at any time up to the grant or refusal of the patent or utility model. Please refer to the Office for any fee payable for such request.

FEES

(Currency: Cambodian riel)

Patents

Filing fee:	320,000
Claim fee for each claim in excess of 10:	20,000

Annual fees:

— for the 2nd year	80,000
— for the 3rd year	12,000
— for the 4th year	160,000
— for the 5th year	400,000
— for the 6th year	560,000
— for the 7th year	720,000
— for the 8th year	880,000
— for the 9th year	1,040,000
— for the 10th year	1,200,000
— for the 11th year	1,400,000
— for the 12th year	1,600,000
— for the 13th year	1,800,000
— for the 14th year	2,000,000
— for the 15th year	2,200,000
— for the 16th year	2,440,000
— for the 17th year	2,680,000
— for the 18th year	2,960,000
— for the 19th year	3,240,000
— for the 20th year	3,560,000

Utility models

Filing fee:	160,000
Claim fee for each claim in excess of 10:	20,000

Annual fees:

— for the 2nd year	80,000
— for the 3rd year	100,000
— for the 4th year	120,000
— for the 5th year	200,000
— for the 6th year	300,000
— for the 7th year	400,000

How can payment of fees be effected?

All fees must be paid to the Office in Cambodian riels. All payments must indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and the category of fee being paid.

INTELLECTUAL PROPERTY OFFICE (SAINT KITTS AND NEVIS)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEX

Fees . . . . . Annex KN.I

List of abbreviations:

Office:	Intellectual Property Office (Saint Kitts and Nevis)
PA:	Patents Act of December 31, 2002
PR:	Patents Regulations of the Patents Act of December 31, 2002

SUMMARY **Designated (or elected) Office** **SUMMARY**

KN INTELLECTUAL PROPERTY OFFICE (SAINT KITTS AND NEVIS) KN

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	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:[1]	Currency: East Caribbean dollar (XCD) For patent: Filing fee: XCD 400 For utility certificate: Filing fee: XCD 400
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Statement justifying the applicant's right to the patent where the applicant is not the inventor[2, 3] Evidence of entitlement to claim priority where the applicant is not the applicant who filed the earlier application[2, 3] Instrument of assignment of the international application if the applicant has changed after the international filing date Appointment of an agent if the applicant is not a resident of Saint Kitts and Nevis
Who can act as agent?	Any attorney or lawyer registered in Saint Kitts and Nevis
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

[1] Must be furnished or 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 of two months from the date of the invitation.

[3] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

PR Sec. 3

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

KN.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).

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

PA Sec. 17

KN.04 **LACK OF UNITY OF INVENTION.** In case of lack of unity of invention, the applicant shall file divisional applications in respect of the additional inventions claimed in the international application and pay filing fees for each divisional application.

PA Sec. 60

KN.05 **APPOINTMENT OF AGENT.** If the applicant is not resident in Saint Kitts and Nevis, an agent shall be appointed. Any attorney or lawyer resident in Saint Kitts and Nevis and registered to practice in Saint Kitts and Nevis may act as agent.

PA Sec. 18
PCT Art. 28
41

KN.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend the international application at any time before a patent is granted, provided that the scope of the subject matter of the application is not broadened thereby.

PA Sec. 27

KN.07 **ANNUAL FEES.** Annual fees shall be paid to the Office each year starting one year after the filing date. A period of grace of six months shall be allowed for the late payment of the annual fee on payment of the prescribed surcharge. The amounts of the annual fees and the surcharge are indicated in Annex KN.I.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

KN.08 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PCT Art. 25
PCT Rule 51

KN.09 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PA Sec. 48-51
PCT Art. 4(3)
43
PCT Rule 49*bis*.1(c)
76.5

KN.10 **UTILITY CERTIFICATE.** If the applicant wishes to obtain a utility certificate instead of a patent in Saint Kitts and Nevis on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

PA Sec. 21
52

KN.11 **CONVERSION.** An international application for a patent may be converted into an application for a utility certificate, and vice versa, at any time before the patent or the utility certificate is granted or before the application is refused, upon request of the applicant and upon the payment of the prescribed fee. The fee for conversion is indicated in Annex KN.I.

PCT Rule 49*ter*.2

KN.12 **RESTORATION OF THE RIGHT OF PRIORITY.** Where the international application was filed within two months from the end of the period for claiming priority of an earlier application, a request for restoration of the right of priority may be made to the Office in accordance with the national law (see National Phase, paragraphs 6.006 to 6.011). Such a request will be allowed if the Office is satisfied that the failure to file the application within the 12-month priority period occurred in spite of due care required by the circumstances or was unintentional. The time limit for filing the request is one month from the date of entry into the national phase.

FEES

(Currency: East Caribbean dollar)

Patents

Filing fee	400
Fee for publication	50
Fee for amendment of the application	75
Annual fees:	
— for the 1st to the 3rd year, per year	100
— for the 4th to the 7th year, per year	300
— for the 8th to the 9th year, per year	350
— for the 10th to the 13th year, per year	400
— for the 14th to the 20th year, per year	50
Surcharge for late payment of annual fees	50
Opposition fee	100
Fee for restoration of the right of priority	50

Utility certificates

Filing fee	400
Fee for conversion	50

How can payment of fees be effected?

The payment of fees should be effected in East Caribbean dollar. 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 type of fee being paid.

Fees should be paid by cheque to the Accountant General.

INVENTION OFFICE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

AS

DESIGNATED (OR ELECTED) OFFICE

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Inventor's declaration . . . . . Annex KP.II
Assignment deed . . . . . Annex KP.III
Power of attorney . . . . . Annex KP.IV

List of abbreviations:

Office: Invention Office of the Democratic People's Republic of Korea

LI: Law on Inventions

RLI: Regulations under the Law on Inventions

SUMMARY **Designated (or elected) Office** SUMMARY

KP INVENTION OFFICE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA KP

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Korean
Required contents of the translation for entry into the national phase:[1]	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:[2]	Currency: Won (KPW) and Euro (EUR) For patent: Filing fee: Equivalent in KPW of EUR 230 Additional fee for late furnishing of the translation, per month: Equivalent in KPW of EUR 30 For inventor's certificate: None
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

[1] Must be furnished within the time limit applicable under PCT Article 22 or 39(1). If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the translation may be filed within two months from the expiration of that time limit, provided that the additional fee for late furnishing of the translation has been paid.

[2] If not already paid within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to pay the national fee within two months from the date of invitation.

SUMMARY **Designated (or elected) Office** SUMMARY

KP INVENTION OFFICE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA KP

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[3]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4] Inventor's declaration[4] Assignment deed where the applicant is not the inventor[4] Appointment of an agent if the applicant is not resident in the Democratic People's Republic of Korea Translation of the international application to be furnished in two copies
Who can act as agent?	Any patent agent
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[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 of two months from the date of invitation.

[4] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

KP.01 **TRANSLATION (LATE FURNISHING OF).** If the translation of the international application has not been furnished by the applicant within the time limit applicable under PCT Article 22 or 39(1), the translation can still be furnished within a further period of three months, provided that the additional fee for late furnishing of the translation, indicated in the Summary, has been paid within those three months.

KP.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).

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

KP.04 **POWER OF ATTORNEY.** A patent agent must be appointed by a power of attorney. A model is given in Annex KP.IV.

KP.05 **INVENTOR'S DECLARATION.** For details, see the model for such declaration in Annex KP.II. Legalization is not required. For time limits, see the Summary.

KP.06 **ASSIGNMENT DEED.** For details, see the model for such deed in Annex KP.III. Legalization is not required. For time limits, see the Summary. If the applicant(s) has (have) obtained the right to file the international application through the intermediary of one or more other persons and not directly from the inventor(s), the assignment deed(s) linking the inventor(s) and the applicant(s) must be produced.

LI Art. 26
RLI Art. 40

KP.07 **ANNUAL FEES.** Once a decision is made to grant a patent, the applicant becomes liable to pay to the Office an annual fee for each year following the international filing date. The first payment of annual fees is due within three months after receipt by the applicant of the decision that a patent will be granted and must comprise the annual fees for each year which has lapsed after the international filing date and the year during which the payment is made. Payment for each of the subsequent years must be made within three months before the anniversary of the international filing date on which the year commences or, where a supplement for late payment is also paid, within six months after the said anniversary. For the amount of these fees, see Annex KP.I.

PCT Art. 28
41
RLI Art. 29

KP.08 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Until the end of the examination procedure, the applicant may make amendments to the description, claims and drawings, provided that the scope of the subject matter of the application is not broadened thereby.

PCT Art. 25
PCT Rule 51

KP.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 omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged within two months from the decision.

PCT Art. 24(2) 48(2)

KP.10 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where the applicant has failed to observe a time limit in the proceedings, he may request restoration of his rights; such a request must be presented in writing and indicate the reason for missing the time limit; at the same time, the omitted act must be completed.

PCT Art. 4(3) 43
PCT Rules 49*bis*.1 (c) 76.5

KP.11 **INVENTOR'S CERTIFICATE.** Subject to what is said in paragraph KP.13, any desire of the applicant to obtain, in the Democratic People's Republic of Korea, on the basis of an international application, an inventor's certificate instead of a patent, must have been indicated, for international applications filed before 1 January 2004, in the international application (in Box No. V of the request) when filed; for international applications filed on or after 1 January 2004, since the request form no longer provides for the furnishing of such an indication, the applicant, when performing the acts referred to in PCT Article 22 or 39, shall so indicate to the Office.

KP.12 The requirements for the national phase are basically the same as for patents, except that no fees must be paid for an inventor's certificate.

LI Art. 32
RLI Art. 49

KP.13 An international application for a patent or, once a patent has been granted, that patent, may be converted into an application for an inventor's certificate or into an inventor's certificate, upon entering the national phase or at any time thereafter. Fees which have already been paid by the time of filing the request for conversion will not be refunded.

FEES

Currency: Won (KPW) and Euro (EUR)

National (filing) fee	equivalent in KPW of EUR	230[1]
National procedure of PCT application	equivalent in KPW of EUR	230[1]
Request for extension of term (per month)	equivalent in KPW of EUR	30
Registration:		
— of assignment of rights	equivalent in KPW of EUR	80
— of change or amendment	equivalent in KPW of EUR	60
Filing an appeal	equivalent in KPW of EUR	130
For granting patent	equivalent in KPW of EUR	230
Annual fees (to be paid before the due date):		
— for the 1st to the 3rd year (per year)	equivalent in KPW of EUR	130
— for the 4th to the 6th year (per year)	equivalent in KPW of EUR	170
— for the 7th to the 9th year (per year)	equivalent in KPW of EUR	330
— for the 10th to the 12th year (per year)	equivalent in KPW of EUR	400
— for the 13th to the 15th year (per year)	equivalent in KPW of EUR	465
— for the 16th to the 20th year (per year)	equivalent in KPW of EUR	600

How can payment of fees be effected?

Applicants who are foreign nationals or foreign entities must pay all fees (including annual fees) through a patent attorney.

[1] Published in *PCT Gazette* No. 28/2003, of 10 July 2003, page 15884.

조선민주주의인민공화국
D P R of Korea

발 명 가 확 인 서
Inventor's Declaration

나(우리)는 아래에 지적된 발명의 창조자(들)이다.

_____

_____

(발명명칭)

성, 이름 _____

_____

주소 _____

_____

국적 _____

이상이 정확한 발명가(들)임을 확인합니다 .

발명가(들)의 수표(들): 날자

장소

********** (The below to be filled by the inventor) **********

I(We),the undersigned author(s) of the invention,

_____

_____

(Title of Invention)

Name,Surname _____

_____

Domicile _____

_____

Citizenship _____

hereby declare that the true inventor(s) without exception are named in the declaration.

Signature(s) of the inventor(s): Date

Place

조선민주주의인민공화국
D P R of Korea

양 도 증
Assignment Deed

나(우리)는 _____

_____

(이름)

조선민주주의인민공화국에서 수여한 특허 / 또는 에 제출한 신청문건

_____

_____

(발명명칭)

에 기초한 나의(우리의) 발명으로부터 생기는 모든 권리들을 내(우리)가 넘겨주었다는것을 확인합니다.

나(우리)는 _____

_____

(이름)

앞에서 말한 권리들을 넘겨받았다는것을 확인합니다.

양도한 사람의 수표: 날자

양도받은 사람의 수표: 장소

********** (*The below to be filled by the client and inventor*) **********

I(We) _____

_____

(Name ,Surname)

declare that I(We) have transfered all the rights resulting from my(our) invention under the title

_____

_____

(Title of Invention)

which the patent has been granted on/or the patent application is filed in the Democratic People's Republic of Korea.

I(We) _____

_____

(Name,Surname)

declare that I(We) accept the aforesaid rights.

Signature of the assigner Date

Signature of the assignee Place

조선민주주의인민공화국
D P R of Korea

특허권및발명권
PATENTS & INVENTOR'S CERTIFICATES

위 임 장
Power of Attorney

아래에 서명한 나(우리)는 _____

_____

(이름과 주소)

조선민주주의인민공화국 발명총국앞에서 _____ 가

(대리소 이름)

_____

_____

(발명명칭)

와 관련한 모든 수속에서 나(우리)를 대표할것을 위임한다.

날자 수표:

(개인인경우:이름,성;
회사인경우:상업등록부에
밝힌 정확한 이름)

장소

********** (The below to be filled by the client) **********

I(We).the undersigned _____

_____

(Name & Address)

do hereby authorize the _____ to represent me(us) in all

(Name of Agency)

proceedings concerning

_____

_____

(Title of the Invention)

before the Invention Office of the DPR of Korea.

Date Signature:

(Single person:name,surname;
Firm:exact name on the trade register)

Place

(July 1997)

KOREAN INTELLECTUAL PROPERTY OFFICE

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Korean Intellectual Property Office

PL: Patent Law of the Republic of Korea

ER: Enforcement Regulations under the Patent Law of the Republic of Korea

UML: Utility Model Law of the Republic of Korea

SUMMARY Designated (or elected) Office SUMMARY

KR KOREAN INTELLECTUAL PROPERTY OFFICE KR

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:[1]	Korean			
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Request,[2] description, claims (if amended, as originally filed or as amended, together with any statement under PCT Article 19, at applicant's option), any text matter of drawings, abstract Under PCT Article 39(1): Request,[2] 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[3]			
National fee:[1]	Currency: Won (KRW) For patent: Filing fee: – when a translation of the application has been furnished in electronic form:	KRW	46,000	
	– when a translation of the application has been furnished on paper:	KRW	66,000	plus
		KRW	1,000	per sheet in excess of 20[4]
	Fee for request for examination:	KRW	143,000	plus
		KRW	44,000	for each claim
	Annual fees from the first to the third year, per year:	KRW	15,000	plus
		KRW	13,000	for each claim

[Continued on next page]

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

[2] The request does not need to be translated when Form No. 57 is used for entering the national phase (see Annex KR.II).

[3] Since 20 May 2019, where applicants wish to enter the national phase early, i.e. before the international publication has taken place, the Korean Intellectual Property Office in its capacity as designated/elected Office, will retrieve a copy of the international application, and other documents associated therewith, directly from the International Bureau.

[4] This fee applies to the total number of sheets of the description, drawings (if any) and abstract.

SUMMARY Designated (or elected) Office SUMMARY

KR KOREAN INTELLECTUAL PROPERTY OFFICE KR

[Continued]

National fee[5] (*cont'd*):	For utility model:			
	Filing fee:			
	– when a translation of the application has been furnished in electronic form:	KRW	20,000	
	– when a translation of the application has been furnished on paper:	KRW	30,000	plus
		KRW	1,000	per sheet in excess of 20[6]
	Fee for request for examination:	KRW	71,000	plus
		KRW	19,000	for each claim
	Annual fees from the first to the third year, per year:	KRW	12,000	plus
		KRW	4,000	for each claim
Exemptions, reductions or refunds of the national fee:	Filing fee, fee for request for examination, annual fees from the first to the third year and fee for request for scope confirmation trial are reduced by 70% where the applicant is a natural person and is also the inventor. However, if the number of applications per year by the applicant exceeds 20, the application fee will be reduced by 30% only. The fee for request for examination is reduced by 70% where the international search report or the international preliminary examination report has been established by the Korean Intellectual Property Office.			
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[7, 8] Appointment of an agent if the applicant is not resident in the Republic of Korea[9] Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form			
Who can act as agent?	Any registered patent attorney or legal representative			
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No			

5 See footnote 1.

6 See footnote 4.

7 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 which shall not be less than two months from the date of the invitation.

8 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

9 Must be appointed within two months from the expiration of the time limit applicable under PCT Article 22 or 39(1).

THE PROCEDURE IN THE NATIONAL PHASE

PL Sec. 203

KR.01 **FORMS FOR ENTERING THE NATIONAL PHASE.** The Office has available a transmittal form for entering the national phase (Form No. 57, see Annex KR.II) and strongly recommends the use of this Form. When this Form is used, the Request does not need to be translated under PCT Rule 49.1(a)(i). If amendments have been made during the international phase under PCT Article 19, or during the international preliminary examination under PCT Article 34, Form No. 13 (see Annex KR.VI) should preferably be used for the furnishing of a translation of such amendments into Korean. Forms Nos. 57 and 13 are also available on KIPO's web site at: www.kipo.go.kr.

PL Sec. 201(3)

KR.02 **TRANSLATION (CORRECTION).** A revised translation of the international application can be furnished before the expiration of the time limit applicable under PCT Article 22 or 39(1) unless a request for examination (see paragraph KR.06) has already been filed. Errors in the translation may also be corrected when amendments to the application are permitted (see paragraph KR.10).

PL Sec. 79(1) 82(1)

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

PL Sec. 5(1)

KR.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. Where the power of attorney is in a language other than Korean, a Korean translation is required. A model is given in Annex KR.IV (English translation).

ER Sec. 113

KR.05 **PRIORITY DOCUMENT.** The Commissioner of the Korean Intellectual Property Office or the President of the Intellectual Property Tribunal may, if necessary for the examination or trial, invite the applicant to submit the Korean translation of the priority document within a designated period. In case of identity between the text of the priority document and the international application, a statement to that effect may be furnished instead of a translation.

PL Sec. 60 210

KR.06 **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. The request for examination must be made in writing and in Korean, on Form No. 22 which is given in Annex KR.III.

PL Sec. 59(2)

KR.07 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within three years from the international filing date (see, however, for utility models, paragraph KR.13). Such request can only be made once all requirements for entry into the national phase (see the Summary) have been complied with. The request for examination is considered by the Office as a request for early start of the national phase if it is made before the expiration of the time limit applicable under PCT Article 22 or 39(1) (see paragraph 3.004 of the National Phase).

PL Sec. 82

KR.08 **FEE FOR REQUESTING EXAMINATION.** The request for examination is only effective if the fee for requesting examination has been paid. The amount of the fee is indicated in Annex KR.I.

PL Sec. 79(1)

KR.09 **ANNUAL FEES.** After examination, prior to the grant of a patent, annual fees must be paid for the first to the third year. These fees must be paid all at one and the same time within three months after receipt of the decision to grant a patent. The annual fees for the fourth and subsequent years must be paid before the anniversary of the date of the first payment. Payment can still be made, together with a 18% surcharge for late payment, before the expiration of six months from the anniversary of the date of the first payment. The amounts of the annual fees are indicated in Annex KR.I. Payment must be effected by filing Form No. 25. This form may be obtained from the Office.

PCT Art. 28 41
PL Sec. 47(1) 208

KR.10 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend the specification or drawings attached to the application before the examiner issues a certified copy of a decision to grant a patent. However, in cases that fall under any of the following subparagraphs, the applicant may amend the application within the following time limit:

(i) where the applicant receives a notice of the grounds for rejection (excluding a notice of grounds for rejection with regard to a ground for rejection which has arisen according to the amendment following the notice of grounds for rejection) for the first time or receives a notice of the grounds for rejection that does not apply under paragraph (ii): the applicable time limit is the period for submission of arguments against a notice of the grounds for rejection thereof;

(ii) where the applicant receives a notice of the grounds for rejection (and where the examiner issues a notice of revocation of decision to grant patent for *ex officio* reexamination, excluding a notice of grounds for rejection which has been issued before the examiner issues that notice) which has arisen as a result of an amendment following a notice of the grounds for rejection: the applicable time limit is the period for submission of arguments against a notice of the grounds for rejection thereof; or

(iii) where an applicant requests a reexamination in accordance with Article 67*bis* against a decision of rejection of a patent: at the time of filing of the request.

Notwithstanding the first paragraph, no amendment to an international patent application (except an amendment under PCT Articles 19(1) and 34(2)(b)) may be made until the fees have been paid, a translation of the application (except in the case of an international patent application made in the Korean language) has been submitted, and the relevant date (either 31 months from the priority date or after the filing date of a request for examination, whichever is earlier), has passed.

PCT Art. 25
PCT Rule 51
PL Sec. 214
UML Sec. 40

KR.11 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. The request for review to the Office should be filed with Form No. 58, which is given in Annex KR.V. 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, an administrative appeal against this denial may be lodged within 60 days from the receipt of the denial with the Office.

PCT Art. 24(2) 48(2)

KR.12 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** The Office does not excuse the failure to comply with any time limits during the national phase.

UML Sec. 17

KR.13 **UTILITY MODEL.** The requirements for the national phase are basically the same as for patents, except that the fees for utility models must be paid (see Annex KR.I, page 2). Examination must be requested within three years from the international filing date.

PCT Art. 7(2)(ii)
UML Sec. 36

KR.14 Where, in the case referred to in paragraph KR.13, the international application does not contain drawings, the applicant must furnish the drawing(s) within the time limit applicable under PCT Article 22 or 39(1). Where the applicant does not furnish the drawing(s) within that time limit, the Office will invite him to furnish the drawing(s) within a time limit fixed in the invitation.

UML Sec. 10 37

KR.15 **CONVERSION APPLICATION.** An international application for a patent may be converted into an application for a utility model after the applicant has complied with the requirements for entry into the national phase for a patent application as indicated in the Summary. The conversion is subject to the payment of a fee for conversion indicated in Annex KR.I and may be requested at any time within 30 days from the date of (first) receipt of a certified copy of the decision of refusal.

PL Sec. 53 209

KR.16 An international application for a utility model may be converted into an application for a patent after the applicant has complied with the requirements for entry into the national phase for a utility model application as indicated in the Summary. The conversion is subject to the payment of a fee for conversion indicated in Annex KR.I and may be requested at any time within 30 days from the date of receipt of a certified copy of the decision of refusal.

FEES

(Currency: Won)

Patents

National fee:		
— when a translation of the application has been furnished in electronic form	46,000	
— when a translation of the application has been furnished on paper	66,000	plus
	1,000	per sheet in excess of 20[1]
Fee for claiming priority:		
— when a request for claiming priority is made in electronic form	18,000	for each priority claim
— when a request for claiming priority is made on paper	20,000	for each priority claim
Fee for request for examination	143,000	plus
	44,000	for each patent claim
Fee for conversion of a patent application into a utility model application	Same as national fee for utility models	
Annual fees:		
— for the 1st to the 3rd year (must all be paid at one and the same time), per year	15,000	plus
	13,000	for each claim
— for the 4th to the 6th year,[2] per year	40,000	plus
	22,000	for each claim
— for the 7th to the 9th year,[2] per year	100,000	plus
	38,000	for each claim
— for the 10th to the 12th year,[2] per year	240,000	plus
	55,000	for each claim
— for the 13th to the 25th year,[2] per year	360,000	plus
	55,000	for each claim

Utility Models

National fee:		
— when a translation of the application has been furnished in electronic form	20,000	
— when a translation of the application has been furnished on paper	30,000	plus
	1,000	per sheet in excess of 20[1]
Fee for claiming priority:		
— when a request for claiming priority is made in electronic form	18,000	for each claim
— when a request for claiming priority is made on paper	20,000	for each claim
Fee for request for examination	71,000	plus
	19,000	for each claim
Fee for conversion of a utility model application into a patent application	Same as national fee for patents	
Annual fees:		
— for the 1st to the 3rd year (must all be paid at one and the same time), per year	12,000	plus
	4,000	for each claim
— for the 4th to the 6th year,[2] per year	25,000	plus
	9,000	for each claim
— for the 7th to the 9th year,[2] per year	60,000	plus
	14,000	for each claim
— for the 10th to the 12th year,[2] per year	160,000	plus
	20,000	for each claim
— for the 13th to the 15th year,[2] per year	240,000	plus
	20,000	for each claim

[1] This fee applies to the total number of sheets of the description, drawings (if any) and abstract.

[2] These fees may all be paid at the same time or in installments.

How can payment of fees be effected?

All payments must be made via the Office's payment system and must indicate the receipt number issued by the Office to the applicant.

For further details, see https://www.kipo.go.kr/en/HtmlApp?c=92004&catmenu=ek03_04_01

■ 특허법 시행규칙 [별지 제57호서식] <개정 2018. 5. 29.>

특허로(www.patent.go.kr)에서 온라인으로 제출 가능합니다.

특허법 제203조에 따른 서면

(앞쪽)

【출원구분】 □ 특허출원 □ 실용신안등록출원
【출원인】
【성명(명칭)】
【특허고객번호】
【대리인】
【성명(명칭)】
【대리인번호】
(【포괄위임등록번호】)
【국제출원번호】
【국제출원일자】
【국제특허출원언어】
【발명(고안)의 국문명칭】
【발명(고안)자】
【성 명】
【특허고객번호】
(【보정통지서의 발송번호】)
(【우선권주장】
【출원국명】
【출원번호】
【출원일자】
【증명서류】)
(【기타사항】 □ 심사청구 □ 조기공개신청 □ 공지예외적용 □ 미생물기탁
□ 서열목록 □ 기술이전희망 □ 국가연구개발사업
□ 국어번역문 제출기간연장)

위와 같이 특허청장에게 제출합니다.

출원인(대리인) (서명 또는 인)

【수수료】(기재요령 제11호를 참조합니다)
【출원료】 면 원
(【수수료 자동납부번호】)
【첨부서류】 법령에서 정한 서류 각 1통(기재요령 제12호를 참조합니다)

210㎜×297㎜[백상지 80g/㎡]

(뒤쪽)

1. 출원구분 및 관련 규정

이 서식은 대한민국을 지정국으로 지정한 국제특허출원의 출원인이 국내서면 제출기간 이내에 특허출원 또는 실용신안등록출원의 국내절차를 밟기 위하여 제출합니다(관련 규정: 「특허법」 제201조, 제203조 및 「실용신안법」 제41조).

2. 처리절차

서면 제출	⇒	접수 및 접수증 발급	⇒	서식 적격심사	⇒	· 서식 적격시: 관련 부서 이관 · 서식 흠결시: 보정통지 또는 반려통지
(출원인)		(특허청)		(특허청)		(특허청)

※ 기재요령

1.【출원구분】 란

출원구분 중 하나를 선택하여 □ 안에 표시(예: ☒)합니다.

2.【출원인】 란

가. 특허고객번호가 있는 경우

【성명(명칭)】 란에는 특허고객번호 부여 신청 시 적은 국문 성명(또는 법인의 명칭)을 적고【특허고객번호】 란에는 특허청에서 부여한 특허고객번호를 적습니다.

나. 특허고객번호가 없는 경우

(1)【출원인】 란의 다음 행에 「특허법 시행규칙」 별지 제4호서식(특허고객번호 부여신청서)의 기재요령 제1호를 참조하여 제출인의 【성명(명칭)의 국문표기】 및 【성명(명칭)의 영문표기】 등 필요한 난을 만들어 적습니다.

(2) 출원인은 직접 서명하거나 인감을 날인하여야 하며, 그 방법은 원칙적으로 [첨부서류]란이 있는 쪽의 다음 쪽에[출원인 ○○○의 인감(서명)]란을 만들고 그 아래에 가로 4㎝ × 세로 4㎝의 인감날인란(서명란)을 만들어 직접 서명하거나 출원인의 인감을 선명하게 날인합니다. 2명 이상의 출원인이 있는 경우에는 출원인의 수대로 [출원인 ○○○의 인감(서명)]란을 만들어 모든 출원인이 직접 서명하거나 인감을 날인하여야 합니다.

다. 공통

(1) 2인 이상의 출원인이 공동으로 출원하고 대표자 선임신고를 출원과 동시에 하는 경우에는【출원인】 란의 다음 행에【특기사항】 란을 만들고 "출원인대표자"와 같이 적으며,【첨부서류】 란에 대표자임을 증명하는 서류명을 적고 이를 출원서에 첨부합니다.

(2) 2인 이상의 출원인이 공동으로 출원하고 상호간에 지분이 약정되어 있는 경우에는【출원인】 란의 다음 행에【지분】 란을 만들고 "출원인 지분 ○/□"과 같이 지분내용을 분수로 적으며,【첨부서류】 란에 "지분약정서"라고 적어서 이를 출원서에 첨부합니다.

(3) 「특허법」 제99조제3항에 따라 특별히 약정한 경우, 「민법」 제268조제1항 단서에 따른 계약이 있는 경우 또는 제3자의 허가, 인가, 동의, 승낙이 필요한 경우에는【출원인】 란의 다음 행에【기타】 란을 만들고 그 취지를 적고,【첨부서류】 란에 동 내용을 입증하는 서류명을 적고 이를

출원서에 첨부합니다.

(4) 미성년자, 피한정후견인 또는 피성년후견인이 법정대리인에 의하여 제출하는 경우에는 다음 예와 같이【출원인】란 기재사항의 다음 행에 【법정대리인】란을 만들어 법정대리인의【성명】및【특허고객번호】란을 적으며, 그 대리권을 증명하는 서류를 이 서식에 첨부합니다.

[예] 【법정대리인】

【성명】

【특허고객번호】

3.【대리인】란

가. 대리인에 의하여 절차를 밟는 경우에는 대리인의 성명(또는 법인의 명칭) 및 대리인번호를 적습니다. 대리인이 특허법인·특허법인(유한)인 경우에는 다음 예와 같이【대리인번호】란의 다음 행에 【지정된 변리사】란을 만들고 지정된 변리사의 성명을 모두 적습니다.

[예] 【대리인】

【성명(명칭)】 특허법인·특허법인(유한) ○○○○

【대리인번호】 (특허법인·특허법인(유한)의 대리인번호)

【지정된 변리사】 변리사 ○○○, 변리사 ○○○

나. 포괄위임을 받은 대리인의 경우에는 다음 예와 같이【포괄위임등록번호】란을 만들어 포괄위임등록번호를 적으며, 대리인이 2인 이상의 위임자와 포괄위임관계를 가진 경우에는 위임자의 수대로 【포괄위임등록번호】란을 만들어 모두 적습니다.

[예] 【대리인】

【성명(명칭)】

【대리인번호】

【포괄위임등록번호】

【포괄위임등록번호】

다. 개별위임관계를 갖는 대리인이 위임자 전원을 대리하지 않는 경우에는 다음 예와 같이【대리인번호】란의 다음 행에【특기사항】란을 만들어 적습니다.

[예] 【대리인번호】

【특기사항】 출원인 ○○○의 대리인

라. 개별위임관계를 갖는 대리인인 경우에는【첨부서류】란에 "위임장"이라 적고 위임장을 이 서식에 첨부하며, 위임장의 기재사항은 「특허법 시행규칙」 별지 제1호서식(위임장)을 참조하여 작성합니다.

4.【국제출원번호】및【국제출원일자】란

해당 건의 국제출원번호 및 국제출원일자를 다음 예와 같이 적습니다.

[예]【국제출원번호】PCT/KR2007/123456

【국제출원일자】2007. 3. 27.

5.【국제특허출원언어】란

PCT 국제출원당시 수리관청에 제출한 명세서 등의 작성언어를 적습니다. 국어 이외의 언어로 작성된 출원의 경우에는 명세서 등의 번역문을 이 서식에 반드시 첨부하여야 합니다.

6.【발명(고안)의 국문명칭】 란

【발명(고안)의 국문명칭】 란에는 명세서의 【발명(고안)의 명칭】 란에 적힌 국문명칭과 동일하게 적습니다.

7.【발명(고안)자】 란

가. 특허고객번호가 있는 경우

【성명】 란에 특허고객번호 부여 신청서에 적은 국문성명을 적고, 【특허고객번호】 란에는 특허청에서 부여한 특허고객번호를 적습니다.

나. 특허고객번호가 없는 경우

1) 【발명(고안)자】 란에 발명(고안)자의 【성명의 국문표기】, 【성명의 영문표기】, 【주소의 국문표기】(【주소의 영문표기】) 등 필요한 란을 만들어 적습니다.

2) 발명(고안)자가 내국인인 경우에는 다음 예와 같이 【성명의 국문표기】 란에 성과 이름 순서로 공백 없이 적으며, 【성명의 영문표기】 란은 성과 이름 순서로 쉼표를 넣어 구분하고 성은 대문자로 적습니다. 발명(고안)자가 여권을 발급받은 경우에는 여권에 적힌 영문명으로 적어야 합니다.

[예] 【성명의 국문표기】 홍길동

【성명의 영문표기】 HONG, Gil Dong

3) 발명(고안)자가 외국인인 경우에는 다음 예와 같이 【성명의 국문표기】 란은 외래어표기법에 따라 성명의 영문표기 전체를 국어로 음역하여 적되, 성과 이름 순서로 한 칸 공백을 두며, 【성명의 영문표기】 란은 성과 이름 순서로 쉼표를 넣어 구분하고 성은 대문자로 적습니다.

[예] 【성명의 국문표기】 케네디 존 에프

【성명의 영문표기】 KENNEDY, John F.

4) 국내주소인 경우에는 【주소의 국문표기】 란에 주민등록표의 주소를 다음 예와 같이 적습니다. 외국주소인 경우에는 【주소의 영문표기】 란에 외국주소를 적고 국내주소의 기재순서와 동일하게 외래어표기법에 따라 국어로 음역하여 【주소의 국문표기】 란에도 적습니다.

[예] 【주소의 국문표기】 ○○시(도) ○○구(시·군) [○○(읍·면)] ○○(대로·로·길) 건물번호

8.【보정통지서의 발송번호】 란

국제출원을 국어로 한 출원인이 국내서면제출기간 내에 국내서면을 제출하지 않아 보정통지를 받고 이를 제출하려는 경우에만 보정통지서의 발송번호를 적습니다.

9.【우선권주장】 란

가. 「특허법」 제54조에 따른 조약에 의한 우선권주장을 하는 경우 또는 「특허법」 제55조에 따른 대한민국의 선출원에 따라 국내우선권을 주장하는 경우에만 적으며, 상기 우선권주장을 동시에 하는 경우에는 「특허법」 제54조에 따른 우선권 주장을 먼저 적습니다. 우선권주장이 없는 경우에는 이 란을 기재하지 않고, 2 이상의 우선권주장을 하는 경우에는 다음 예와 같이 해당 식별항목을 만들어 모두 적습니다.

[예] 【우선권주장】

【출원국명】 US

【출원번호】 1234567

【출원일자】 2007. 1. 1.

【증명서류】 첨부

【우선권주장】

【출원국명】 JP

【출원번호】 18-1234

【출원일자】 2007. 1. 1.

【증명서류】 첨부

나. 조약에 의한 우선권주장을 하려는 경우에는【우선권주장】란의 다음 행에 외국에 출원한 것으로서 우선권주장의 기초가 되는 출원의【출원국명】,【출원번호】,【출원일자】및【증명서류】란을 각각 적습니다.【출원국명】란은 특허청장이 공고하는 2자리 영문코드로 적으며,【증명서류】란에는 우선권증명서류를 출원과 동시에 제출하는 경우에는 "첨부"라고 적고, 동 증명서를 추후에 제출하는 경우에는 "미첨부"라고 적습니다. 다만, 출원국명이 일본국인 경우에는【증명서류】란에 실제로 증명서류를 첨부하지 않는 경우에도 "첨부"라고 적습니다.

다. 국내우선권주장을 하려는 경우에는【우선권주장】란의 다음 행에 선출원의【출원국명】,【출원번호】,【출원일자】및【증명서류】란을 각각 적습니다.【출원국명】란에는 "KR"이라 적고【증명서류】란에는 실제로 증명서류를 첨부하지 않는 경우에도 "첨부"라고 적습니다.

10.【기타사항】란

가. 다음 표의 내용을 참조하여 해당하는 사항의 □ 안에 모두 표시(예: ☒)합니다.

구분	구분내용	관련 규정
심사청구	출원과 동시에 출원심사청구를 하는 경우	「특허법 시행규칙」 제37조, 「실용신안법 시행규칙」 제17조
조기공개신청	출원과 동시에 조기공개신청을 하는 경우	「특허법 시행규칙」 제44조, 「실용신안법 시행규칙」 제17조
공지예외적용	「특허법」 제30조에 따라 공지 등의 예외적 용대상의 발명으로 인정을 받고자 하는 경우	「특허법 시행규칙」 제20조의2, 「실용신안법 시행규칙」 제17조
미생물기탁	특허출원된 발명과 관련한 미생물을 기탁기관에 기탁한 경우	「특허법 시행령」 제2조, 「실용신안법 시행령」 제9조제1항
서열목록	핵산염기 서열 또는 아미노산 서열이 포함된 출원인 경우	「특허법 시행규칙」 제21조의4, 「실용신안법 시행규칙」 제4조
기술이전희망	기술이전의 의사가 있는 경우	
국가연구개발사업	국가연구개발사업의 결과로 획득한 발명을 출원하는 경우	「국가연구개발사업의 관리 등에 관한 규정」 제20조제6항
국어번역문 제출기간연장	국어번역문의 제출기간을 1개월 연장하는 경우	「특허법」 제201조제1항 「실용신안법」 제35조제1항

나. 공지예외적용

공지예외적용 사항의 □ 안에 표시한 경우에는 다음 예와 같이【기타사항】란의 다음 행에【공지예외적용대상 증명서류의 내용】,【공개형태】및【공개일자】란을 각각 만들어 공지 등의 예외적용대상임을 인정받고자 하는 발명의 공개형태 및 공개일자를 적습니다. 또한,【첨부서류】란에는 공지예외적용 대상임을 증명하는 서류명을 적고 이를 출원서에 첨부합니다.

[예] 【기타사항】

【공지예외적용대상 증명서류의 내용】

【공개형태】

【공개일자】

다. 미생물기탁

(1) 2009년 12월 31일 전에 출원된 출원건인 경우

미생물기탁 사항의 □ 안에 표시한 경우에는 다음 예와 같이【기타사항】란의 다음 행에【미생물기탁】,【기탁기관명】,【수탁번호】및【수탁일자】란을 각각 만들어 미생물 기탁정보를 적으며, 2 이상의 미생물을 기탁한 경우에는 해당 식별항목을 추가로 만들어 적습니다. 또한,【첨부서류】란에 미생물기탁 사실을 입증하는 서류명을 적고 이를 출원서에 첨부합니다.

[예] 【기타사항】

【미생물기탁】

【기탁기관명】 생명공학연구소(KRIBB)

【수탁번호】 KCTC 0000P

【수탁일자】 2007. 1. 1.

【미생물 기탁】

【기탁기관명】 생명공학연구소(KRIBB)

【수탁번호】 KCTC 0000BP

【수탁일자】 2007. 1. 1.

(2) 2010년 1월 1일 이후부터 2014년 12월 31일 이전에 출원된 출원건인 경우

미생물기탁 사항의 □ 안에 표시한 경우에는 【첨부서류】란에 미생물기탁 사실을 입증하는 서류명을 적은 후 이를 출원서에 첨부합니다. 명세서에 미생물명을 적을 때에는 해당 수탁번호도 함께 적으며, 수탁번호를 정리하여 별도로 적으려는 경우에는 명세서에 【수탁번호】란을 만들어 해당 수탁번호들을 적을 수 있습니다.

(3) 2015년 1월 1일 이후에 출원된 출원건인 경우

미생물기탁 사항의 □ 안에 표시한 경우에는 다음 예와 같이 【기타사항】란의 다음 행에 【미생물기탁】, 【기탁기관명】, 【수탁번호】 및 【수탁일자】란을 각각 만들어 미생물 기탁정보를 적고【첨부서류】란에 미생물기탁 사실을 입증하는 서류명을 적은 후 이를 출원서에 첨부합니다. 명세서에 미생물명을 적을 때에는 해당 수탁번호도 함께 적으며, 수탁번호를 정리하여 별도로 적으려는 경우에는 명세서에 【수탁번호】란을 만들어 해당 수탁번호들을 적을 수 있습니다.

[예] 【기타사항】

【미생물기탁】

【기탁기관명】 생명공학연구소(KRIBB)

【수탁번호】 KCTC 0000P

【수탁일자】 2015. 10. 11.

라. 서열목록

(1) 서열목록 사항의 □ 안에 표시한 경우에는 다음 예와 같이【기타사항】란의 다음 행에【핵산염기서열 또는 아미노산 서열목록】,【서열개수】및【서열목록 전자파일】란을 각각 만들어 적습니다.

(2)【서열개수】란에는 서열목록에 포함된 서열의 수,【서열목록 전자파일】란에는 서열목록이 포함

된 전자파일 제출여부를 "첨부" 또는 "미첨부" 중 택일하여 적습니다. 또한, 특허청장이 고시하는 "핵산염기 서열 또는 아미노산 서열을 포함한 출원의 서열목록 작성 및 제출요령"에 따라 작성된 【서열목록】을 명세서 다음(도면이 있는 경우에는 도면 다음)에 첨부하고, 서열목록을 포함하는 출원을 서면으로 제출하는 경우에는 서열목록의 전자파일을 출원과 동시에 제출하며, 【첨부서류】란에 "서열목록의 전자파일 1부(전자파일에 수록한 서열목록이 명세서에 적은 서열목록과 동일함)"라 적고, 해당 서열목록의 전자파일이 수록된 전자적 기록매체를 출원서에 첨부합니다. 그리고 출원서 좌측 상단에는 서열목록 전자파일에 적힌 것과 동일한 관리번호를 적습니다. 다만, 전자문서를 이용하여 출원서를 제출하는 경우에는 서열목록의 전자파일을 별도로 제출하지 않습니다.

[예] 【기타사항】

【핵산염기 서열 또는 아미노산 서열목록】

【서열개수】 3

【서열목록 전자파일】 첨부

마. 기술이전희망

기술이전희망 사항의 □ 안에 표시한 경우에는 다음 예와 같이 【기타사항】란의 다음 행에 【기술이전희망】, 【기술이전대가】란을 만들고 희망하는 기술이전 형태 및 대가를 하나 이상 선택하여 해당 사항에 표시(예: ☒)합니다. 기술이전을 희망한 특허출원은 공개 또는 등록공고 후 기술거래 활성화를 위하여 지식재산거래정보시스템(www.ipmarket.or.kr)에 기술이전희망 기술로 등록됩니다.

[예] 【기술이전희망】 □ 양도 □ 전용실시권 □ 통상실시권

[예] 【기술이전대가】 □ 유상 □ 무상

사. 국가연구개발사업

(1) 국가연구개발사업 사항의 □ 안에 표시한 경우에는 【기타사항】란의 다음 행에 【이 발명을 지원한 국가연구개발사업】, 【과제고유번호】, 【부처명】, 【연구관리전문기관】, 【연구사업명】, 【연구과제명】, 【기여율】, 【주관기관】 및 【연구기간】란을 각각 만들어 적습니다.

(2) 이 발명을 지원한 국가연구개발사업이 1개 또는 2개 이상인 경우에는 다음 예와 같이 적습니다. 【과제고유번호】란은 국가과학기술지식정보시스템(NTIS)에서 부여하는 과제고유번호(확실하지 않으면 연구관리전문기관 등의 과제고유번호)를 적습니다. 【연구관리전문기관명】란은 해당 연구개발사업에 대한 기획·평가·관리 등의 업무를 수행하는 기관명(확실하지 않으면 주관기관과 사업협약을 체결하는 기관명)을 적습니다. 【연구사업명】란은 연구과제가 포함된 상위 연구사업명(확실하지 않으면 연구과제계획서에 적은 상위 연구사업명)을 적습니다. 【연구과제명】란은 각 부처 또는 연구관리전문기관에서 관리하고 있는 연구과제 단위로서 산업재산권이 도출된 단위의 연구과제명을 적습니다. 【기여율】란은 1개 사업인 경우에는 1/1로 적고, 2개 이상의 사업인 경우에는 발명에 대한 해당사업별 기여율을 ○/□과 같이 분수로 적되, 총합이 1이 되도록 적습니다. 【주관기관】란은 연구과제의 주관기관명을 적습니다. 【연구기간】란은 협약의 체결일과 협약의 만료일을 적습니다.

[예] 【기타사항】

【이 발명을 지원한 국가연구개발사업】

【과제고유번호】 ○○○○○○○○

【부처명】 농촌진흥청

【연구관리전문기관】 농촌진흥청

【연구사업명】 바이오장기생산기술개발

【연구과제명】 형질전환 복제무균돼지의 생산효율성 제고를 위한 보조기술개발

【기여율】 1/2

【주관기관】 한국대학교

【연구기간】 2007. 4. 1. ~ 2011. 12. 31.

【이 발명을 지원한 국가연구개발사업】

【과제고유번호】 ○○○○○○○○

【부처명】 과학기술정보통신부

【연구관리전문기관】 한국과학재단

【연구사업명】 21C프론티어연구개발사업

【연구과제명】 당단백질과 당지질말단당쇄변화에 기초한 간암 바이오마커의 발굴을 통한 임상적용연구

【기여율】 1/2

【주관기관】 한국대학교

【연구기간】 2006. 9. 1. ~ 2010. 3. 31.

사. 국어번역문 제출기간연장

국어번역문 제출기간연장 사항의 □ 안에 표시한 경우에는 국내서면제출기간 만료일[「특허협력조약」 제2조(xi)의 우선일부터 2년 7개월]부터 1개월이 되는 날까지 국어번역문을 제출할 수 있습니다.

[예] 【기타사항】

【국어번역문 제출기간연장】 신청

11. 【수수료】 란

가. 「특허료 등의 징수규칙」 제2조제1항을 참조하여 출원 시에 납부하는 수수료의 내역 및 금액을 적습니다. 【출원료】 란에는 출원서 중 명세서, 도면 및 요약서의 전체 면수 및 특허출원료 금액을 적습니다. 특허출원서를 서면으로 제출하는 경우에는 명세서, 도면 및 요약서의 전체 면수에 따른 가산료를 합산한 금액을 특허출원료에 적습니다.

나. 우선권주장을 하는 경우, 심사청구를 하는 경우 또는 국어번역문 제출기간 연장을 하는 경우에는 다음 예와 같이 【출원료】 란의 다음 행에 【우선권주장료】, 【심사청구료】, 【국어번역문 제출기간연장료】 및 【합계】 란을 각각 만들어 적습니다. 【우선권주장료】 란에 우선권주장의 건수 및 그에 해당하는 우선권주장료 금액을 적고, 【심사청구료】 란에 심사청구시의 청구항의 수 및 심사청구료를 적으며, 【국어번역문 제출기간연장료】 란에는 그에 해당하는 국어번역문 제출기간연장료를 적고, 【합계】 란에 합계액을 적습니다.

[예] 【수수료】

【출원료】

【우선권주장료】

【심사청구료】

【국어번역문 제출기간연장료】

【합계】

다. 수수료 감면 또는 면제 대상자인 경우에는 다음 예와 같이 【합계】 란의 다음 행에 【감면(면제)사

유】 및 【감면(면제)후 수수료】 란을 각각 만들어 적습니다. 이 경우 「특허료 등의 징수규칙」 제7조 및 제10조를 참조하여 감면(면제)사유, 감면(면제)후 수수료를 적고 감면 또는 면제사유에 해당함을 증명하는 서류를 출원서에 첨부하여 제출합니다.

[예] 【수수료】

【출원료】

【우선권주장료】

【심사청구료】

【국어번역문 제출기간연장료】

【합계】

【감면(면제)사유】

【감면(면제)후 수수료】

라. 수수료는 접수번호를 부여받은 후에 이를 납부자번호로 하여 다음날까지 납부합니다.

11의2. 【수수료 자동납부번호】 란

사전에 「특허료 등의 징수규칙」 별지 제4호서식의 수수료 자동납부신청서를 제출한 경우로서 해당 절차의 수수료를 자동납부하려는 경우에는 해당 서식을 서면 대신 전자문서로 반드시 제출하여야 하며, 수수료 자동납부신청서에 적은 계좌번호를 해당 서식의 【수수료 자동납부번호】 란에 표시하여야 합니다.

12. 【첨부서류】 란

가. 이 서식에 첨부하여야 하는 서류는 다음과 같습니다.

(1) 「특허법」 제201조(「실용신안법」 제35조)에 따른 발명의 설명·청구범위·요약서 및 도면(도면 중 설명부분에 한정합니다)의 번역문 각 1통

(2) 「특허법 시행규칙」 제114조제1항(「실용신안법 시행규칙」 제15조)의 단서에 따라 국어로 국제특허출원을 하였으나 요약서를 영어로 제출한 경우에는 요약서의 번역문 1통

(3) 그 밖에 법령에서 정한 서류 각 1통(기재요령 제2호, 제3호, 제9호 내지 제11호 참조)

나. 【첨부서류】 란의 기재방법

(1) 서식에 첨부할 서류명과 부수를 다음 예와 같이 적되, 서식과 함께 제출하지 않는 첨부서류는 적을 수 없습니다.

[예] 【첨부서류】 위임장 1통

(2) 첨부서류 중 「전자정부법」 제42조제2항제4호 및 같은 법 시행령 제49조제2항에 따라 누구든지 서류로 발급받거나 열람할 수 있는 행정정보(법인 등기사항증명서 등)에 해당하는 서류는 「전자정부법」 제36조제1항에 따른 행정정보의 공동이용을 통하여 특허청장이 확인해야 하는 정보로서, 제출인은 다음 예와 같이 해당 서류의 명칭, 부수 및 그 서류를 확인하기 위해 필요한 정보를 적습니다.

[예] 법인 등기사항증명서 1통 [상호: ○○○, 법인등록번호: 000000-0000000]

(3) 첨부서류 중 「전자정부법」 제42조제2항제4호 및 같은 법 시행령 제49조제2항에 따라 누구든지 서류로 발급받거나 열람할 수 있는 행정정보 이외의 행정정보(주민등록표 등본·초본, 외국인등록사실증명, 인감증명서, 사업자등록증명 등)에 해당하는 서류는 제출인 본인의 동의가 있는 경우에 「전자정부법」 제36조제1항에 따른 행정정보의 공동이용을 통하여 특허청장이 확인할 수 있는 정보입니다. 따라서, 특허청장이 확인하는 것에 동의하고 다음 예와 같이 해당 서류의 명칭, 부수

및 서류를 확인하기 위해 필요한 정보를 적으면 관련 서류의 제출을 생략할 수 있습니다. 한편, 특허청장이 확인하는 것에 동의하지 않으면 제출인이 관련 서류를 직접 제출해야 합니다.

[예 1] 주민등록표 등본·초본 1통 [성명: ○○○, 주민등록번호: 000000-0000000]

[예 2] 사업자등록증명 1통 [성명: ○○○, 주민등록번호: 000000-0000000, 사업자등록번호: 000-00-00000]

[예 3] 국가유공자(유족)확인원 1통 [성명: ○○○, 주민등록번호: 000000-0000000, 보훈번호: 000-000000]

다. 서류의 원용

(1) 동시에 진행하는 2 이상의 특허에 관한 절차에서 제출할 증명서(「특허법」 제7조, 제30조제2항 또는 제54조제4항, 「특허법 시행규칙」 제6조부터 제9조까지의 규정에 따른 증명서에 한정합니다)가 같은 것일 경우에는 그중 1건에만 증명서의 원본을 제출하고, 다른 건에는 다음 예와 같이 원용에 관한 사항을 적어서 사본을 제출할 수 있습니다.

[예] 위임장 1통 [같은 날짜 제출서류에 첨부된 것을 원용]

【서류명】 특허출원서

【출원번호】 10-2007-1234567

(2) 이미 특허청 또는 특허심판원에 제출한 증명서(「특허법」 제7조, 제30조제2항 또는 제54조제4항, 「특허법 시행규칙」 제6조부터 제9조까지의 규정에 따른 증명서에 한정합니다)와 동일한 내용의 증명서를 다시 제출하는 경우에는 다음 예와 같이 원용에 관한 사항을 적고 그 증명서의 제출을 생략할 수 있습니다.

[예] 위임장 1통 [아래에 적은 제출서류에 첨부된 것을 원용]

【서류명】 심판청구서

【심판번호】 2007-당-123456

라. 첨부서류를 전자적 이미지로 변환(스캐닝)하여 제출하는 경우의 유의사항

(1) 첨부서류로 제출되는 전자적 이미지 형식은 해상도 300부터 400dpi까지(300dpi 권장)의 흑백 TIFF (Tagged Image File Format)로 합니다.

(2) 꼭 필요한 경우에는 그레이스케일 또는 칼라 이미지로 제출 가능하며, 제출되는 전자적 이미지 형식은 해상도 300부터 400dpi까지(300dpi 권장)의 JPEG(Joint Photographic Experts Group)로 합니다.

마. 첨부서류를 PDF(Portable Document Format)로 제출할 수 있습니다.

13. 작성 시 유의사항

서식은 출원인(대리인에 의하여 절차를 밟는 경우에는 대리인)이 기명을 한 후 서명 또는 날인하여야 하며, 2명 이상의 출원인(대리인)이 있는 경우에는 모두 기명을 한 후 서명 또는 날인하여야 합니다. 서명 또는 날인시의 인감은 특허고객번호부여신청[대리인이 변리사인 경우에는 변리사등록, 대리인이 특허법인·특허법인(유한)인 경우에는 법인등록]시 사용한 것과 동일한 서명 또는 인감을 사용하며, 특허고객번호 정보변경(경정)신고서에 따라 서명 또는 인감을 변경한 경우에는 그 변경된 서명 또는 인감을 사용하여야 합니다.

■ 특허법 시행규칙 [별지 제22호서식] <개정 2020. 3. 30.>

특허로(www.patent.go.kr)에서 온라인으로 제출 가능합니다.

심사청구서 · 우선심사신청서

(앞쪽)

【구 분】 □ 심사청구 □ 우선심사신청

【제출인】

【성명(명칭)】

【특허고객번호】

【사건과의 관계】 □ 출원인 □ 국제출원인 □ 제3자

【대리인】

【성명(명칭)】

【대리인번호】

(【포괄위임등록번호】)

【사건의 표시】

【출원번호(국제등록번호)】

(【디자인의 일련번호】)

【발명(고안)의 명칭[디자인의 대상이 되는 물품, 상품류]】

【기타사항】 □ 심사유예신청 □ 선행기술(디자인, 상표)조사의뢰된 출원

(【유예희망시점】 심사청구일 후 24개월이 지난 때부터 ( )개월)

(【심사청구료 납부유예】 □필요 □불필요)

(【선행기술조사의뢰정보】)

(【의뢰기관】)

(【의뢰일자】)

(【국제특허분류】)

위와 같이 특허청장에게 제출합니다.

제출인(대리인) (서명 또는 인)

【수수료】(기재요령 제6호 참조)

(【수수료 자동납부번호】)

(【심사청구료】 항 원)

(【우선심사신청료】 원)

【첨부서류】 법령에서 정한 서류 각 1통(기재요령 제8호 참조)

210㎜×297㎜[백상지 80g/㎡]

(뒤쪽)

1. 구분 및 관련 규정

구 분	내 용	관련 규정
심사청구	출원심사 청구를 하는 경우	「특허법」 제60조 및 「실용신안법」 제15조
우선심사신청	다른 출원에 우선하여 심사받기 위해 신청하는 경우	「특허법」 제61조, 「특허법 시행규칙」 제39조, 「실용신안법」 제15조, 「실용신안법 시행규칙」 제10조, 「디자인보호법」 제61조·제192조 및 「디자인보호법 시행규칙」 제57조, 「상표법」 제53조 및 「상표법 시행령」 제12조

※ 참고

가. 특허출원 및 실용신안등록출원에 대한 심사는 청구 순위에 따라 심사합니다.

나. 디자인등록출원 및 상표등록출원은 별도의 심사청구를 필요로 하지 않고, 출원 순위에 따라 심사합니다.

다. 특허출원, 실용신안등록출원, 디자인등록출원 또는 상표등록출원에 대한 우선심사를 신청한 경우에는 심사청구 순위 또는 출원 순위와 상관없이 우선적으로 심사합니다.

라. 특허출원인(실용신안등록출원인)의 경우에는 특허청구범위(실용신안등록청구범위)를 적은 명세서가 첨부된 때에만 출원심사의 청구를 할 수 있습니다.

2. 처리절차

신청서 제출	⇒	접수 및 접수증 발급	⇒	서식 적격심사	⇒	· 서식 적격 시: 관련 부서 이관 · 서식 흠결 시: 보정 통지 또는 반려 통지
(제출인)		(특허청)		(특허청)		(특허청)

※ 기재요령

1. 【구분】 란

구분 중 하나를 선택하여 □ 안에 표시(예: ☑)합니다.

2. 【제출인】 란

가. 특허고객번호가 있는 경우

【성명(명칭)】 란에는 특허고객번호 부여 신청 시 적은 국문 성명 또는 법인의 명칭을 적고, 【특허고객번호】 란에는 특허청에서 부여한 특허고객번호를 적습니다.

나. 특허고객번호가 없는 경우

(1) 【제출인】 란의 다음 행에 「특허법 시행규칙」 별지 제4호서식(특허고객번호 부여신청서)의 기재요령 제1호를 참조하여 제출인의 【성명(명칭)의 국문표기】 및 【성명(명칭)의 영문표기】 등 필요한 난을 만들어 적습니다.

(2) 제출인은 직접 서명하거나 인감을 날인해야 하며, 그 방법은 원칙적으로 【첨부서류】 란이 있는 쪽의 다음 쪽에 【제출인 ○○○의 인감(서명)】 란을 만들고 그 아래에 가로 4㎝ × 세로 4㎝의 인감 날인란(서명란)을 만들어 직접 서명하거나 제출인의 인감을 선명하게 날인합니다. 2명 이상의 제출인이 있는 경우에는 제출인의 수대로 【제출인 ○○○의 인감(서명)】 란을 만들어 모든 제출인이 직접 서명하거나 인감을 날인해야 합니다.

다. 「디자인보호법」 제179조에 따른 국제디자인등록출원의 출원인인 경우

(1) 【성명(명칭)】 란에는 「산업디자인의 국제등록에 관한 헤이그협정」(이하 "헤이그협정"이라 합니다) 제1조(viii)에 따른 국제등록부에 등록된 것과 동일한 성명 또는 법인의 명칭을 적습니다.

(2) 【특허고객번호】 란을 적거나 【주소】 란을 만들어 적습니다. 【주소】 란에는 헤이그협정 제1조(viii)에 따른 국제등록부에 등록된 것과 동일한 주소를 적으며, 【주소】 란을 적을 경우 【특허고객번호】 란은 적지 않습니다. 다만, 【대리인】 란 중 【포괄위임등록번호】 를 적는 경우에는 【특허고객번호】 란을 반드시 적어야 합니다.

라. 공통

(1) 【사건과의 관계】 란은 "출원인", "국제출원인" 또는 "제3자" 중 하나를 선택하여 □ 안에 표시(예: ☑)합니다.

(2) 미성년자, 피한정후견인 또는 피성년후견인이 법정대리인에 의하여 제출하는 경우에는 다음 예와 같이 【제출인】 란 기재사항의 다음 행에 【법정대리인】 란을 만들어 법정대리인의 【성명】 및 【특허고객번호】 란을 적으며, 그 대리권을 증명하는 서류를 이 서식에 첨부합니다.

[예] 【법정대리인】

【성명】

【특허고객번호】

3. 【대리인】 란

가. 대리인에 의하여 절차를 밟는 경우에는 대리인의 성명 또는 법인의 명칭 및 대리인번호를 적습니다. 대리인이 특허법인·특허법인(유한)인 경우에는 다음 예와 같이 【대리인번호】란의 다음 행에 【지정된 변리사】란을 만들고 지정된 변리사의 성명을 모두 적습니다.

［예］【대리인】

【성명(명칭)】 특허법인·특허법인(유한) ○○○○

【대리인번호】 특허법인·특허법인(유한)의 대리인번호

【지정된 변리사】 변리사 ○○○, 변리사 ○○○

나. 포괄위임을 받은 대리인의 경우에는 다음 예와 같이 【포괄위임등록번호】란을 만들어 포괄위임등록번호를 적으며, 대리인이 2명 이상의 위임자와 포괄위임관계를 가진 경우에는 위임자의 수대로 【포괄위임등록번호】란을 만들어 모두 적습니다.

［예］【대리인】

【성명(명칭)】

【대리인번호】

【포괄위임등록번호】

【포괄위임등록번호】

다. 개별위임관계를 갖는 대리인이 위임자 전원을 대리하지 않는 경우에는 다음 예와 같이 【대리인번호】란의 다음 행에 【특기사항】란을 만들어 적습니다.

［예］【대리인번호】

【특기사항】 제출인 ○○○의 대리인

라. 개별위임관계를 갖는 대리인인 경우에는 【첨부서류】란에 "위임장"이라 적고 위임장을 이 서식에 첨부하며, 위임장의 기재사항은 「특허법 시행규칙」 별지 제1호서식(위임장)을 참조하여 적습니다.

4. 【사건의 표시】란

가. 【출원번호(국제등록번호)】란에는 해당하는 출원번호 또는 국제등록번호를 다음 예와 같이 적습니다.

［예］【사건의 표시】

【출원번호】 10-2007-1234567

나. 【발명의 명칭 등】란은 특허인 경우에는 특허출원서의 【발명의 국문명칭】란에 적은 것과 동일하게 적으며, 출원 후에 발명의 명칭을 변경 또는 경정한 경우에는 그 변경 또는 경정된 발명의 국문명칭을 다음 예 1과 같이 적습니다. 출원의 종류가 실용신안등록인 경우에는 【발명의 명칭】란을

【고안의 명칭】란으로, 디자인등록인 경우에는 【디자인의 대상이 되는 물품】란으로, 상표인 경우에는 【상품류】로 바꾸어 적습니다. 다만, 복수디자인등록출원인 경우에는 첫 번째 디자인의 물품만 적으며, 만약 일부 디자인에 대해서 우선심사를 신청하는 경우(2014년 7월 1일 이후 복수디자인등록출원한 것만 해당합니다)에는 다음 예 2와 같이 【디자인의 일련번호】란을 만들어 해당하는 디자인의 일련번호를 적고, 상품류가 2개 이상인 경우에는 다음 예 3과 같이 적습니다.

[예 1] 【사건의 표시】

【출원번호】10-2007-1234567

【발명의 명칭】강제식 냉각기능을 갖는 컨트롤러

[예 2] 【사건의 표시】

【출원번호】30-2014-1234567

【디자인의 일련번호】 M007

【디자인의 대상이 되는 물품】 신사복 등

[예 3] 【사건의 표시】

【출원번호】40-2007-1234567

【상품류】 제8류를 포함한 5개류

5. 【기타사항】란

가. 심사유예신청

【구분】란 중 심사청구의 □ 안에 표시한 경우로서, 「특허법 시행규칙」 제40조의3제1항 단서 및 「실용신안법 시행규칙」 제10조의3제1항 단서에 따라 심사청구를 하면서 동시에 심사유예신청을 하면 일반출원보다 늦게 심사를 받는 대신 정확한 시점(유예희망시점부터 3개월 이내)에 심사결과를 제공받을 수 있습니다. 또한, 「특허료 등의 징수규칙」 제8조제4항에 따라 심사청구와 동시에 심사유예신청을 하면 유예희망시점 2개월 전까지 심사청구료의 납부를 유예할 수 있습니다. 한편, 유예희망시점이 출원일부터 5년(실용신안등록출원의 경우는 실용신안등록출원일부터 3년)을 초과하지 않도록 유의합니다.

(1) 심사청구료 납부의 유예 없이 심사유예신청만 하는 경우

다음 예와 같이 (【기타사항】 □심사유예신청)란을 만들어 □ 안에 표시(예: ☑)한 후, 【기타사항】란의 다음 행에 (【유예희망시점】심사청구일 후 24개월이 지난 때부터 ( )개월)란을 만들어 ( )안에 유예희망시점에 맞는 숫자를 적고, (【심사청구료 납부유예】 □필요 □불필요)란을 만들어 불필요에 표시(예: ☑)합니다.

[예] 심사청구일부터 30개월이 지난 때에 특허출원에 대한 심사를 받으려는 경우(심사청구료 납부를 유예하지 않음)

【기타사항】 ☑ 심사유예신청

【유예희망시점】심사청구일 후 24개월이 지난 때부터 (6)개월

【심사청구료 납부유예】 □필요 ☑ 불필요

(2) 심사유예신청을 하면서 심사청구료 납부도 유예하려는 경우

다음 예와 같이 (【기타사항 】 □심사유예신청)란을 만들어 □ 안에 표시(예: ☑)한 후, 【기타사항】란의 다음 행에 (【유예희망시점】심사청구일 후 24개월이 지난 때부터 ( )개월)란을 만들어 ( )안에 유예희망시점에 맞는 숫자를 적고, (【심사청구료 납부유예】 □필요 □불필요)란을 만들어 필요에 표시(예: ☑)합니다.

[예] 심사청구일부터 30개월이 지난 때에 특허출원에 대한 심사를 받으려는 경우(심사청구료 납부를 유예희망시점부터 2개월 전까지 유예)

【기타사항】 ☑ 심사유예신청

【유예희망시점】심사청구일 후 24개월이 지난 때부터 (6)개월

【심사청구료 납부유예】 ☑ 필요 □ 불필요

※ 심사청구료 납부유예 시 주의사항

(1) 심사유예신청을 한 경우에만 심사청구료의 납부를 유예할 수 있으며, 이 경우 심사청구료 납부가 유예된 것일 뿐 심사청구서가 수리된 것은 아니므로 심사청구료가 납부될 때까지 이후 제출되는 일부 서류(청구항 수를 증가하는 보정서 등)의 수리가 지연될 수 있습니다.

(2) 「특허료 등의 징수규칙」 별지 제4호서식의 수수료 자동납부신청서를 제출한 경우로서 【수수료 자동납부번호】란을 적은 경우에는 해당 규정에 따라 수수료가 자동납부되므로 심사청구료의 납부를 유예할 수 없습니다.

나. 선행기술(디자인, 상표)조사의뢰된 출원을 이유로 우선심사신청을 하는 경우

【구분】란 중 우선심사의 □ 안에 표시한 경우로서, 「특허법 시행령」 제9조제11호, 「실용신안법 시행령」 제5조제12호, 「디자인보호법 시행령」 제6조제13호 또는 「상표법 시행령」 제12조제8호에 따라 선행기술(디자인, 상표)조사의뢰된 출원을 이유로 우선심사를 신청하려는 경우에는 다음 예와 같이 [【기타사항】 □선행기술조사(디자인, 상표)의뢰된 출원]란을 만들어 □ 안에 표시(예: ☑)한 후, 【기타사항】란의 다음 행에 [【선행기술(디자인, 상표)조사의뢰정보】], (【의뢰기관】) 및 (【의뢰일자】)란을 각각 만들어 의뢰기관 및 의뢰일자를 각각 적되 의뢰기관은 특허청장이 고시하는

「특허·실용신안(디자인, 상표등록출원) 우선심사의 신청에 관한 고시」를 참조하여 적습니다. 다만, 의뢰기관이 모든 기술분야에 지정되지 않은 경우에는 다음 예 2와 같이 【의뢰일자】란의 다음 행에 【국제특허분류】란을 만들고 해당 국제특허분류를 적습니다.

[예 1] 【기타사항】 ☑ 선행기술(디자인, 상표)조사의뢰된 출원

【선행기술(디자인, 상표)조사의뢰정보】

【의뢰기관】 ○○○○○

【의뢰일자】 2008. 10. 1.

[예 2] 【기타사항】 ☑ 선행기술(디자인, 상표)조사의뢰된 출원

【선행기술(디자인)조사의뢰정보】

【의뢰기관】 ○○○○○

【의뢰일자】 2008. 10. 1.

【국제특허분류】 G02F 1/1335

6. 【수수료】란

가. 다음의 표를 참조하여 납부할 수수료의 금액을 적습니다. 심사청구를 한 경우에는 【심사청구료】란에 청구항의 수(다만, 제3자의 심사청구 시 특허청구범위를 적은 명세서가 첨부되지 않은 경우에는 "0"으로 적습니다) 및 해당하는 심사청구 금액을 적고, 우선심사를 신청한 경우에는 【우선심사신청료】란에 해당하는 우선심사신청 금액을 적습니다.

절차 구분	관련 규정
특허에 관한 절차	「특허료 등의 징수규칙」 제2조
실용신안등록에 관한 절차	「특허료 등의 징수규칙」 제3조
디자인등록에 관한 절차	「특허료 등의 징수규칙」 제4조
상표등록출원에 관한 절차	「특허료 등의 징수규칙」 제5조

나. 수수료 감면 또는 면제 대상자인 경우에는 【수수료】란의 【심사청구료】란의 다음 행에 【감면(면제)사유】 및 【감면(면제)후 수수료】란을 만들어 적습니다. 이 경우 「특허료 등의 징수규칙」 제7조 및 제10조를 참조하여 감면(면제)사유, 감면(면제) 후 수수료를 적고, 감면 또는 면제사유에 해당함을 증명하는 서류를 첨부합니다.

다. 수수료는 접수번호를 부여받은 후에 이를 납부자번호로 하여 다음날(심사유예신청을 하면서 심사청구료의 납부도 유예하는 경우에는 유예희망시점 2개월 전)까지 납부합니다.

7. 【수수료 자동납부번호】란

사전에 「특허료 등의 징수규칙」 별지 제4호서식의 수수료 자동납부신청서를 제출한 경우로서 해당 절차의 수수료를 자동납부하려는 경우에는 해당 서식을 서면 대신 전자문서로 반드시 제출하여야 하며, 수수료 자동납부신청서에 적은 계좌번호를 해당 서식의 【수수료 자동납부번호】란에 표시하여야 합니다.

8. 【첨부서류】란

가. 이 서식에 첨부하여야 하는 서류는 다음과 같습니다.

(1) 우선심사신청설명서 1통(우선심사신청을 하는 경우로 한정하며, 녹색기술과 직접 관련된 특허출원의 경우에는 그 취지를 적어야 합니다)

(2) 그 밖에 법령에서 정한 서류 각 1통(기재요령 제2호, 제3호 및 제6호 참조)

나. 【첨부서류】란의 기재방법

(1) 서식에 첨부할 서류명과 부수를 다음 예와 같이 적되, 서식과 함께 제출하지 않는 첨부서류는 적을 수 없습니다.

［예］ 【첨부서류】 위임장 1통

(2) 첨부서류 중 「전자정부법」 제42조제2항제4호 및 같은 법 시행령 제49조제2항에 따라 누구든지 서류로 발급받거나 열람할 수 있는 행정정보(법인 등기사항증명서 등)에 해당하는 서류는 「전자정부법」 제36조제1항에 따른 행정정보의 공동이용을 통하여 특허청장이 확인해야 하는 정보로서, 제출인은 다음 예와 같이 해당 서류의 명칭, 부수 및 그 서류를 확인하기 위해 필요한 정보를 적습니다.

［예］ 법인 등기사항증명서 1통 [상호: ○○○, 법인등록번호: 000000-0000000]

(3) 첨부서류 중 「전자정부법」 제42조제2항제4호 및 같은 법 시행령 제49조제2항에 따라 누구든지 서류로 발급받거나 열람할 수 있는 행정정보 이외의 행정정보(주민등록표 등본·초본, 외국인등록사실증명, 인감증명서, 사업자등록증명 등)에 해당하는 서류는 제출인 본인의 동의가 있는 경우에 「전자정부법」 제36조제1항에 따른 행정정보의 공동이용을 통하여 특허청장이 확인할 수 있는 정보입니다. 따라서, 특허청장이 확인하는 것에 동의하고 다음 예와 같이 해당 서류의 명칭, 부수 및 서류를 확인하기 위해 필요한 정보를 적으면 관련 서류의 제출을 생략할 수 있습니다. 한편, 특허청장이 확인하는 것에 동의하지 않으면 제출인이 관련 서류를 직접 제출해야 합니다.

［예 1］ 주민등록표 등본·초본 1통 [성명: ○○○, 주민등록번호: 000000-0000000]

［예 2］ 사업자등록증명 1통 [성명: ○○○, 주민등록번호: 000000-0000000, 사업자등록번호: 000-00-00000]

[예 3] 국가유공자(유족)확인원 1통 [성명: ○○○, 주민등록번호: 000000-0000000, 보훈번호: 000-000000]

다. 서류의 원용

(1) 동시에 진행하는 2 이상의 특허에 관한 절차에서 제출할 증명서(「특허법」 제7조, 제30조제2항 또는 제54조제4항, 「특허법 시행규칙」 제6조부터 제9조까지에 따른 증명서로 한정합니다)가 같은 것이면 그 중 1건에만 증명서의 원본을 제출하고, 다른 건에는 다음 예와 같이 원용에 관한 사항을 적어 사본을 제출할 수 있습니다.

[예] 【첨부서류】 위임장 1통 [같은 날짜 제출서류에 첨부된 것을 원용]

【서류명】 특허출원서

【출원번호】 10-2001-1234567

(2) 이미 특허청 또는 특허심판원에 제출한 증명서(「특허법」 제7조, 제30조제2항 또는 제54조제4항, 「특허법 시행규칙」 제6조부터 제9조까지에 따른 증명서로 한정합니다)와 동일한 내용의 증명서를 다시 제출하는 경우에는 다음 예와 같이 원용에 관한 사항을 적고 그 증명서의 제출을 생략할 수 있습니다.

[예] 【첨부서류】 위임장 1통 [아래에 적은 제출서류에 첨부된 것을 원용]

【서류명】 심판청구서

【심판번호】 2001-당-123456

라. 첨부서류를 전자적 이미지로 변환(스캐닝)하여 제출하는 경우의 유의사항

(1) 첨부서류로 제출되는 전자적 이미지 형식은 해상도 300부터 400dpi (300dpi 권장)까지의 흑백 TIFF(Tagged Image File Format)로 합니다.

(2) 꼭 필요한 경우에는 그레이스케일 또는 컬러 이미지로 제출 가능하며, 제출되는 전자적 이미지 형식은 해상도 300부터 400dpi까지(300dpi 권장)의 JPEG(Joint Photographic Experts Group)로 합니다.

마. 첨부서류를 PDF(Portable Document Format)로 제출할 수 있습니다.

9. 작성 시 유의사항

가. 서식은 제출인(대리인에 의하여 절차를 밟는 경우에는 대리인)이 기명을 한 후 서명 또는 날인해야 하며, 2명 이상의 제출인(대리인)이 있는 경우에는 모두 기명을 한 후 서명 또는 날인해야 합니다. 서명 또는 날인 시의 인감은 특허고객번호부여신청[대리인이 변리사인 경우에는 변리사등록, 대리인이 특허법인·특허법인(유한)인 경우에는 법인등록] 시 사용한 것과 동일한 서명 또는 인감을 사용하며, 특허고객번호 정보변경(경정)신고서에 따라 서명 또는 인감을 변경한 경우에는 그 변경된 서명

또는 인감을 사용해야 합니다.

나. 1999년 1월 1일 전에 출원한 건에 대한 중간서류(수신처가 특허청장인 경우)는 전자문서를 이용하여 제출할 수 없으며, 서면으로 제출합니다.

다. 이 서식에서 국제디자인등록출원에 관한 부분은 헤이그협정이 대한민국에 대하여 그 효력을 발생하는 날부터 적용합니다.

■ 특허법 시행규칙 [별지 제1호서식] <개정 2017. 9. 22.>

특허로(www.patent.go.kr)에서
온라인으로 제출 가능합니다.

위임장

(앞쪽)

【수임자】

【성명(명칭)】

【대리인번호】

【사건의 표시】

【출원번호[특허(등록)번호, 기술평가청구번호*, 국제등록번호*, 특허청참조번호*, 이의신청번호*, 상품분류전환등록신청번호, 취소신청번호, 심판번호]】

【위임자】

【성명(명칭)】

【특허고객번호】

【사건과의 관계】

【위임사항】

【위임일자】

위와 같이 특허청장(특허심판원장, 심판장)에게 제출합니다.

위임자 서명 또는 날인

* 기재요령 제6호의 작성 시 유의사항을 참조합니다.

210㎜×297㎜[백상지 80g/㎡]

(뒤쪽)

1. 서식의 용도 및 관련 규정

이 서식은 특허 등에 관한 절차를 밟으려는 자가 대리인에 의하여 그 절차를 밟으려는 경우에 제출합니다(관련 규정: 「특허법」 제7조, 「실용신안법」 제3조, 「디자인보호법」 제8조 및 「상표법」 제8조).

2. 처리절차

위임장 제출	⇒	접수 및 접수증 발급	⇒	서식 적격심사	⇒	• 서식 적격 시: 관련 부서 이관 • 서식 흠결 시: 보정통지 또는 반려통지
(제출인)		(특허청, 특허심판원)		(특허청, 특허심판원)		(특허청, 특허심판원)

※ 기재요령

1. 【수임자】 란

수임자가 특허법인 · 특허법인(유한)인 경우에는 다음 예와 같이 【성명(명칭)】 란에 특허법인 · 특허법인(유한)의 명칭을 적고, 【대리인번호】 란에는 특허법인 · 특허법인(유한)의 대리인번호를 적으며, 【대리인번호】 란의 다음 행에 【지정된 변리사】 란을 만들어 지정된 변리사의 성명을 적습니다.

[예]【수임자】

【성명(명칭)】 특허법인 · 특허법인(유한) ○○○○

【대리인번호】 특허법인 · 특허법인(유한)의 대리인번호

【지정된 변리사】 변리사 ○○○, 변리사 ○○○

2. 【사건의 표시】 란

【출원번호[특허(등록)번호, 기술평가청구번호, 국제등록번호, 특허청참조번호, 이의신청번호, 상품분류전환등록신청번호, 취소신청번호, 심판번호]】 란은 수임자가 밟으려는 절차에 따라 다음 기재례와 같은 형식으로 해당 번호를 적습니다. 출원번호 등을 부여받지 않은 경우에는 【출원번호 등】 란의 다음 행에 【발명의 명칭, 고안의 명칭, 디자인의 대상이 되는 물품, 상품류】 란을 만들어 해당 사항을 적고, 디자인의 국제출원의 경우에는 국제출원서에 기재된 것과 동일한 영문명칭을 적습니다.

[절차별 해당번호 기재례]

절차별	해당 번호	기재례
출원에 관한 절차	【출원번호】 권리구분(2자리) - 연도(4자리) - 일련번호(7자리)	10-2007-1234567
특허(등록)에 관한 절차	【특허(등록)번호】 권리구분(2자리) - 일련번호(7자리) - 일련번호(2자리) - 일련번호(2자리)	10-1234567-00-00
기술평가청구에 관한 절차	【기술평가청구번호】 20 - 연도(4자리) - 일련번호(7자리)	20-2007-1234567

국제상표등록출원에 관한 절차	【국제등록번호】 일련번호(7자리) 또는 일련번호(7자리)영문자(1자리)	1234567A
국제디자인등록출원에 관한 절차	【국제등록번호】 DM/일련번호(6자리) 또는 일련번호(6자리)영문자(1자리)	DM/123456 또는 DM/123456A
디자인의 국제출원에 관한 절차	【특허청참조번호】 KR-연도(4자리)-일련번호(7자리)	KR-2014-3123456
이의신청에 관한 절차	【이의신청번호】 권리구분(2자리) - 연도(4자리) - 일련번호(6자리)	30-2007-123456
상품분류전환등록 신청에 관한 절차	【상품분류전환등록신청번호】 56 - 연도(4자리) - 일련번호(7자리)	56-2007-1234567
취소신청에 관한 절차	【취소신청번호】 연도(4자리) - 사건구분 - 일련번호(6자리)	2017-소-123456
심판에 관한 절차	【심판번호】 연도(4자리) - 사건구분 - 일련번호(6자리)	2007-당-123456

3. 【위임자】란

가. 특허고객번호가 있는 경우

(1) 【성명(명칭)】란에는 특허고객번호 부여 신청 시 적은 국문 성명 또는 법인의 명칭을 적습니다.

(2) 위임자가 「상표법」 제180조에 따른 국제상표등록출원(이하 "국제상표등록출원"이라 합니다)의 출원인인 경우에는 【성명(명칭)】란에 「표장의 국제등록에 관한 마드리드협정에 대한 의정서」(이하 "마드리드의정서"라 합니다) 제2조(1)에 따른 국제등록부에 등록된 것과 동일한 성명 또는 법인의 명칭을 적고, 「디자인보호법」 제179조에 따른 국제디자인등록출원(이하 "국제디자인등록출원"이라 합니다)의 출원인인 경우에는 「산업디자인의 국제등록에 관한 헤이그협정」(이하 "헤이그협정"이라 합니다) 제1조(viii)에 따른 국제등록부에 등록된 것과 동일한 성명 또는 법인의 명칭을 적으며, 「디자인보호법」 제173조에 따른 특허청을 통한 디자인의 국제출원(이하 "디자인의 국제출원"이라 합니다)의 출원인인 경우에는 국제출원서에 기재한 것과 동일한 성명 또는 법인의 명칭을 적습니다.

(3) 위임자가 국제상표등록출원 또는 국제디자인등록출원과 관련된 심판사건의 제출인인 경우에는 다음 예와 같이 【성명(명칭)】란은 성명 또는 법인의 명칭을 외래어표기법에 따라 국어로 음역하여 성과 이름순으로 한 칸의 공백을 두어 적고, 【성명(명칭)】란의 다음 행에 【성명(명칭)의 영문표기】란을 만들어 마드리드의정서 제2조(1) 또는 헤이그협정 제1조(viii)에 따른 국제등록부에 등록된 것과 동일한 문자로 성명 또는 법인의 명칭을 적습니다.

[예] 【제출인】

【성명(명칭)】 케네디 존 에프

【성명(명칭)의 영문표기】 KENNEDY, John F.

【특허고객번호】 0-0000-000000-0

(4) 【특허고객번호】란에는 특허청에서 부여한 특허고객번호를 적습니다.

나. 특허고객번호가 없는 경우

【위임자】란의 다음 행에 「특허법 시행규칙」 별지 제4호서식(특허고객번호 부여신청서)의 기재요령 제1호를 참조하여 위임자의 【성명(명칭)의 국문표기】 및 【성명(명칭)의 영문표기】 등 필요한 난을 만들어 적습니다.

다. "국제상표등록출원"의 출원인 또는 "국제디자인등록출원"의 출원인인 경우

1) 【특허고객번호】 란을 적거나 【주소】 란을 만들어 적습니다.

2) 【주소】 란에는 국제상표등록출원의 출원인인 경우 마드리드의정서 제2조(1)에 따른 국제등록부에 등록된 것과 동일한 주소를 적고, 국제디자인등록출원의 출원인인 경우 헤이그협정 제1조(viii)에 따른 국제등록부에 등록된 것과 동일한 주소를 적으며, 【주소】 란을 적을 경우 【특허고객번호】 란은 적지 않습니다. 다만, 【대리인】 항목 중 【포괄위임등록번호】 를 적는 경우에는 【특허고객번호】 란을 반드시 적어야 합니다.

라. 공통

(1) 【위임자】 란의 【사건과의 관계】 란에는 "출원인", "국제출원인", "청구인" 또는 "피청구인" 등과 같이 위임자와 사건과의 관계를 명확하게 적습니다.

(2) 미성년자, 피한정후견인 또는 피성년후견인이 법정대리인에 의하여 제출하는 경우에는 다음 예와 같이 【위임자】 란 기재사항의 다음 행에 【법정대리인】 란을 만들어 법정대리인의 【성명】 및 【특허고객번호】 란을 적습니다.

[예] 【법정대리인】
【성명】
【특허고객번호】

4. 【위임사항】 란

위임사항은 다음 예 1과 같이 일괄하여 작성함을 원칙으로 합니다. 위임사항별로 특정하여 작성하려는 경우에는 다음 예 2와 같이 구체적으로 나열하여 적습니다.

[예 1] 【위임사항】
1. 특허출원에 관한 모든 절차
2. 특허권 등록에 관한 모든 절차
3. 심판에 관한 모든 절차

[예 2] 【위임사항】
1. 특허출원의 취하 및 포기
2. 복대리인의 선임
3. 변경출원서의 제출

5. 【위임일자】 란

【위임일자】 란은 위임자가 수임자를 선임한 날짜를 적습니다.

※ 참고: 이 위임장은 위임자가 서명 또는 날인한 후에 전자적 이미지로 변환(스캐닝)하여 다른 서식의 첨부서류로 제출할 수 있습니다.

6. 작성 시 유의사항

가. 위임장의 서식 중 이의신청과 관련되는 부분은 아래 사항만 해당됩니다.

(1) 2007년 7월 1일 전에 특허권의 설정등록이 된 것에 대해 특허이의신청을 한 것

(2) 2007년 6월 30일까지 실용신안등록이의신청을 한 것

나. 위임장의 서식 중 실용신안 기술평가와 관련되는 부분은 2006년 10월 1일 전에 제출된 실용신안등록출원으로서 실용신안등록이 된 것만 해당됩니다.

다. 이 서식에서 국제디자인등록출원 및 디자인의 국제출원에 관한 부분은 헤이그협정이 대한민국에 대하여 그 효력을 발생하는 날부터 적용하며, 특허청참조번호는 디자인의 국제출원에만 해당됩니다.

■ 특허법 시행규칙 [별지 제58호서식] <개정 2017. 2. 28.>

특허법 제214조제1항에 따른 결정신청서

(앞쪽)

【출원구분】 □ 특허출원 □ 실용신안등록출원

【출원인】

【성명(명칭)】

【특허고객번호】

【대리인】

【성명(명칭)】

【대리인번호】

(【포괄위임등록번호】)

【국제출원번호】

【발명자(고안자)】

【성 명】

【특허고객번호】

【거부(선언, 인정)의 통지 수령일자】

【국제사무국에 국제출원 사본의 송부청구일자】

【신청취지】

【신청이유】

위와 같이 특허청장에게 제출합니다.

출원인(대리인) (서명 또는 인)

【첨부서류】 법령에서 정한 서류 각 2통 (기재요령 제9호 참조)

210㎜×297㎜[백상지 80g/㎡]

■ 특허법 시행규칙 [별지 제13호서식] <개정 2020. 7. 1.>

특허로(www.patent.go.kr)에서 온라인으로 제출 가능합니다.

서류제출서

(앞쪽)

【제출구분】 □ 우선권증명서류 □ 우선권증명서류 번역문

□ 공지예외적용대상(신규성, 출원 시의 특례)증명서류

□ 공지예외적용 보완 증명서류

□ 국제단계보정서 번역문 □ 국제단계보정서 사본

□ 국제단계설명서 번역문 □ 국제단계설명서 사본

□ 국제특허출원에 관한 서류의 사본

□ 「특허법」 제42조의3제2항·제3항, 「실용신안법」 제8조의3제2항·제3항에 따른 외국어특허출원의 국어번역문

□ 「특허법」 제201조제1항 각 호 외의 부분 단서, 같은 조 제3항, 「실용신안법」 제35조제1항 각 호 외의 부분 단서 또는 같은 조 제3항에 따른 국어번역문

□ 「특허법」 제63조의3, 「실용신안법」 제15조에 따른 외국 심사결과에 대한 자료

□ 「특허법」 제63조의3, 「실용신안법」 제15조에 따른 외국 심사결과에 대한 자료의 국어번역문

【출원인】

【성명(명칭)】

【특허고객번호】

【대리인】

【성명(명칭)】

【대리인번호】

(【포괄위임등록번호】)

【출원번호(국제출원번호, 국제등록번호, 이의신청번호, 취소신청번호, 심판번호)】

(【디자인의 일련번호】)

(【제출원인이 된 서류의 발송번호】)

【제출하는 서류의 내용】

위와 같이 특허청장(특허심판원장)에게 제출합니다.

출원인(대리인) (서명 또는 인)

【첨부서류】 법령에서 정한 서류 각 1통(기재요령 제7호를 참조합니다)

(뒤쪽)

1. 제출구분 및 관련 규정

제출구분	관련 규정
우선권증명서류, 우선권증명서류 번역문	「특허법」 제54조제4항, 「특허법 시행규칙」 제25조·제113조·제113조의2, 「실용신안법」 제11조, 「실용신안법 시행규칙」 제17조, 「디자인보호법」 제51조제4항, 「디자인보호법 시행규칙」 제47조 및 「상표법」 제46조제4항
공지예외적용대상 증명서류	「특허법」 제30조제2항, 「실용신안법」 제5조제2항, 「디자인보호법」 제36조제2항 및 「상표법」 제47조제2항
공지예외적용 보완 증명서류	「특허법」 제30조제3항, 「실용신안법」 제5조제3항
국제단계보정서 번역문	「특허법 시행규칙」 제115조 및 「실용신안법 시행규칙」 제17조
국제단계보정서 사본	「특허법 시행규칙」 제115조 및 「실용신안법 시행규칙」 제17조
국제단계설명서 번역문	「특허법 시행규칙」 제115조 및 「실용신안법 시행규칙」 제17조
국제단계설명서 사본	「특허법 시행규칙」 제115조 및 「실용신안법 시행규칙」 제17조
국제특허출원에 관한 서류의 사본	「특허법 시행규칙」 제116조의2 및 「실용신안법 시행규칙」 제17조
「특허법」 제42조의3제2항·제3항, 「실용신안법」 제8조의3제2항·제3항에 따른 외국어특허출원의 국어번역문	「특허법 시행규칙」 제21조의3 및 「실용신안법 시행규칙」 제3조의3
「특허법」 제201조제1항 각 호 외의 부분 단서, 같은 조 제3항, 「실용신안법」 제35조제1항 각 호 외의 부분 단서 또는 같은 조 제3항에 따른 국어번역문	「특허법 시행규칙」 제114조 및 「실용신안법 시행규칙」 제15조
「특허법」 제63조의3, 「실용신안법」 제15조에 따른 외국 심사결과에 대한 자료	「특허법 시행규칙」 제46조 및 「실용신안법 시행규칙」 제17조
「특허법」 제63조의3, 「실용신안법」 제15조에 따른 외국 심사결과에 대한 자료의 국어번역문	「특허법 시행규칙」 제46조 및 「실용신안법 시행규칙」 제17조

2. 처리절차

서류제출서 제출	⇒	접수 및 접수증 발급	⇒	서식 적격심사	⇒	• 서식 적격시: 관련 부서 이관 • 서식 흠결시: 보정통지 또는 반려통지
(출원인)		(특허청, 특허심판원)		(특허청, 특허심판원)		(특허청, 특허심판원)

※ 기재요령

1.【제출구분】 란

제출구분 중 어느 하나를 선택하여 □ 안에 표시(예: ☑)합니다.

2.【출원인】 란

가. 특허고객번호가 있는 경우

(1) 【성명(명칭)】 란에는 특허고객번호 부여 신청 시 적은 국문 성명 또는 법인의 명칭을 적습니다.

(2) 출원인이 국제출원의 출원인인 경우에는【성명(명칭)】 란의 다음 행에【성명(명칭)의 영문표기】 란을 만들어 적습니다.

(3) 출원인이 「상표법」 제180조에 따른 국제상표등록출원(이하 "국제상표등록출원"이라 합니다) 또는 「디자인보호법」 제179조에 따른 국제디자인등록출원(이하 "국제디자인등록출원"이라 합니다)의 출원인인 경우에는【성명(명칭)】 란에 「표장의 국제등록에 관한 마드리드협정에 대한 의정서」 제2조(1) 또는 「산업디자인의 국제등록에 관한 헤이그협정」(이하 "헤이그협정"이라 합니다) 제1조(viii)에 따른 국제등록부에 등록된 것과 동일한 성명 또는 법인의 명칭을 적습니다.

(4) 【특허고객번호】 란에는 특허청에서 부여한 특허고객번호를 적습니다.

나. 특허고객번호가 없는 경우

(1) 【출원인】 란의 다음 행에 「특허법 시행규칙」 별지 제4호서식(특허고객번호 부여신청서)의 기재요령 제1호를 참조하여 출원인의 【성명(명칭)의 국문표기】 및 【성명(명칭)의 영문표기】 등 필요한 난을 만들어 적습니다.

(2) 출원인은 직접 서명하거나 인감을 날인하여야 하며, 그 방법은 원칙적으로 【첨부서류】 란이 있는 쪽의 다음 쪽에【출원인 ○○○의 인감(서명)】 란을 만들고 그 아래에 가로 4㎝ × 세로 4㎝의 인감 날인란(서명란)을 만들어 직접 서명하거나 출원인의 인감을 선명하게 날인합니다. 2명 이상의 출원인이 있는 경우에는 출원인의 수대로 【출원인 ○○○의 인감(서명)】 란을 만들어 모든 출원인이 직접 서명하거나 인감을 날인하여야 합니다.

다. "국제상표등록출원"의 출원인 또는 "국제디자인등록출원"의 출원인인 경우

1) 【특허고객번호】 란을 적거나 【주소】 란을 만들어 적습니다.

2) 【주소】 란에는 국제상표등록출원의 출원인인 경우 마드리드의정서 제2조(1)에 따른 국제등록부에 등록된 것과 동일한 주소를 적고, 국제디자인등록출원의 출원인인 경우 헤이그협정 제1조(viii)에 따른 국제등록부에 등록된 것과 동일한 주소를 적으며,【주소】 란을 적을 경우 【특허고객번호】 란은 적지 않습니다. 다만, 【대리인】 란 중 【포괄위임등록번호】 를 적는 경우에는【특허고객번호】 란을 반드시 적어야 합니다.

라. 공통

미성년자, 피한정후견인 또는 피성년후견인이 법정대리인에 의하여 제출하는 경우에는 다음 예와 같이【출원인】란 기재사항의 다음 행에 【법정대리인】란을 만들어 법정대리인의【성명】및【특허고객번호】란을 적으며, 그 대리권을 증명하는 서류를 이 서식에 첨부합니다.

［예］【법정대리인】

【성명】

【특허고객번호】

3.【대리인】란

가. 대리인에 의하여 절차를 밟는 경우에는 대리인의 성명 또는 법인의 명칭 및 대리인번호를 적습니다. 대리인이 특허법인 · 특허법인(유한)인 경우에는 다음 예와 같이【대리인번호】란의 다음 행에【지정된 변리사】란을 만들고 지정된 변리사의 성명을 모두 적습니다.

［예］【대리인】

【성명(명칭)】 특허법인 · 특허법인(유한) ○○○○

【대리인번호】 특허법인 · 특허법인(유한)의 대리인번호

【지정된 변리사】 변리사 ○○○, 변리사 ○○○

나. 포괄위임을 받은 대리인의 경우에는 다음 예와 같이【포괄위임등록번호】란을 만들어 포괄위임등록번호를 적으며, 대리인이 2명 이상의 위임자와 포괄위임관계를 가진 경우에는 위임자의 수대로【포괄위임등록번호】란을 만들어 모두 적습니다.

［예］【대리인】

【성명(명칭)】

【대리인번호】

【포괄위임등록번호】

【포괄위임등록번호】

다. 개별위임관계를 갖는 대리인이 위임자 전원을 대리하지 않는 경우에는 다음 예와 같이【대리인번호】란의 다음 행에【특기사항】란을 만들어 적습니다.

［예］【대리인번호】

【특기사항】 출원인 ○○○의 대리인

라. 개별위임관계를 갖는 대리인인 경우에는【첨부서류】란에 "위임장"이라고 적고, 위임장을 이 서식에 첨부하며, 위임장의 기재사항은 「특허법 시행규칙」 별지 제1호서식(위임장)을 참조하여 작성합

니다.

4.【출원번호(국제출원번호, 국제등록번호, 이의신청번호, 취소신청번호, 심판번호)】란

가. 출원인이 밟으려는 절차에 따라 다음 기재례와 같은 형식으로 해당 번호를 적습니다.

나. 「특허법 시행규칙」 제114조 또는 「실용신안법 시행규칙」 제15조에 따라 새로운 번역문을 제출하는 경우에는 【출원번호】를 적습니다.

[절차별 해당 번호 기재례]

절차별	해당 번호	기재례
출원에 관한 절차	【출원번호】 권리구분(2자리) – 연도(4자리) – 일련번호(7자리)	10-2007-1234567
국제출원에 관한 절차	【국제출원번호】 PCT/국가코드(2자리)연도(4자리)/일련번호(6자리)	PCT/KR2007/123456
국제상표등록출원에 관한 절차	【국제등록번호】 일련번호(7자리) 또는 일련번호(7자리)영문자(1자리)	1234567A
국제디자인등록출원에 관한 절차	【국제등록번호】 DM/일련번호(6자리) 또는 일련번호(6자리)영문자(1자리)	DM/123456 또는 DM/123456A
디자인일부심사등록이의신청에 관한 절차	【이의신청번호】 권리구분(2자리) – 연도(4자리) – 일련번호(6자리)	30-2012-123456
취소신청에 관한 절차	【취소신청번호】 연도(4자리) – 사건구분 – 일련번호(6자리)	2017-소-123456
심판에 관한 절차	【심판번호】 연도(4자리) – 사건구분 – 일련번호(6자리)	2007-당-123456

다. 「디자인보호법」 제41조에 따른 복수디자인등록출원의 경우에는 【디자인의 일련번호】란을 만들어 다음 예와 같이 해당하는 디자인의 일련번호를 적습니다.

[예] 【출원번호】30-2014-1234567

【디자인의 일련번호】 M007

5. 【제출원인이 된 서류의 발송번호】란

해당 서류의 제출을 요구한 통지서가 있는 경우에는 해당 통지서의 발송번호를 적습니다.

6. 【제출하는 서류의 내용】란

가. 우선권증명서류의 경우

다음 예와 같이【제출하는 서류의 내용】란의 다음 행에【우선권주장】,【출원국명】,【출원번호】,【출원일자】 및 【접근코드】란을 각각 만들고, 우선권주장의 기초가 된 출원서의 내용을 적습니다. 복수디자인인 경우에는【접근코드】란의 다음 행에 해당【디자인일련번호】란을 만들어

적습니다.

2 이상의 우선권주장이 있는 경우에는 해당 식별항목을 반복하여 만들어 적습니다. 또한, 우선권증명서류, 우선권증명서류의 번역문(상표에 한정합니다) 각 1통을 첨부하여야 합니다.

[예]【제출하는 서류의 내용】

【우선권주장】

【출원국명】

【출원번호】

【출원일자】

【접근코드】

(【디자인일련번호】)

나. 우선권증명서류 번역문의 경우

다음 예와 같이【제출하는 서류의 내용】란의 다음 행에【우선권주장】,【출원국명】,【출원번호】및【출원일자】란을 각각 만들고, 우선권주장의 기초가 된 출원서의 내용을 적습니다. 복수디자인인 경우에는 해당【디자인일련번호】란을【출원일자】란의 다음 행에 만들어 적습니다. 2 이상의 우선권주장이 있는 경우에는 해당 식별항목을 반복하여 만들어 적고, 우선권증명서류의 번역문 각 1통을 첨부합니다.

[예]【제출하는 서류의 내용】

【우선권주장】

【출원국명】

【출원번호】

【출원일자】

(【디자인일련번호】)

다. 공지예외적용대상(신규성, 출원 시의 특례) 증명서류의 경우

다음 예와 같이【제출하는 서류의 내용】란의 다음 행에【증명서류의 내용】,【공개형태】및【공개일자】란을 각각 만들어, 공지예외적용대상(신규성상실의 예외, 출원 시의 특례) 규정을 적용받기 위한 출원의 공개형태 및 공개일자를【공개형태】및【공개일자】란에 적습니다. 복수디자인인 경우에는 (【디자인일련번호】)란을 추가로 만들어 디자인일련번호를 적습니다. 또한, 공지예외적용대상규정을 적용받기 위한 증명서류 1통을 첨부하여야 합니다.

[예] 【제출하는 서류의 내용】

【증명서류의 내용】

【공개형태】 발명박람회출품

【공개일자】 2007. 1. 1.

(【디자인일련번호】)

라. 공지예외적용 보완 증명서류의 경우

다음 예와 같이【제출하는 서류의 내용】란의 다음 행에【증명서류의 내용】,【공개형태】및【공개일자】란을 각각 만들어, 공지예외적용 보완 규정을 적용받기 위한 출원의 공개형태 및 공개일자를【공개형태】및【공개일자】란에 적습니다.

[예] 【제출하는 서류의 내용】

【증명서류의 내용】

【공개형태】 학술대회 논문발표

【공개일자】 2014. 10. 11.

마. 국제단계보정서 번역문의 경우

(1) 다음 예와 같이【제출하는 서류의 내용】란의 다음 행에【보정서 제출일자】,【보정대상항목】,【보정방법】및【보정내용】란을 각각 만들어,【보정대상항목】,【보정방법】및【보정내용】란에는 모두 "별지와 같음"이라고 적고, 별지에 적어 첨부합니다.

[예]【제출하는 서류의 내용】

【보정서 제출일자】 2007. 1. 1.

【보정대상항목】 별지와 같음

【보정방법】 별지와 같음

【보정내용】 별지와 같음

(2) 【보정서 제출일자】란에는 보정서를 국제사무국 또는 국제예비심사기관에 제출한 날짜를 적습니다.

(3) 별지에는【보정대상항목】,【보정방법】및【보정내용】란을 각각 만들어 적으며, 보정내용이 2 이상인 경우에는 다음 예와 같이 해당 식별항목을 만들어 적고, 각 보정내용 사이에는 1행의 공백행을 삽입하여 구분합니다.

[예] 【보정대상항목】 식별번호 【0012】

【보정방법】 정정

【보정내용】

【0012】 반응을 수행하기에 가장 적합한 용매는 디클로로메탄, 에테르, 클로로포름 등이며, 반응온도는 섭씨 10도부터 100도까지로 섭씨 30도부터 50도까지에서 가장 좋은 반응결과를 얻을 수 있다.

【보정대상항목】 청구항 19

【보정방법】 추가

【보정내용】 【청구항 19】 제1항에 있어서 R1이 티오닐에틸, R2는 피페리딘, R3는 치환된 페닐인 화합물

【보정대상항목】 청구항 9

【보정방법】 삭제

(4) 【보정대상항목】란에는 보정하려는 식별항목명 또는 식별번호를 적고, 【보정방법】란에는 "추가", "삭제", "정정" 중 어느 하나만을 적습니다. 보정방법이 "추가" 또는 "정정"인 경우에는 【보정내용】란에 식별번호를 우선 적은 후 추가 또는 정정된 내용을 적고, 보정방법이 "삭제"인 경우에는 【보정내용】란을 삭제합니다. 보정내용이 식별번호가 부여된 문단의 추가인 경우에는 【보정방법】란에 "정정"이라고 적고, 【보정내용】란에는 추가된 내용이 반영된 전체 문단의 내용을 적습니다. 【보정대상항목】과 【보정방법】란에 적을 수 있는 내용은 「특허법 시행규칙」 별지 제9호서식(보정서)의 <보정단위 및 보정방법 일람표>와 같습니다.

(5) 명세서 등의 보정은 식별번호 또는 식별항목 단위로 보정합니다. 자세한 보정방법은 「특허법 시행규칙」 별지 제9호서식(보정서)의 기재요령 제8호나목(5)를 참조합니다.

(6) 서면으로 제출한 명세서등을 보정하려는 경우에는 특허청이 지정한 전자화기관으로부터 전자화된 출원서류 파일을 송부받기 전에는 서면으로 보정서를 제출하되, 식별항목 단위로만 보정할 수 있고, 식별번호 단위로는 보정할 수 없습니다. 전자화기관으로부터 전자화된 파일을 송부받은 후에는 서면이나 전자문서를 이용하여 식별번호 또는 식별항목 단위로 보정할 수 있습니다.

(7) 다음에 해당하는 명세서는 【발명의 명칭】 및 【도면의 간단한 설명】 외에는 식별항목 단위로 보정할 수 없고, 식별번호 단위로만 보정할 수 있습니다.

- 최초의 특허출원 시에 제출한 명세서의 식별항목을 「특허법 시행규칙」 별지 제15호서식(명

세서)에 따라 적지 않은 명세서

- 국제특허출원의 번역문 제출 시 「특허법 시행규칙」 별지 제53호서식(발명의 설명)에 따라 적지 않은 명세서

(8) 국제특허출원의 번역문 제출일자가 2009년 12월 31일 이전인 경우 명세서에서 반복사용이 가능한 공통식별항목 중【도】,【청구항】을 제외한【표】, 【수학식】 및 【화학식】등은 보정단위로 사용할 수 없으며, 공통식별항목이 속한 식별번호 또는 식별항목 단위로 보정합니다.

(9) 국제특허출원의 번역문 제출일자가 2010년 1월 1일 이후인 경우 명세서에서 반복사용이 가능한 공통식별항목 중【실시예】, 【청구항】을 제외한【도】,【특허문헌】,【비특허문헌】, 【표】, 【수학식】 및 【화학식】등은 보정단위로 사용할 수 없으며, 공통식별항목이 속한 식별번호 또는 식별항목 단위로 보정합니다.

(10) "발명(고안)의 명칭"을 보정하는 경우에는 "명세서등 보정"으로 제출합니다.

바. 국제단계보정서 사본의 경우

다음 예와 같이【제출하는 서류의 내용】란의 다음 행에【보정서 제출일자】,【제출서류】란을 각각 만들고,【보정서 제출일자】란에는 보정서를 국제사무국 또는 국제예비심사기관에 제출한 날짜를 적으며 【제출서류】란에는 "보정서 사본"이라고 적고, 보정서 사본을 첨부합니다.

[예]【제출하는 서류의 내용】

【보정서 제출일자】 2007. 1. 1.

【제출서류】 보정서 사본

사. 국제단계설명서 번역문의 경우

(1) 다음 예와 같이【제출하는 서류의 내용】란의 다음 행에 【설명서 제출일자】및【설명서 내용】란을 각각 만들고, 해당 내용을 적습니다.

[예] 【제출하는 서류의 내용】

【설명서 제출일자】 2007. 1. 1.

【설명서 내용】

(2) 【설명서 제출일자】란에는 설명서를 국제사무국에 제출한 날짜를 적습니다.

(3) 【설명서 내용】란에는 "별지와 같음"이라고 적고, 설명서의 번역문을 별지에 적어 제출합니다.

아. 국제단계설명서 사본의 경우

다음 예와 같이【제출하는 서류의 내용】란의 다음 행에【설명서 제출일자】,【제출서류】란을 각

각 만들고, 【설명서 제출일자】 란에는 설명서를 국제사무국에 제출한 날짜를 적으며 【제출서류】 란에는 "설명서 사본"이라고 적고, 설명서 사본을 첨부합니다.

[예] 【제출하는 서류의 내용】

【설명서 제출일자】 2007. 1. 1.

【제출서류】 설명서 사본

자. 국제특허출원에 관한 서류의 사본의 경우

다음 예와 같이 【제출하는 서류의 내용】 란의 다음 행에 【국제특허출원 서류의 사본】 란을 만들고, 해당 내용을 적습니다. 【사본의 내용】 란에는 제출하는 서류의 사본 명칭을 적고, 제출하는 서류의 사본 각 1통을 첨부합니다.

[예] 【제출하는 서류의 내용】

【국제특허출원에 관한 서류의 사본】

【국제특허출원번호】

【국제특허출원일자】

【사본의 내용】 국제특허출원의 출원서, 발명의 설명, 청구범위, 요약서 및 도면

차. 「특허법」 제42조의3제2항·제3항, 「실용신안법」 제8조의3제2항 ·제3항에 따른 외국어특허출원의 국어번역문의 경우

다음 예와 같이 【제출하는 서류의 내용】 란의 다음 행에 【특허법 제42조의3제2항(특허법 제42조의3제3항, 실용신안법 제8조의3제2항 또는 실용신안법 제8조의3제3항)에 따른 외국어특허출원의 국어번역문】 란을 만들고, 해당 내용을 적습니다. 【국어번역문의 내용】 란에는 제출하는 서류의 명칭을 적고, 제출하는 서류 각 1통을 첨부합니다.

[예] 【제출하는 서류의 내용】

【특허법 제42조의3제2항에 따른 외국어특허출원의 국어번역문】

【국어번역문의 내용】 명세서, 도면(도면 중 설명부분에 한정합니다)

카. 「특허법」 제201조제1항 각 호 외의 부분 단서, 같은 조 제3항, 「실용신안법」 제35조제1항 각 호 외의 부분 단서 또는 같은 조 제3항에 따른 국어번역문의 경우

다음 예와 같이 【제출하는 서류의 내용】 란의 다음 행에 【특허법 제201조제1항 각 호 외의 부분 단서(특허법 제201조제3항, 실용신안법 제35조제1항 각 호 외의 부분 단서 또는 실용신안법 제35조제3항)에 따른 국어번역문】 란을 만들고, 해당 내용을 적습니다. 【국어번역문의 내용】 란에는

제출하는 서류의 명칭을 적고, 제출하는 서류 각 1통을 첨부합니다.

［예］【제출하는 서류의 내용】

【특허법 제201조제1항 각 호 외의 부분 단서에 따른 국어번역문】

【국어번역문의 내용】 발명의 설명, 청구범위, 요약서, 도면(도면 중 설명부분에 한정합니다)

타.「특허법」 제63조의3, 「실용신안법」 제15조에 따른 외국 심사결과에 대한 자료의 경우

다음 예와 같이 【제출하는 서류의 내용】 란의 다음 행에 【외국 심사결과에 대한 자료】, 【외국 특허출원번호】, 【통지일자】, 【통지서】 및 【통지서에 적혀 있는 문헌】 란을 만들고 해당 내용을 적으며, 통지서 사본과 통지서에 적혀 있는 문헌의 사본 각 1통을 첨부합니다. 다만, 통지서에 적혀 있는 문헌을 정보통신망을 통해 쉽게 확인할 수 있는 경우에는 그 취지 및 확인방법을 기재한 후 해당 문헌의 첨부를 생략할 수 있습니다.

【통지서에 적혀있는 문헌】 란에는 외국 심사결과 통지된 통지서에 적혀 있는 문헌 정보를 그대로 적되, 다른 통지서에 기재된 문헌과 동일한 문헌에 대해서는 그 기재를 생략할 수 있습니다.

하나의 출원에 대해 둘 이상의 통지서가 있는 경우 또는 우선권 주장의 기초가 되는 출원이 둘 이상인 경우에는 해당 식별항목을 반복하여 만들어 적습니다.

［예］【제출하는 서류의 내용】

【외국 심사결과에 대한 자료】

【외국 특허출원번호】US 14/123,456

【통지일자】2016. 12. 1.

【통지서】 의견제출통지서

【통지서에 적혀 있는 문헌】

파.「특허법」 제63조의3, 「실용신안법」 제15조에 따른 외국 심사결과에 대한 자료의 국어번역문의 경우

다음 예와 같이【제출하는 서류의 내용】 란의 다음 행에 【외국 심사결과에 대한 자료의 국어번역문】, 【외국 특허출원번호】, 【통지일자】, 【통지서】 및 【통지서에 적혀 있는 문헌】 란을 만들고 해당 내용을 적으며, 통지서 또는 통지서에 적혀 있는 문헌의 국어번역문 각 1통을 첨부합니다.

둘 이상의 통지서 또는 문헌에 대해 번역문을 제출하는 경우에는 해당 식별항목을 반복하여 만들어 적습니다.

［예］【제출하는 서류의 내용】

【외국 심사결과에 대한 자료의 국어번역문】

【외국 특허출원번호】US 14/123,456

【통지일자】2016. 12. 1.

【통지서】 의견제출통지서

【통지서에 적혀 있는 문헌】

7.【첨부서류】 란

가. 이 서식에 첨부하여야 하는 서류는 기재요령 제2호, 제3호 및 제6호를 참조하여 제출합니다.

나. 【첨부서류】 란의 기재방법

(1) 서식에 첨부할 서류명과 부수를 다음 예와 같이 적되, 서식과 함께 제출하지 않는 첨부서류는 적을 수 없습니다.

[예 1] 【첨부서류】 위임장 1통

[예 2] 【첨부서류】 보정서 사본 1통

[예 3] 【첨부서류】 새로운 번역문 각 1통

(2) 첨부서류 중 「전자정부법」 제42조제2항제4호 및 같은 법 시행령 제49조제2항에 따라 누구든지 서류로 발급받거나 열람할 수 있는 행정정보(법인 등기사항증명서 등)에 해당하는 서류는 「전자정부법」 제36조제1항에 따른 행정정보의 공동이용을 통하여 특허청장이 확인해야 하는 정보로서, 제출인은 다음 예와 같이 해당 서류의 명칭, 부수 및 그 서류를 확인하기 위해 필요한 정보를 적습니다.

[예] 법인 등기사항증명서 1통 [상호: ○○○, 법인등록번호: 000000-0000000]

(3) 첨부서류 중 「전자정부법」 제42조제2항제4호 및 같은 법 시행령 제49조제2항에 따라 누구든지 서류로 발급받거나 열람할 수 있는 행정정보 이외의 행정정보(주민등록표 등본·초본, 외국인등록사실증명, 인감증명서, 사업자등록증명 등)에 해당하는 서류는 제출인 본인의 동의가 있는 경우에 「전자정부법」 제36조제1항에 따른 행정정보의 공동이용을 통하여 특허청장이 확인할 수 있는 정보입니다. 따라서, 특허청장이 확인하는 것에 동의하고 다음 예와 같이 해당 서류의 명칭, 부수 및 서류를 확인하기 위해 필요한 정보를 적으면 관련 서류의 제출을 생략할 수 있습니다. 한편, 특허청장이 확인하는 것에 동의하지 않으면 제출인이 관련 서류를 직접 제출해야 합니다.

[예 1] 주민등록표 등본·초본 1통 [성명: ○○○, 주민등록번호: 000000-0000000]

[예 2] 사업자등록증명 1통 [성명: ○○○, 주민등록번호: 000000-0000000, 사업자등록번호: 000-00-00000]

[예 3] 국가유공자(유족)확인원 1통 [성명: ○○○, 주민등록번호: 000000-0000000, 보훈번호: 000-000000]

다. 서류의 원용

(1) 동시에 진행하는 2 이상의 특허에 관한 절차에서 제출할 증명서(「특허법」 제7조, 제30조제2항 또는 제54조제4항, 「특허법 시행규칙」 제6조부터 제9조까지의 규정에 따른 증명서에 한정합니다)가 같은 것일 경우에는 그 중 1건에만 증명서의 원본을 제출하고, 다른 건에는 다음 예와 같이 원용에 관한 사항을 적어 사본을 제출할 수 있습니다.

[예] 위임장 1통 [같은 날짜 제출서류에 첨부된 것을 원용]

【서류명】 특허출원서

【출원번호】 10-2007-1234567

(2) 이미 특허청 또는 특허심판원에 제출한 증명서(「특허법」 제7조, 제30조제2항 또는 제54조제4항, 「특허법 시행규칙」 제6조부터 제9조까지의 규정에 따른 증명서에 한정합니다)와 동일한 내용의 증명서를 다시 제출하는 경우에는 다음 예와 같이 원용에 관한 사항을 적고, 그 증명서의 제출을 생략할 수 있습니다.

[예] 위임장 1통 [아래에 적은 제출서류에 첨부된 것을 원용]

【서류명】 심판청구서

【심판번호】 2007-당-123456

라. 첨부서류를 전자적 이미지로 변환(스캐닝)하여 제출하는 경우의 유의사항

(1) 첨부서류로 제출되는 전자적 이미지 형식은 해상도 300부터 400dpi까지(300dpi 권장)의 흑백 TIFF(Tagged Image File Format)로 합니다.

(2) 꼭 필요한 경우에는 그레이스케일 또는 칼라 이미지로 제출 가능하며, 제출되는 전자적 이미지 형식은 해상도 300부터 400dpi까지(300dpi 권장)의 JPEG(Joint Photographic Experts Group)로 합니다.

마. 첨부서류를 PDF(Portable Document Format)로 제출할 수 있습니다.

8. 작성 시 유의사항

가. 서식은 제출인(대리인에 의하여 절차를 밟는 경우에는 대리인)이 기명을 한 후 서명 또는 날인하여야 하며, 2명 이상의 제출인(대리인)이 있는 경우에는 모두 기명을 한 후 서명 또는 날인하여야 합니다. 서명 또는 날인시의 인감은 특허고객번호부여신청[대리인이 변리사인 경우에는 변리사등록, 대리인이 특허법인 · 특허법인(유한)인 경우에는 법인등록]시 사용한 것과 동일한 서명 또는 인감을 사용하며, 특허고객번호 정보변경(경정)신고서에 따라 서명 또는 인감을 변경한 경우에는 그 변경된 서명 또는 인감을 사용하여야 합니다.

나. 1999년 1월 1일 전에 출원한 건에 대한 중간서류(수신처가 특허청장인 경우)는 전자문서를 이용하

여 제출할 수 없으며, 서면으로 제출하여야 합니다.

다. 이 서식에서 국제디자인등록출원에 관한 부분은 헤이그협정이 대한민국에 대하여 그 효력을 발생하는 날부터 적용합니다.

MINISTRY OF COMMERCE AND INDUSTRY, TRADEMARKS AND PATENT DEPARTMENT (KUWAIT)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE – SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

KW MINISTRY OF COMMERCE AND INDUSTRY, TRADEMARKS AND PATENT DEPARTMENT (KUWAIT) KW

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Arabic
Required contents of the translation for entry into the national phase:[1]	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?	Yes
National fee:	Currency: Kuwaiti dinar (KWD) Filing fee:[1] KWD 40 filing by an individual KWD 80 filing by a company
Exemptions, reductions or refunds of the national fee:	The filing fee is reduced by 50% where the applicant is a student
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if not indicated in the "Request" part of the international application[2, 3] Declaration as to the applicant's entitlement to apply for and be granted a patent[2, 3] Declaration as to the applicant's entitlement to claim priority of the earlier application[2, 3] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)[2] Representation by an agent if the applicant is not resident in Kuwait[2] Instrument appointing the agent (authorization or power of attorney)[2]
Who can act as agent?	Any patent attorney or patent agent registered to practice before the Office, or any person legally qualified to practice before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

1 Must be furnished or 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 of 90 days from the date of receipt of the invitation.
3 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

NATIONAL INSTITUTE OF INTELLECTUAL PROPERTY (NIIP) (KAZAKHSTAN)

AS
DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex KZ.I

List of abbreviations:

Office: National Institute of Intellectual Property (NIIP) (Kazakhstan)

KPL: Kazakh Patent Law

SUMMARY **Designated (or elected) Office** SUMMARY

KZ NATIONAL INSTITUTE OF INTELLECTUAL PROPERTY (NIIP) (KAZAKHSTAN) KZ

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:[1]	Kazakh or Russian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Request, description, claims (if amended, as amended only, together with any statement under PCT Article 19), any text matter of drawings, abstract Under PCT Article 39(1): Request, description, claims, any text matter of drawings, abstract (if any of those parts has been amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[2, 3]	Currency: Kazakh tenge (KZT) For patent: Filing fee:[4] KZT 20,320.16 Examination fee:[5] KZT 66,959.20 Annual fees for the first three years, per year: KZT 20,320.16 For utility model: Filing fee:[4] KZT 16,450.56 Annual fees for the first three years, per year: KZT 16,450.56
Exemptions, reductions or refunds of the national fee:	The examination fee is reduced by 20% where an international search report or an international preliminary examination report has been established.

[Continued on next page]

[1] Must be furnished within two months from the expiration of the time limit applicable under PCT Article 22 or 39(1). This time limit can be extended by no more than two months if the applicant has paid additional fees.

[2] This fee is subject to value added tax (VAT). Applicants may consult the receiving Office or a registered patent attorney for the latest applicable VAT rate.

[3] Applicants who reside in a State in which per capita national income is below USD 3,000 pay the following reduced amounts: in the case of a legal entity, 30% of the fee amount; in the case of a natural person, 15% of the fee amount.

[4] Must be paid within the time limit applicable under PCT Article 22 or 39(1) or within two months from the date of entry into the national phase. This time limit can be extended by two months, provided that a surcharge of 20% is paid. Fees for electronic and paper filing were amended to be equal by Order of the Director of the NIIP No. 254 dated 23 December 2020.

[5] Must be paid for requesting substantive examination after publication of the information on issuing the provisional patent within three years from the international filing date or five years from the international filing date if the duration of the provisional patent has been prolongated.

SUMMARY **Designated (or elected) Office** SUMMARY

KZ NATIONAL INSTITUTE OF INTELLECTUAL PROPERTY (NIIP) (KAZAKHSTAN) KZ

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[6]	Instrument of assignment of the priority application where the applicants are not identical[7] Appointment of an agent if the applicant is not resident in Kazakhstan
Who can act as agent?	Any patent attorney registered to practice before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[6] 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 of three months from the date of the invitation.

[7] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

KZ.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).

PCT Rule 17.2(a)

KZ.02 **PRIORITY DOCUMENT (TRANSLATION).** The Office will require the applicant to furnish a translation of the priority document into Russian or Kazakh only in certain cases where required for the examination upon special invitation. The Office will invite the applicant to furnish a translation of the priority document within a time limit which shall be fixed in the invitation.

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

KPL Art. 22(7), 22(13), 5(3)

KZ.04 **REQUEST FOR EXAMINATION.** A patent is granted only after substantive examination. The substantive examination is carried out after payment of the prescribed fee (see Annex KZ.I), which can be made within three months from the date of notification of the result of the formal examination.

KZ.05 **REPRESENTATION.** Applicants having their residence outside Kazakhstan must appoint a patent attorney registered to practice before the Office. A list of registered patent attorneys is available upon request from the Office and may be obtained from the website at www.adilet.gov.kz or www.kazpatent.kz.

PCT Art. 28, 41
KPL Art. 21

KZ.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant has the right to amend or correct any element in his international application on his own initiative without paying any fee within two months after entry into the national phase provided that the scope of the subject matter of the application is not broadened thereby. After the expiration of the said time limit but before the date of the decision of grant such amendments or corrections may be made only on payment of the prescribed fee (see Annex KZ.I).

PCT Art. 4(3), 43
PCT Rule 49*bis*.1 (a), (b), 76.5

KZ.07 **UTILITY MODEL.** If the applicant wishes to obtain a utility model instead of a patent in Kazakhstan, on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

KZ.08 If the international application is for a utility model instead of a patent, the requirements are basically the same as for a patent except that no substantive examination is carried out (see Annex KZ.I).

KZ.09 After the expiration of five years from the international filing date, the term of a utility model may be extended by the Office at the request of the owner of the patent by a maximum of three years.

KZ.10 **ANNUAL FEE.** After a patent has been granted, an annual fee must be paid for maintaining the patent in force. The first annual fee is to be paid within two months from the date of publication of information on the grant of a patent. All subsequent fees are to be paid before the beginning of the corresponding year. If an annual fee is paid after the specified term has expired, but not later than six months, the amount of the fee is increased by 50%. A patent lapsed because of lack of payment of the annual fee can be restored within three years from the date of expiration of the time limit for payment of the corresponding annual fee. The amounts of the annual fees are indicated in Annex KZ.I.

PCT Art. 25
PCT Rule 51

KZ.11 **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, an appeal against this decision may be lodged with the national appeals body.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

KZ.12 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where, during the international phase or before the Office, the applicant has missed a time limit for performing any act in relation to the international application, such time limit may be extended by the Office upon request by the applicant and where justified and subject to payment of the reinstatement fee (see Annex KZ.I).

FEES[1, 2]

(Currency: Kazakh tenge (KZT))

Patents

Filing fee:[3]	20,320.16
Examination fee:	
— for one invention	66,959.20
— for each invention in excess of one	53,519.20
(reduced by 15% where an international search report or an international preliminary examination report has been established)	
Reinstatement fee:	
— within 12 months from the expiration of the missed time limit	31,534.72
Fee for correction or amendment of application	5,224.80
Fee for the preparation of the documents for grant of the title of protection, the inventor's certificate and the publication of patent data	33,253.92
Annual fees for patents:	
— for the 1st to the 3rd years, per year	20,320.16
— for the 4th and 5th years, per year	30,150.40
— for the 6th and 7th years, per year	39,279.52
— for the 8th to the 10th years, per year	60,295.20
— for the 11th and 12th years, per year	79,950.08
— for the 13th and 15th years, per year	120,574.72
— for the 16th to the 18th years, per year	140,229.60
— for the 19th and 20th years, per year	159,875.52
Reinstatement fee:	
— within three years from the expiration of the missed time limit for payment of the annual fee for patents	11,299.68

Utility models

Filing fee:[3]	16,450.56
Fee for correction or amendment of application	5,224.80
For the preparation of the documents for grant of the title of protection, the inventor's certificate and the publication of patent data	33,253.92
Annual fees:	
— for the 1st and 3rd years, per year	16,450.56
— for the 4th and 8th years, per year	47,855.36

[1] This fee is subject to value added tax (VAT). Applicants may consult the receiving Office or a registered patent attorney for the latest applicable VAT rate.

[2] Applicants who reside in a State in which per capita national income is below USD 3,000 pay the following reduced amounts: in the case of a legal entity, 30% of the fee amount; in the case of a natural person, 15% of the fee amount.

[3] Fees for electronic and paper filing were amended to be equal by Order of the Director of the NIIP No. 254 dated 23 December 2020.

How can payment of fees be effected?

The payment of fees must be effected in Kazakh tenge, but the equivalent amounts in US dollars, Russian rouble or euro may be accepted. 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 by money order or bank draft or cash. Payment is also possible by bank transfer via a correspondent bank of "Nurbank" JSC.

Bank requisites for payment

in tenge

Beneficiary	State Enterprise "National Institute of Intellectual Property" Committee for Intellectual Property rights of the Ministry of Justice of the Republic of Kazakhstan
Address	010000, Nur-Sultan, Korgalzhyn Highway, Building 3B
VAT number	620300220118 / 020940003199
Bank name	"Nurbank" JSC
SWIFT	NURSKZKX
Identification client code	KZ8584905KZ006015415
Beneficiary code	16
Bank requisites for funds transfer in currency account	"Nurbank" JSC
SWIFT	NURSKZKX
Identification client code	KZ7684905RU006015130

in US dollars

Correspondent bank	Bank of New York Mellon
SWIFT	IRVTUS3N
Correspondent account	8900514833 (USD)
Correspondent bank	Commerzbank
SWIFT	COBADEFF
Correspondent account	400887061000 (USD)

in Russian rouble

Correspondent bank	SBERBANK
SWIFT	SABRRUMM
BIC	044525225
Correspondent account	30111810200000000343 (RUB)
TIN	7707083893
Identification client code	KZ1584905US006015020

in Euro

Correspondent bank	Commerzbank AG
SWIFT	COBADEFF
Correspondent account	400887061000 (EUR)
Correspondent bank	Bank of New York Mellon Frankfurt
SWIFT	IRVTDEFX
Correspondent account	6447229715

DEPARTMENT OF INTELLECTUAL PROPERTY, MINISTRY OF SCIENCE AND TECHNOLOGY (LAO PEOPLE'S DEMOCRATIC REPUBLIC)

AS

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Information not yet available

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List of abbreviations:

Office: National Intellectual Property Office of Sri Lanka

IPA: Intellectual Property Act No. 36 of 2003

IPR: Intellectual Property Regulations

SUMMARY Designated (or elected) Office SUMMARY

LK NATIONAL INTELLECTUAL PROPERTY OFFICE OF SRI LANKA LK

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	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:[2]	Currency: Sri Lanka rupee (LKR)

		Students	*Natural Persons*	*Others*
Application fee:[3]	LKR	1,000	2,500	6,000

Exemptions, reductions or refunds of the national fee:	Reductions of the national fee are indicated under the national fee listed above and in Annex LK.I
Special requirements of the Office (PCT Rule 51*bis*):[2]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4] Statement justifying the applicant's right to the patent where the applicant is not the inventor[4] Appointment of an agent if the applicant is not resident in Sri Lanka
Who can act as agent?	Any person registered to practice as a patent agent before the Office (Sec. 58(1) of the Intellectual Property Regulations)
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[1] Must be furnished 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 fee is subject to value added tax (VAT) of 12%.

[4] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

LK.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).

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

IPA Sec. 68(1)(b)

LK.03 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model is given in Annex LK.II.

IPA Sec. 68(2)(b)
IPR Rule 38

LK.04 **STATEMENT CONCERNING THE RIGHT TO THE PATENT.** The statement justifying the applicant's right to the patent, where he is not the inventor, must be made by the applicant or his agent and indicate how the applicant acquired the right to the patent. There is no special form for this statement. Legalization is not required.

IPA Sec. 80(2)

LK.05 **ANNUAL FEES.** After a patent has been granted, annual fees must be paid to the Office. The first annual fee is due in respect of the third year counted from the date of grant and must be paid before the expiration of the second year counted from that date. The annual fees for subsequent years must be paid within the year which precedes the year for which the fee is due. Payment can still be made, together with a 18% surcharge for late payment, within six months after the due date. The amounts of the annual fees are indicated in Annex LK.I.

PCT Art. 28
41
IPA Sec. 72(1)

LK.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Until the grant of the patent, the applicant may make amendments to the international application (description, claims and drawings) at any time, provided that the scope of the subject matter of the application is not broadened thereby. Amendments are subject to the payment of a fee (see Annex LK.I).

PCT Art. 25
PCT Rule 51

LK.07 **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, an appeal against this decision may be lodged with the Court of Appeal within three months from the date of the decision or such extended period as the Office may grant.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

LK.08 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Restoration of rights may be requested where the applicant has failed to observe a time limit during the international phase or before the Office. A request to waive the requirement which was not observed is also possible. Any such request must state the reasons for missing the time limit or for the failure to observe a requirement and must be accompanied by evidence in support of the statements made.

FEES[1]

(Currency: Sri Lanka rupee)

National application fee:	
— Students (School, technical and other similar Colleges and University undergraduates)	1,000
— Natural persons	2,500
— Others	6,000
Fee for amendment	1,000
Annual fees:[1]	
— for the 1st extension	4,000
— for the 2nd extension	5,000
— for the 3rd extension	7,000
— for the 4th extension	8,000
— for the 5th extension	10,000
— for the 6th extension	12,000
— for the 7th extension	14,000
— for the 8th extension	16,000
— for the 9th extension	18,000
— for the 10th extension	20,000
— for the 11th extension	22,000
— for the 12th extension	23,000
— for the 13th extension	25,000
— for the 14th to the 18th extension (each)	35,000
Surcharge for late payment of annual fee	10% of the fee due

How can payment of fees be effected?

Fees may be paid in cash, by check, money order or postal order drawn in favor of the "Director General of Intellectual Property". Fees paid by persons not residing in Sri Lanka must be remitted to the Office by way of bank draft drawn in favor of the Director General of Intellectual Property.

[1] Fees are subject to value added tax (VAT) of 12%.

POWER OF ATTORNEY

Je (Nous) / I (We)

(Nom et adresse) / (Name and address)

autorise (autorisons) par la présente / do hereby authorize

à me (nous) représenter en tant que déposant(s) / to represent me (us) as applicant(s)

dans toutes les procédures relatives à l'instruction / in all proceedings related to the processing

⇦ de toutes mes (nos) demandes de brevet / of all my (our) patent applications

⇦ de la demande internationale n° / of international application No.

(cocher la case appropriée) / (check the applicable box)

devant l'Office national de la propriété intellectuelle et à faire ou recevoir des paiements en mon (notre) nom / before the National Intellectual Property Office and to make or receive payments on my (our) behalf.

Lieu / Place : Date :

Signature :

LIBERIA INTELLECTUAL PROPERTY OFFICE (LIPO)

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List of abbreviations:

Office: Liberia Intellectual Property Office (LIPO)

LPL: Liberia Intellectual Property Act, 2016

LPR: Administrative Regulation on Patent, 5 September 2019

SUMMARY **Designated (or elected) Office** SUMMARY

LR LIBERIA INTELLECTUAL PROPERTY OFFICE (LIPO) LR

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[1]	Currency: US dollar (USD) Filing fee: USD 400
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2]	Appointment of an agent if the applicant is not resident in Liberia Oath or declaration of the inventor[3]
Who can act as agent?	Any attorney certified by the Liberia Intellectual Property Office (LIPO) and registered by the Legal Bar Association or any IP agent certified by LIPO
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

[1] Must be furnished or 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.

THE PROCEDURE IN THE NATIONAL PHASE

LR.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).

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

LPR Sec. 7.2

LR.03 **REPRESENTATION.** An agent must be appointed by filing a power of attorney if the applicant is not resident in Liberia. A model is given in Annex LR.II. If the power of attorney is not filed at the time of entry into the national phase, it may be filed within two months from the expiration of the time limit applicable under Article 22 or 39(1).

LPR Sec. 11.1

LR.04 **EXAMINATION.** The Office will examine or provide for the examination of patent applications as to substance. A request for examination must be filed which is subject to the payment of a fee. The request shall be deemed to have been filed when the examination fee has been paid. Failure to make the request within the prescribed time limit will cause the application to lapse.

PCT Art. 28
41
LPL Sec. 13.6(e)

LR.05 **AMENDMENT OF THE APPLICATIONS; TIME LIMITS.** Amendments and corrections to the description, claims and drawings may be made at any time during the patent procedure before the grant of the patent provided that the scope of the subject matter of the application is not broadened thereby.

LPL Sec. 13.12(b)
LPR Sec. 18

LR.06 **ANNUAL FEES.** In order to maintain the patent or the patent application, annual fees must be paid in advance for each year starting one year after the international filing date. The annual maintenance fee shall become due on the eve of each anniversary of the international filing date. A period of grace of six months shall be allowed for the late payment of the annual fee on payment of the prescribed surcharge fee. If an annual fee is not paid, the patent application shall be deemed to have been withdrawn or the patent shall lapse.

PCT Rule 49.6
LPL Sec. 13.24
LPR Sec. 21.1-21.3

LR.07 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant, in spite of due care required by the circumstances having been taken, failed to perform the acts referred to in Article 22(1) or 39(1)(a) within the applicable time limit. Any request for reinstatement of rights, shall be filed in writing within two months of the removal of the cause of non-compliance with the period, but at the latest within six months of expiry of the unobserved time limit. The request for reinstatement of rights shall not be deemed to have been filed until the prescribed fee has been paid. The request shall state the grounds on which it is based and shall set out the facts on which it relies. The omitted act shall be completed within the relevant period for filing the request.

PCT Art. 25
PCT Rule 51

LR.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, an appeal against this decision may be lodged with the Office.

LPL Sec. 13.25

LR.09 **RESTORATION OF THE RIGHT OF PRIORITY.** Where the international application claims the priority of an earlier application and has an international filing date which is later than the date on which the priority period expired but within the period of two months from that date, the Office shall, upon request of the applicant and payment of the prescribed fee, restore the right of priority with respect to that international application if the Office finds that the failure to file the international application within the priority period was unintentional or occurred in spite of due care required by the circumstances having been taken. The Office shall not refuse, totally or in part, a request for restoration of the right of priority without giving the applicant the opportunity to make observations on the intended refusal within a time limit, which shall not be less than three months counted from the date of notification.

LPR Sec. 12.2

LR.10 **APPEALS.** The applicant may lodge an appeal against a decision of the Registrar General to the Director General within two months after the date of notification of the decision to him by the Office. No fee is required.

LPL Sec. 13.28

LR.11 **UTILITY MODEL.** Subject to what is said in paragraph LR.12, if the applicant wishes to obtain a utility model instead of a patent in Liberia on the basis of an international application, he shall so indicate to the office when performing the acts referred to in PCT Article 22 or 39. A utility model certificate shall expire at the end of the 10th year after the date of the grant of the utility model, and shall not be renewable.

LPL Sec. 13.29

LR.12 **CONVERSION.** An international application for a patent may be converted into a utility model application, and vice versa, at any time before the grant or refusal of a patent or a utility model certificate. Conversion is subject to the payment of a fee which is indicated in Annex LR.I. An application may not be converted more than once.

FEES

(Currency: US dollar)

Patents

Fee for national processing	400
Publication fee	150
– surcharge for every additional page after 20 pages	30
Grant fee for patent	10
Conversion of patent to utility model	50
Conversion of utility model to patent	50

How can payment of fees be effected?

The payment of fees must be effected in US dollar and should be made by bank draft payable to the Patent and Trade Mark account at the Central Bank of Liberia in Monrovia. All payments must give the application number (national if already known; international if the national number is not yet known).

POWER OF ATTORNEY

PETITION AND POWER OF ATTORNEY

IN THE MATTER OF application for granting
and issuing of LETTERS PATENT in Liberia

Your Petitioners, ...

..... (name of Company) a corporation organized and existing under the laws

of .....located at

.....

pray that LETTERS PATENT may be granted to them in Liberia as assignees of .....

..... 's invention for .....

..... as set forth

in the annexed specification and claims.

AND we do hereby retain, constitute and appoint .....

..... with full powers of substitution and revocation as our

agents and attorneys, to apply for and obtain from the Government of Liberia an exclusive privilege of LETTERS

PATENT for .....

.....

.....

AND we authorise the said agents or their substitute to sign our name to such papers and writings, and do such acts, including substitution or revocation as may be necessary or expedient, and lastly, we request that all official communications now or hereafter relating to the same may be addressed to said agents at their above address, and that they be recognised as our authorised agents in all proceedings incidental thereto.

Dated this ..... day of ..... 19.....

.....

Signed, sealed and delivered at .....

this .....day of ..... 19.....

in the presence of :

.....

.....

OATH BY INVENTOR

In re: Application for granting and issuing
Letters Patent in Liberia in the name of

.....

I/We

of

MAKE OATH AND SAY:

That I am/we are the original, first and only inventor(s) of an invention entitled: .....

.....

described and claimed in the annexed specification; that I/we do not know and do not believe that the same was ever known or used for patented or described in a book or other publication or in public use or on sale in Liberia before my/our invention or discovery thereof.

That I/we do hereby sell and assign to .....

.....

having a place of business at .....

.....

all my/our rights, title and interest in and to my/our invention for new and useful .....

.....

and request that an exclusive privilege or Letters Patent for said invention in Liberia may issue to said .....

..... in accordance with this assignment.

Signature .....

Dated ..... day of ..... 19 .....

REGISTRAR GENERAL'S OFFICE (LESOTHO)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Registrar General's Office

LPL: Industrial Property Order (Order No. 5, 1989)

LPR: Industrial Property Regulations (Legal Notice No. 85, 1989)

SUMMARY **Designated (or elected) Office** SUMMARY

LS REGISTRAR GENERAL'S OFFICE (LESOTHO) LS

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only), any text matter of drawings Under PCT Article 39(1): Description, claims, any text matter of drawings (if any of those parts has been amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[1]	Currency: Lesotho loti (plural maloti) (LSL) For patent: Application fee: LSL 250 (100)[2] Grant and publication fee:[3] LSL 450 (120)[2] For utility model: Application fee: LSL 150 (50)[2] Grant and publication fee:[3] LSL 450 (150)[2]
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[4]	Instrument of assignment or transfer where the applicant is not the inventor[5] Appointment of an agent if the applicant is not resident in Lesotho
Who can act as agent?	Any legal practitioner practicing and resident in Lesotho
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

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

2 The amount in parentheses is applicable in case of filing by individuals or "small entities." The Registrar General will determine whether an entity is eligible as a small entity, in accordance with the definition in the First Schedule of Fees.

3 Due to the new time limit applicable under PCT Article 22, the Office should be consulted for the time limit applicable for the payment of this fee. Late payment of annual fees is permitted in some circumstances subject to payment of a surcharge.

4 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.

5 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

LS.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).

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

LPL Sec. 6
LPR Sec. 9(3)

LS.03 **ASSIGNMENT.** Where the applicant is not the inventor, an instrument of assignment or transfer concerning the inventor and the applicant's right to apply for a patent must be furnished.

LPL Sec. 11(6)
LPR Sec. 25(1)

LS.04 **EXAMINATION.** The Office will examine or provide for the examination of patent applications as to substance. No request is necessary and no special fee is payable.

LPL Sec. 35
LPR Sec. 7

LS.05 **REPRESENTATION.** Where the ordinary residence or principal place of business of the applicant is outside Lesotho, an agent who is a resident of Lesotho and who is registered to practice before the Office must be appointed for the purposes of national processing.

PCT Art. 28
41
LPL Sec. 8(2)

LS.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make corrections and/or amendments to the international application at any time during the patent procedure before the grant of the patent, provided that the scope of the subject matter of the application is not broadened thereby.

LPR Sec. 27(1)

LS.07 **GRANT AND PUBLICATION FEE.** This fee must be paid before the grant of the patent. The Office will invite the applicant to pay the fee. The amount is set out in Annex LS.I.

LPL Sec. 14(5)

LS.08 **ANNUAL FEES.** In order to maintain the patent or patent application, annual fees must be paid in advance to the Registrar for each year, starting one year after the filing date of the application for the grant of the patent. The first annual fee is due within 24 months from the international filing date; however, where Article 39(1) applies, it is due within 31 months from the priority date if that time limit expires later. Any annual fee may, together with the prescribed surcharge, be paid within six months after its due date. The amounts of the annual fees and the surcharge for late payment are set out in Annex LS.I.

LPL Sec. 14(1)-(2)
LPR Sec. 29

LS.09 **EXTENSION OF PATENT TERM.** The normal patent term expires at the end of the 15th year after the filing date, but may be extended by a period of five years. A request for such an extension must be made and the prescribed fee must be paid not more than 12 months and not less than one month before the expiration of the patent term. The request must prove to the satisfaction of the Registrar either that the invention is being worked sufficiently in Lesotho at the date of the request or that there are circumstances which justify the failure to so work the invention.

LPL Sec. 14(3)

LS.10 The Registrar will decide on the request for extension of the patent term within a period of six months from the date of the receipt of the request. Where the Registrar takes no decision within the prescribed six-month period, the patent is deemed to have been extended for a period of five years.

PCT Art. 24(2), 48(2)
PCT Rule 82*bis*
LPL Sec. 40(2)
LPR Sec. 60

LS.11 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. If the Registrar is satisfied that the circumstances justify it, he may, upon receiving a written a request, extend the time for doing any act or taking any proceeding under the Industrial Property Order, 1989, or the Regulations made thereunder upon notice to the parties concerned and upon such terms as he may direct. The extensions may be granted though the time for doing the act or taking the proceeding has expired.

PCT Art. 25
PCT Rule 51

LS.12 **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, an appeal against this decision may be lodged with the Office.

PCT Art. 4(3), 43
LPL Sec. 42(2)
LPR Sec. 61

LS.13 **APPEALS.** Any decision of the Registrar under the Industrial Property Order, 1989, may be the subject of an appeal by an interested party before the High Court and such appeal must be filed within two months of the date of the decision.

PCT Rule 49*bis*.1(a), (b), 76.5
LPL Sec. 17-18
LPR Sec. 33(1)

LS.14 **UTILITY MODEL.** If the applicant wishes to obtain a utility model instead of a patent in Lesotho on the basis of an international application, for international applications filed before 1 January 2004, this must have been indicated in the international application (in Box No. V of the request) when filed; for international applications filed on or after 1 January 2004, since the request form no longer provides for the furnishing of such an indication, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office. The fees relating to utility models are indicated in Annex LS.I.

LPL Sec. 19
LPR Sec. 33(2)

LS.15 **CONVERSION.** The applicant may convert an application for a patent into an application for a utility model, or vice versa, by filing a request to that effect and paying the prescribed fee at any time before the grant or rejection of a patent. The amount of the fee for conversion is set out in Annex LS.I. After conversion, the application will be accorded the filing date of the initial application. An application may not be converted more than once.

FEES

(Currency: Lesotho loti (plural maloti))

	Patent	Utility model
Application fee	250 (100)[1]	150 (50)[1]
Grant and publication fee	450 (120)[1]	450 (150)[1]
Annual maintenance fees:		
— for the 2nd year	100 (25)[1]	60 (20)[1]
— for the 3rd year	250 (100)[1]	80 (25)[1]
— for the 4th year	270 (270)[1]	100 (30)[1]
— for the 5th year	290 (140)[1]	120 (35)[1]
— for the 6th year	310 (160)[1]	140 (40)[1]
— for the 7th year	330 (180)[1]	160 (45)[1]
— for the 8th year	350 (200)[1]	
— for the 9th year	370 (220)[1]	
— for the 10th year	390 (240)[1]	
— for the 11th year	410 (260)[1]	
— for the 12th year	430 (280)[1]	
— for the 13th year	450 (300)[1]	
— for the 14th year	470 (320)[1]	
— for the 15th year	490 (340)[1]	
Surcharge for the late payment of annual fees	120 (20)[1]	120 (20)[1]
Fee for conversion of application for patent into application for utility model and vice versa	100 (32)[1]	100 (32)[1]

How can payment of fees be effected?

The payment of fees must be effected in Lesotho maloti. 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. All fees must be paid to the Office by money order, cheque, bank draft or postal order (or cash, at the Office only) made payable to the Registrar General, Lesotho.

[1] Amounts in parentheses applicable for "small entities", defined as any business concern (i) whose number of employees including those of its affiliates does not exceed 500 persons; and (ii) which has not assigned, granted, conveyed, or licensed the title of protection or the right thereto, and is under no obligation under contract or law to do so. The Registrar shall determine whether an entity is eligible as a small entity.

INTELLECTUAL PROPERTY OFFICE (LUXEMBOURG)

AS

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List of abbreviations:

Office: Intellectual Property Office (Luxembourg)

L77: Law of May 27, 1977, implementing the PCT

LPL: Law of July 20, 1992, amending the Patent System

R78: Grand-Ducal Regulations of May 25, 1978

RP97: Grand-Ducal Regulations of November 17, 1997, concerning Procedures and Administrative Formalities in Patent Matters

RT97: Grand-Ducal Regulations of November 17, 1997, Establishing Fees and Remuneration in Patent Matters

SUMMARY Designated (or elected) Office SUMMARY

LU INTELLECTUAL PROPERTY OFFICE (LUXEMBOURG) LU

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 20 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English,[2] French or German
Required contents of the translation for entry into the national phase:[1]	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 (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report), abstract
Is a copy of the international application required?	No
National fee: [1]	Currency: Euro (EUR) Filing fee: EUR 20 Third annual fee: EUR 33
Exemptions, reductions or refunds of the national fee:	No filing fee is payable if the international application was filed with the Intellectual Property Office (Luxembourg) as receiving Office.
Special requirements of the Office (PCT Rule 51*bis*):[3]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4] Deed of assignment of the priority rights where the applicants are not identical[4] Appointment of an agent if the applicant is not resident in the European Economic Area
Who can act as agent?	Any patent agent registered to practice in Luxembourg or any member of the Luxembourg Bar, as well as any patent agent registered in a member State of the European Economic Area
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

1 Must be furnished or paid within one month after the expiration of the time limit applicable under PCT Article 22 or 39(1).

2 However, a translation of the claims into German or French is required where the application is submitted in English.

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.

THE PROCEDURE IN THE NATIONAL PHASE

LU.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).

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

LPL Art. 30(6)
RP Art. 13

LU.03 **NAME AND ADDRESS OF THE INVENTOR.** Unless they have been indicated in the "Request" part of the international application, the name and address of the inventor must be furnished. For details, see the model for such a designation (not an official form) in Annex LU.II. Legalization is not required. For time limits, see the Summary.

L77 Art. 8
RP Art. 14(4)

LU.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. For details, see the model for such assignment (not an official form) in Annex LU.III. Legalization is not required. For time limits, see the Summary.

L77 Art. 6(2)
LPL Art. 67, 68
RT Art. 13

LU.05 **ANNUAL FEES.** Annual fees are payable for the third and each subsequent year following the international filing date. Payment must be made before the expiration of the month containing the anniversary of the international filing date. It is to be noted that an annual fee which is due within the 30-month time limit applicable under PCT Article 39(1)(a) can be paid without surcharge up to the expiration of the 30-month time limit. Payment of annual fees can still be made within six months after the due date, together with the surcharge for late payment. For the amounts, see Annex LU.I.

PCT Art. 28
41
R78 Art. 10

LU.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend the title of the invention, description, claims and drawings within one month from the expiration of the time limit applicable under PCT Article 22 or 39(1), provided that the subject matter of the application is not broadened thereby. Amendments must be made by means of replacement sheets or by means of entirely new documents filed in three copies and are subject to the payment, within the same time limits, of an administrative fee (see Annex LU.I).

PCT Art. 25
PCT Rule 51
L77 Art. 9

LU.07 **REVIEW UNDER PCT ARTICLE 25.** 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, an appeal against this decision may be lodged within three months from the decision. The Council of State will then decide on the appeal.

LPL Art. 40

LU.08 Reestablishment of rights (*restitutio in integrum*) may be requested where the applicant, in spite of due care required by the circumstances having been taken, has failed to observe a time limit. An application for reestablishment must state the grounds on which it is based and must be filed within one year from the expiration of the time limit which has not been observed. If the application for reestablishment is accepted, the applicant will have to pay a reestablishment (*restitutio in integrum*) fee and a fee for publication of the decision of *restitutio in integrum* in the Official Journal.

LPL Art. 70

LU.9 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Where annual fees have not been paid within the prescribed time limits (see paragraph LU.05) for reasons beyond applicant's control, restoration may be requested within 20 months from the loss of rights. The request must set out the reasons beyond the applicant's control that have caused the delay in payment. If a favorable decision is taken on the request for restoration, the applicant will be permitted to pay the annual fees and surcharges which have become due together with the restoration fee and the fee for publication of the decision of restoration in the Official Journal (see Annex LU.I).

FEES

(Currency: Euro)

Fees payable in advance to the Administration de l'Enregistrement et des Domaines

Filing fee	20
Annual fees:	
— for the 3rd year	33
— for the 4th year	41
— for the 5th year	52
— for the 6th year	66
— for the 7th year	82
— for the 8th year	99
— for the 9th year	115
— for the 10th year	131
— for the 11th year	148
— for the 12th year	165
— for the 13th year	180
— for the 14th year	198
— for the 15th year	213
— for the 16th year	230
— for the 17th year	246
— for the 18th year	262
— for the 19th year	281
— for the 20th year	300
Surcharge for late payment of the annual fee	20
Fee for amendment of the title of the invention, the description, the claims, and the drawings before a designated Office (PCT Article 28 or 41)	7
Restoration fee/reestablishment (*restitutio in integrum*) fee	25

How can payment of fees be effected?

All fees relating to patents in Luxembourg are payable by wire transfer to the post office account (CCPL) of the beneficiary Ministère de l'Economie, Office de la propriété intellectuelle, L-2914 Luxembourg:

IBAN: LU91 1111 7125 0540 0000
BIC: CCPLLULL

All payments should give the filing number (national patent), respectively publication number (European and international patents), the name of the patent holder, the filing date of the patent and the nature of the fee (upon payment of an annual fee for maintenance in force, it is imperative to specify the patent year). Where payment relates to an invoice, it is sufficient to state the number, date and originator of the invoice.

Demande de brevet
Patent application
de
of

Désignation de l'Inventeur
Designation of the Inventor

(1) Je soussigné .....
I, the undersigned
.....

agissant en qualité de déposant — de mandataire du déposant —
acting as applicant — agent for the applicant —

(2) .....
.....
.....

(3) de l'invention concernant:
in respect of the invention concerning:

.....
.....
.....
.....

désigne comme inventeur(s):
designate as inventor(s):

1. Nom et prénoms .....
   Name and first names
   Adresse .....
   Address
2. Nom et prénoms .....
   Name and first names
   Adresse .....
   Address
3. Nom et prénoms .....
   Name and first names
   Adresse .....
   Address

J'affirme la sincérité des indications susmentionnées et déclare en assumer l'entière responsabilité.
I declare the above particulars to be true and assume full responsibility for them.

....., le ..... 19.....
the

.....
(Signature)

A 680 26

(1) Nom, prénoms, firme, adresse / Name, first names, firm, address.
(2) Nom, prénoms et adresse du déposant / Name, first names and address of applicant.
(3) Titre de l'invention comme dans la demande de brevet / Title of invention as in the patent application.

CESSION DES DROITS DE PRIORITÉ
ÜBERTRAGUNG DER PRIORITÄTSRECHTE
ASSIGNMENT OF PRIORITY RIGHTS

Je (Nous) soussigné(s)/Ich (Wir) Unterzeichnete(r)/I (We) the undersigned

.....

.....

.....

(Nom et adresse du déposant de la première demande)
(Name und Anschrift des Erstanmelders)
(Name and address of the first applicant)

ayant déposé une demande (de brevet) en
der (die) eine (Patent) Anmeldung eingereicht habe(n) in
who filed a (patent) application in

.....

(pays/Land/country)

le/am/on

.....

(date/Datum/date)

sous le numéro/unter dem Aktenzeichen/under number

.....

concernant l'invention/betreffend die Erfindung/relating to the invention

.....

(titre/Titel/title)

déclare (déclarons) avoir autorisé et autoriser par la présente
erkläre(n) hiermit, dass ich (wir) ermächtigt habe(n) und hiermit ausdrücklich ermächtige(n)
déclare that I (we) have authorized and hereby authorize

.....

.....

.....

(nom et adresse du déposant de la demande internationale)
(Name und Anschrift des PCT-Anmelders)
(name and address of PCT applicant)

à se prévaloir du droit de priorité prévu à l'article 4 de la Convention de Paris du 20 mars 1883, telle que revisée, aux fins de la procédure de délivrance d'un brevet luxembourgeois pour l'invention qui fait l'objet de la demande internationale conformément au Traité de coopération en matière de brevets

die in Artikel 4 der Pariser Übereinkunft vom 20. März 1883, in ihrer abgeänderten Fassung, vorgesehenen Prioritätsrechte in Anspruch zu nehmen, im Hinblick auf die Erteilung eines luxemburgischen Patents für die Erfindung, welche Gegenstand der gemäss dem Zusammenarbeitsvertrag auf dem Gebiet des Patentwesens eingereichten internationalen Patentanmeldung ist

to claim the priority right provided for in Article 4 of the Paris Convention of March 20, 1883, as amended, with regard to the issue of a Luxembourg patent for the invention which forms the subject of the international application under the Patent Cooperation Treaty

.....

(numéro de publication internationale/internationale Veröffentlichungsnummer/international publication number

déposée le/eingereicht am/filed on

.....

(date de dépôt international/internationales Anmeldedatum/international filing date)

Fait à/Geschehen zu/Done at — le/am/on

.....

(lieu/Ort/place) — (date/Datum/date)

(Signature/Unterschrift/Signature)

POUVOIR VOLLMACHT AUTHORIZATION

Je (Nous) soussigné(s)/Ich (Wir) Unterzeichnete(r)/I (We) the undersigned

.....

.....

.....

(Nom et adresse du titulaire de la demande internationale)
(Name und Anschrift des Inhabers der internationalen Anmeldung)
(Name and address of the owner of the international application)

autorise (autorisons) par la présente
bevollmächtige(n) hiermit
do hereby authorize

.....

(Nom, prénom et adresse du mandataire agréé)
(Name, Vorname und Anschrift des zugelassenen Vertreters)
(Name, first name and address of the registered patent agent)

à me (nous) représenter et à agir en mon (notre) nom auprès du Service luxembourgeois de la propriété intellectuelle aux fins de la procédure de délivrance d'un brevet luxembourgeois pour l'invention
mich (uns) vor dem luxemburgischen Amt für geistiges Eigentum zu vertreten und für mich (uns) zu handeln, im Hinblick auf die Erteilung eines luxemburgischen Patentes für die Erfindung
to represent me (us) and to act for me (us) at the Luxembourg Intellectual Property Office with regard to the issue of a Luxembourg patent for the invention

.....

(titre/Titel/title)

qui fait l'objet de la demande internationale conformément au Traité de coopération en matière de brevets:
welche Gegenstand der gemäss dem Zusammenarbeitsvertrag auf dem Gebiet des Patentwesens eingereichten internationalen Patentanmeldung ist:
which forms the subject of the international application under the Patent Cooperation Treaty:

.....

(numéro de publication internationale)
(internationale Veröffentlichungsnummer)
(international publication number)

déposée le/eingereicht am/filed on)

.....

(date de dépôt international)
(internationales Anmeldedatum)
(international filing date)

Fait à/Geschehen zu/Done at ..... le/on/am .....

(lieu/Ort/place) (date/Datum/date)

(Signature/Unterschrift/Signature)

LIBYAN INDUSTRIAL PROPERTY OFFICE

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LY LIBYAN INDUSTRIAL PROPERTY OFFICE LY

Summary of requirements for entry into the national phase

Information not yet available

MOROCCAN OFFICE OF INDUSTRIAL AND COMMERCIAL PROPERTY (OMPIC)

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Form for amendment of the claims/observations following notification of the preliminary search report (B10) . . . . . Annex MA.V

List of abbreviations:

Office: Moroccan Office of Industrial and Commercial Property (OMPIC)

Law: Law No. 17-97 on the Protection of Industrial Property (as modified and completed by Law No. 31-05 in 2006 and Law No. 23-13 in 2014)

Decree: Decree No. 2-14-316 amending and supplementing Decree No. 2-00-368 implementing Law No. 17-97 on the Protection of Industrial Property (as modified and completed by Law No. 31-05 in 2006 and Law No. 23-13 in 2014)

SUMMARY Designated (or elected) Office SUMMARY

MA MOROCCAN OFFICE OF INDUSTRIAL AND COMMERCIAL PROPERTY (OMPIC) MA

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:[1]	Arabic or French
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, 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?	The applicant should only send a copy of the international application if he/she has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).

National fee[2, 3]:

Currency: Moroccan dirham (MAD)				
Filing fee:[1]	1.000	(750)[4]	500[5]	(250)[4, 5]
Publication fee[1]:	1.000	(750)[4]	500[5]	(250)[4, 5]
Additional fee for publication of claims in excess of 10, per claim:	400		160[5]	
Fee for establishment of the search report with opinion on patentability:	8,000	(6,000)[4]	4,000[5]	(2,000)[4, 5]

Exemptions, reductions or refunds of the national fee:	See Summary and Annex MA.I

[Continued on next page]

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

2 The complete list of the Office's national fees is available at: www.ompic.ma/en/content/patent/tariffs

3 Fees are subject to value added tax (VAT) of 20%.

4 The amount in parentheses is applicable to applications filed online. For further information on the online filing of patent applications with the Office, please contact the Office at: pct@ompic.ma.

5 This amount is applicable to very small enterprises, small or medium enterprises (in accordance with the criteria of the SME charter), natural persons, self-entrepreneurs, craftsmen, universities, educational establishments and institutions with a research or development mission (public establishments, foundations, research centers and associations), whether national or foreign.

SUMMARY **Designated (or elected) Office** SUMMARY

MA MOROCCAN OFFICE OF INDUSTRIAL AND COMMERCIAL PROPERTY (OMPIC) MA

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[6]	Appointment of an agent if the applicant is not resident in Morocco Instrument of assignment of the international application if the applicant has changed after the international filing date Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)
Who can act as agent?	Any natural or legal person resident in Morocco
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[6] 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.

THE PROCEDURE IN THE NATIONAL PHASE

MA.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a form for filing a patent application (Form B1) that can be downloaded from the following link: www.ompic.ma/fr/content/formulaires-brevets-invention (see Annex MA.II).

Law Art. No. 30 to 32
8 (par. 2)
Decree Art. No. 4

MA.02 **MINIMUM FILE REQUIREMENTS FOR NATIONAL PHASE ENTRY.** Applicants can use the completed form for filing a patent application (Form B1) to enter the national phase before the Office. Where, at the time of entry into the national phase, one or more of the documents to be submitted together with the form are missing from the patent application file, the applicant or agent has a period of three months from the date of entry into the national phase to bring the file into conformity with the requirements. Payment of the patent filing and search fees must be made within a period of one month from the date of entry into the national phase. If one of the above-mentioned deadlines is not met, the patent application is considered to be withdrawn. In that case, the applicant or agent may file a request for continuation of proceedings within a period of two months (see paragraph MA.13).

Decree Art. No. 2

MA.03. **LANGUAGE OF PROCEEDINGS.** The language of proceedings is Arabic or French.

Decree Art. No. 5

MA.04 **TRANSLATION OF THE DESCRIPTION.** A translation of the description will be required if the patent application was filed in a language other than the working languages of the Office. This translation must be furnished within a period of three months from the date of entry into the national phase.

Law Art. No. 39

MA.05 **CORRECTION OF ERRORS.** Prior to the granting of the patent and on the basis of a substantiated request, the applicant or agent may request the correction of linguistic or transcription errors, as well as clerical errors in the documents filed. Where the request for correction relates to the description, the claims or the drawings, this correction is only admissible if it is obvious, and no other text or line could possibly have been intended by the applicant. A request for correction is filed using the form for correction of linguistic errors, transcription errors or clerical errors (Form B2), which can be downloaded from the following link: www.ompic.ma/fr/content/formulaires-brevets-invention (see Annex MA.III).

Law Art. No. 4

MA.06 **REPRESENTATION.** Any applicant who is a legal or natural person not resident in Morocco must be represented by an agent having their residence or place of business in Morocco. A power of attorney must be furnished, except if the agent is included in the list of patent attorneys maintained by the Office: www.ompic.ma/sites/default/files/NOTEINFORMATIONN52017.pdf; except for operations relating to the termination or transmission of rights, which require a power of attorney.

PCT Rule 51*bis*.1
51*bis*.2

MA.07 **DEED OF ASSIGNMENT.** Where the patent application entering the national phase is filed by an applicant other than the one who filed the international application, a deed of assignment of the international application must be furnished, or, as the case may be, a justification of the applicant's change of name must be furnished if this change has not been reflected in a communication from the International Bureau (Form PCT/IB/306).

Law Art. No. 8

MA.08 **INFORMATION ON EARLIER APPLICATIONS.** Pursuant to Article No. 8 of the Law, an applicant wishing to claim a priority must include on Form B1, at the time of filing of the patent application, the information relating to the priority by indicating: i) the earlier filing date, ii) the number of the earlier application and iii) the country of origin of this filing.

Law Art. No. 43

MA.09 **EXAMINATION.** If the formal requirements to be fulfilled by a patent application are met, the Office establishes a preliminary search report, together with an opinion on the patentability of said application, based on the claims and taking into account the description and drawings, if any, in order to determine whether the invention meets the requirements of patentability. The report is then communicated to the applicant or agent, who has a period of three months from the date of communication to respond, if necessary (see paragraph MA.10).

Law Art. No. 44

Any patent application that has not been rejected or withdrawn is published in the publication server of the Office.

Law Art. No. 14.3

Within two months from the publication date of said patent application, third party observations may be submitted to the Office. These observations may bear on the criteria required for the patent to be valid. The Office communicates these without delay to the applicant or agent, who has a period of two months to respond, if necessary.

Law Art. No. 43.2

A final search report is established on the basis of the preliminary search report and taking into account, where applicable, the final set of claims filed (see paragraph MA.10 below), any observations filed by the applicant in support of the remaining claims and any third party observations.

Law Art. No. 41

Where there are no reasons for rejection under Article 41 in respect of all or some of the claims, the patent is granted for the claims in full or in part and is published under the category B1 in the publication server of the Office: www.patent.ompic.ma/. If this is not the case, a substantiated partial or total rejection of the patent application is issued in respect of the claims containing one of the reasons for rejection under Article 41, and the applicant or agent is informed of the rejection decision.

Law Art. No. 14.2

Within two months from the date of communication of a rejection decision taken by the Office, the applicant or agent may submit observations against this decision (Form ODR, see Annex MA.IV) if they have arguments that might change the examiner's opinion. If the observations submitted are of such a nature as to change the rejection decision, a new decision is established in the light of said observations.

Law Art. No. 43.1

MA.10 **AMENDMENT OF THE PATENT APPLICATION.** When the preliminary search report and the opinion on patentability are established, they are promptly communicated to the applicant or agent, together with the final title and abstract of the invention. The applicant has a period of three months as of the date of communication of the preliminary search report and the opinion on patentability to amend the claims or submit observations in support of the remaining claims, as the case may be (Form B10, see Annex MA.V).

The claims cannot be amended in such a way that they extend the subject matter of the invention beyond the content of the application as originally filed.

Law Art. No. 38.1 38.2

MA.11 **ABSENCE OF UNITY OF INVENTION.** If the application does not meet the requirement of unity of invention (Article No. 38 of the Law), the applicant or agent may, on their own initiative or when invited to do so by the Office, divide or limit the originally-filed patent application if it has not been rejected, withdrawn or granted. A divisional application can only be filed for features that do not extend beyond the content of the application as originally filed.

Law Art. No. 82

MA.12 **ANNUAL FEES.** Renewal fees for a patent application must be paid to the Office for the years following that in which the patent has been granted. The owner of a patent who has not paid the renewal fees within the prescribed time limit may incur the loss of his rights. However, the fees may validly be paid within a further six-month period as of the date of expiry of the time limit; in this case, a surcharge is added for each month of delay in payment (see Annex MA.I).

If the renewal fees have not been paid by the end of the additional six-month period, the owner of a patent loses his rights, and a written and substantiated decision of the Office as to the loss of rights is communicated to the owner of the patent or the agent.

PCT Article 48.2
PCT Rule 82*bis*
Law Art. No. 14.1
Decree Art. No. 3.1

MA.13 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Where the time limits for performing certain operations relating to entry into the national phase have not been observed, a request for the continuation of the procedure relating to said operations may be submitted by the applicant or agent to the Office within a period of two months from the date of expiry of said time limits, provided the fees are paid. When this time limit expires, if no request for the continuation of the procedure is submitted to the Office, a request for the reinstatement of rights can be envisaged, if necessary.

Law Art. No. 84
Decree Art. No. 42

The owner of a patent may, within a period of three months from the date of communication of the loss of rights decision (see paragraph MA.12), submit an appeal to the Office for the reinstatement of his rights, if there were legitimate grounds for the failure to pay the renewal rights for the patent.

PCT Article 25
PCT Rule 51

MA.14 **REVIEW UNDER PCT ARTICLE 25.** The applicable procedure is set forth in paragraphs 6.018 to 6.021 of the national phase.

FEES[1, 2]
(Currency Moroccan dirham)

Filing fee	1,000	(750)[3]	500[4]	(250)[3, 4]
Publication fee	1,000	(750)[3]	500[4]	(250)[3, 4]
Additional fee for publication of claim(s) in excess of 10, per claim	400		160[4]	
Fee for establishment of the search report with opinion on patentability	8,000	(6,000)[3]	4,000[4]	(2,000)[3, 4]
Grant fee	4,000	(3,000)[3]	2,000[4]	(1,000)[3, 4]
Fee for issuing a patent of invention with the contents of the patent in paper format	4,000	(3,000)[3]	2,000[4]	(1,000)[3, 4]
plus, per page	10			
Annual fees				
– from the 2nd to the 5th year, per year	1,000		250[4]	
– for the 6th year	1,600		400[4]	
– for the 7th year	2,000		500[4]	
– for the 8th year	2,400		600[4]	
– for the 9th year	2,800		700[4]	
– for the 10th year	4,000		1,000[4]	
– from the 11th to the 15th year, per year	6,000		1,500[4]	
– from the 16th to the 20th year, per year	10,000		2,500[4]	
Fee for request for restoration or extension of the term of protection	2,000		500[4]	
Fee for extension of the protection period	40,000		10,000[4]	
Late payment fee for the payment of the fees due in respect of each year (patent annuities) per month of delay incurred	25% of the amount of the annual fee with a minimum of 240			
Fee for restoration	100% of the annual fee due in addition to the amount of the late payment fee			
Fee for request for further processing and the like	50% of the amount due for the proceedings which are the subject of the request for further processing			

How can payment of fees be effected?

The payment of fees shall be effected in Moroccan dirhams. 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.

The payment of fees may be effected in cash or by check.

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1 Fees are subject to a value added tax (VAT) of 20%.

2 The complete list of the Office's national fees is available at www.ompic.ma/en/content/patent/tariffs

3 The amount in parentheses is applicable to applications filed online. For further information on online filing of patent applications with the Office, please contact the Office at pct@ompic.ma

4 This amount is applicable to very small enterprises, small or medium enterprises (in accordance with the criteria of the SME charter), natural persons, self-entrepreneurs, craftsmen, universities, educational establishments and institutions with a research or development mission (public establishments, foundations, research centers and associations), whether national or foreign.

ROYAUME DU MAROC
OFFICE MAROCAIN DE LA PROPRIETE INDUSTRIELLE ET COMMERCIALE

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Version
Octobre 2019

BREVET D'INVENTION
FORMULAIRE DE DEPOT D'UNE DEMANDE DE BREVET D'INVENTION
Cet imprimé est à dactylographier lisiblement sans rayures ni surcharge

B1

NATURE DE LA DEMANDE		**CADRE RESERVE A L'OMPIC**
☐ Demande de brevet	☐ Demande divisionnaire N° de dépôt de la demande initiale : Date de dépôt de la demande initiale :	N° de dépôt : Date de dépôt : Lieu de dépôt :

1. REFERENCES DE LA DEMANDE INTERNATIONALE (EN CAS D'ENTREE EN PHASE NATIONALE « PCT »)

N° de dépôt de la demande internationale :	Date de dépôt de la demande internationale :

2. CATEGORIE ET INFORMATION SUR LE DEPOSANT (obligatoire pour le calcul des droits exigibles) (1)

☐ PME/ TPE ☐ Universités/établissements d'enseignement ☐ Autres Dénomination sociale : ICE: RC : Tribunal : l'État dont la législation a servi de cadre à la constitution de ladite personne morale :	☐ Personne physique Nom & Prénom : CNI : Genre : ☐ Féminin ☐ Masculin Nationalité :

Adresse(2) :

Ville : Pays de résidence :

Téléphone : Télécopie :

Email(3) :

☐ **En cas de plusieurs déposants (cas d'une demande en copropriété), utilisez l'imprimé suite « BS » et cochez cette case**

3. MANDATAIRE (le cas échéant)

☐ **Conseiller en PI :** Nom & Prénom **ou** Dénomination sociale: Code : Représenté par: CNI : ☐ **Autre :** Dénomination sociale **ou** Nom & Prénom : ICE: RC : Tribunal : **Ou** CNI : Représenté par: CNI :	Adresse(2) : Ville : Pays de résidence : Téléphone : Télécopie : Email(3) :

4. ADRESSE DE CORRESPONDANCE(4) :

5. INVENTEUR(S) (les inventeurs sont nécessairement des personnes physiques)

Nom & Prénom : Genre : ☐ Féminin ☐ Masculin Nationalité :	Adresse(2): Email(3) :

☐ **En cas de plusieurs inventeurs, utilisez l'imprimé suite « BS » et cochez cette case**

(1) Un tarif réduit est applicable aux TPE, PME conformément aux critères de la charte des PME, personnes physiques, auto-entrepreneurs, artisans, universités et établissements d'enseignement, qu'ils soient nationaux ou étrangers issus des pays bénéficiaires de la réduction au titre du PCT.
(2) L'adresse doit être libellée de la façon habituellement requise pour une distribution postale rapide et une bonne gestion des éventuelles notifications
(3) Au cas où l'email est renseigné, l'office peut recourir à la notification par voie électronique
(4) Au cas où le déposant/mandataire souhaite être notifié à une adresse autre que celle mentionnée par le déposant/mandataire

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CADRE RESERVE A L'OMPIC
N° de dépôt : Date de dépôt : Lieu de dépôt :

6. INTITULE DE L'INVENTION (200 caractères maximum)

7. REVENDICATION DE PRIORITE(S) (le cas échéant)

	N° de dépôt	Date	Pays
Priorité 1			
Priorité 2			

☐ L'OMPIC est prié de se procurer auprès d'une bibliothèque numérique du service d'accès numérique (DAS), au moyen du (des) code(s) d'accès mentionné(s) ci-dessous, une copie certifiée conforme de la ou des demandes antérieures (si la ou les demandes antérieures sont accessibles à l'OMPIC auprès d'une bibliothèque numérique du système DAS) indiquées ci-dessus sous :

☐ Priorité 1) code d'accès _____	☐ Priorité 2) code d'accès _____

☐ **En cas d'insuffisance de place, utilisez l'imprimé suite « BS » et cochez cette case**

8. ENREGISTREMENT D'UNE DEMANDE DE BREVET EN TANT QUE PRIORITE DANS LA BIBLIOTHEQUE NUMERIQUE DU SYSTEME DAS

☐ Cocher cette case si le déposant ne souhaite pas que la présente demande de brevet soit enregistrée dans le système DAS
(Cette case est réservée aux demandes pour lesquels l'OMPIC est l'office du premier dépôt)

9. REFERENCES DU RENVOI A UNE DEMANDE ANTERIEURE [5] (le cas échéant)

N° de dépôt de la demande antérieure :	Date de dépôt de la demande antérieure:
Office auprès duquel la demande a été déposée :	
Lien accessible vers la demande antérieure :	

[5] En cas de non fourniture de la description de l'invention à la date de dépôt

10. REFERENCES DU CERTIFICAT DE GARANTIE (le cas échéant)

N° :	Date :
Lieu de délivrance :	Exposition(s) :

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B1

CADRE RESERVE A L'OMPIC
N° de dépôt : Date de dépôt : Lieu de dépôt :

11. PIECES JOINTES

- ☐ Description de l'invention, page n°….à n°....
- ☐ Revendication(s), page n°….à n°....
- ☐ Abrégé du contenu technique de l'invention, page n°….à n°....
- ☐ Planche de dessins, le cas échéant, page n°….à n°....
- ☐ Pouvoir du mandataire, le cas échéant
- ☐ Copie officielle du dépôt antérieur, le cas échéant
- ☐ Acte ou autorisation de revendiquer la priorité donnée par écrit par le propriétaire de la demande antérieure, le cas échéant
- ☐ Certificat(s) de garantie, le cas échéant
- ☐ Document justificatif de la réduction des droits exigibles, le cas échéant [6]
- ☐ Etat d'engagement de paiement, en cas d'organisme conventionné avec l'OMPIC
- ☐ Déclaration d'opposition à la mention d'inventeur ne souhaitant pas être publié
- ☐ Autres, à préciser …….

Nombre de pages composant le dossier de ce dépôt (Formulaire et pièces jointes) :

CONDITIONS DE RECEVABILITE:

Le dossier de dépôt d'une demande de brevet d'invention doit comporter au moment du dépôt :

- Le présent formulaire (B1) rempli dactylo graphiquement ;
- Une description de l'invention, qui semble en constituer une, ou un renvoi à une demande déposée antérieurement, sous réserve qu'elle soit accessible.

SIGNATURE DU DÉPOSANT, OU DE SON MANDATAIRE

Le signataire certifie l'exactitude des informations figurant dans la présente demande

DEPOSANT	**MANDATAIRE**
Nom :	Nom :
Signature et qualité:	Signature et qualité:
Date :	Date :

[6] Pour les entreprises marocaines (TPE/PME), elles sont dispensées de fournir une copie de pièces justificatives afin de bénéficier de la réduction des droits exigibles, en particulier les Etats de synthèses (dernier exercice comptable), Si ces Etats de synthèses sont disponibles à l'OMPIC qui tient le Registre Central du Commerce.

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BREVET D'INVENTION
FORMULAIRE DE DEPOT D'UNE DEMANDE DE BREVET D'INVENTION
FEUILLE DE CALCUL

B1
Annexe 1

Extrait de la liste des tarifs des services OMPIC applicables à partir du 1er Octobre 2017 :

	Tarif normal HT	Tarif réduit(1) HT
Droit de dépôt	1000.00	500.00
Droit de rapport de recherche et opinion sur la brevetabilité	8000.00	4000.00
Droit de publication de la demande de brevet ou du brevet	1000.00	500.00
Complément pour publication de revendication(s) additionnelle(s) dépassant 10 revendications	400.00 par revendication	160.00 par revendication

Montant des droits exigibles (en DH TTC) :

(1) Un tarif réduit est applicable aux TPE, PME conformément aux critères de la charte des PME, personnes physiques, auto-entrepreneurs, artisans, universités et établissements d'enseignement, qu'ils soient nationaux ou étrangers issus des pays bénéficiaires de la réduction au titre du PCT.

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المملكة المغربية
المكتب المغربي للملكية الصناعية و التجارية

BREVET D'INVENTION
FORMULAIRE DE DEMANDE DE RECTIFICATION DES FAUTES D'EXPRESSION, DE TRANSCRIPTION OU D'ERREURS MATERIELLES

Version Octobre 2019

B2

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1. REFERENCES DE LA DEMANDE	**CADRE RESERVE A L'OMPIC**
Numéro de dépôt: Date de dépôt:	Date d'inscription : Lieu de dépôt :

2. CATEGORIE ET INFORMATION SUR LE DEPOSANT (obligatoire pour le calcul des droits exigibles) (1)

☐ PME/ TPE ☐ Universités/établissements d'enseignement ☐ Autres Dénomination sociale : ICE: RC : Tribunal :	☐ Personne physique Nom & Prénom : CNI : Genre : ☐ Féminin ☐ Masculin Nationalité :

Adresse(2) :
Ville : Pays de résidence :
Téléphone : Télécopie :
Email :

3. MANDATAIRE (le cas échéant)

☐ Conseiller en PI : Nom & Prénom ou Dénomination sociale: Code : Représentée par: CNI : ☐ Autre : Dénomination sociale ou Nom & Prénom : ICE: RC : Tribunal : **Ou** CNI : Représentée par: CNI :	Adresse(2): Ville : Pays de résidence : Téléphone : Télécopie : Email :

4. OBJET DE LA RECTIFICATION

Pièce(s) à rectifier	Information(s) à rectifier	Remplacer	Par

☐ **En cas de plusieurs pièces ou de plusieurs informations à rectifier, utilisez l'imprimé suite « BS » et cochez cette case**

6. PIECES JOINTES

☐ Pouvoir du mandataire, le cas échéant
☐ Document(s) justificatifs (à préciser), le cas échéant :

SIGNATURE DU DEMANDEUR, OU DE SON MANDATAIRE
Le signataire certifie l'exactitude des informations figurant dans la présente demande

DEMANDEUR	**MANDATAIRE**
Nom :	Nom :
Signature et qualité:	Signature et qualité:
Date :	Date :

(1) Un tarif réduit est applicable aux TPE, PME conformément aux critères de la charte des PME, personnes physiques, auto-entrepreneurs, artisans, universités et établissements d'enseignement, qu'ils soient nationaux ou étrangers issus des pays bénéficiaires de la réduction au titre du PCT.
(2) L'adresse doit être libellée de la façon habituellement requise pour une distribution postale rapide et une bonne gestion des éventuelles notifications

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BREVET D'INVENTION
FORMULAIRE DE DEMANDE DE RECTIFICATION DES FAUTES D'EXPRESSION, DE TRANSCRIPTION OU D'ERREURS MATERIELLES

FEUILLE DE CALCUL

Extrait de la liste des tarifs des services OMPIC applicables à partir du 1er Octobre 2017:

	Tarif en DH HT	Tarif réduit(1) en DH HT
Demande de rectification des fautes d'expression, de transcription ou d'erreurs matérielles	400,00	300,00

Montant des droits exigibles (en DH TTC) :

(1) Un tarif réduit est applicable aux TPE, PME conformément aux critères de la charte des PME, personnes physiques, auto-entrepreneurs, artisans, universités et établissements d'enseignement, qu'ils soient nationaux ou étrangers issus des pays bénéficiaires de la réduction au titre du PCT.

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Version Octobre 2019

FORMULAIRE DES OBSERVATIONS DU DEPOSANT SUITE A UNE DECISION DE REJET

ODR

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1. REFERENCES DE LA DEMANDE	**CADRE RESERVE A L'OMPIC**
Nature de la demande : Brevet d'invention **Marque** **DMI**	Date des observations :
N° dépôt de la demande:	
Date de dépôt de la demande :	

2. OBSERVATIONS EMISES PAR :

☐ **Personne morale**	**Adresse(1) :** ....
Dénomination sociale	
ICE:	
RC Tribunal :	Pays de résidence : Ville :
☐ **Personne physique**	
Nom & Prénom :	Téléphone :
CNI :	Télécopie :
Nationalité : Genre : ☐ Féminin ☐ Masculin	E-Mail :

3. MANDATAIRE (le cas échéant)

☐ **Personne morale :**	**Adresse(1) :** ....
Dénomination sociale	
ICE :	
RC Tribunal : Représenté par: CNI :	Téléphone :
☐ **Personne physique :**	
Nom & Prénom :	Télécopie :
RC **ou** CNI :	E-Mail :
Tribunal : ICE:	

4. OBSERVATIONS PRESENTEES :

.....
.....
.....
.....

☐ **En cas d'insuffisance de la place, utilisez l'imprimé suite « DS » et cochez cette case**

5. PIECES JOINTES

☐ Pouvoir du mandataire, le cas échéant
☐ Autres documents (à préciser) :

6. SIGNATURE DU DEPOSANT OU TITULAIRE OU DE SON MANDATAIRE

LE DEPOSANT DES OBSERVATIONS	**MANDATAIRE**
Nom :	Nom :
Signature :	Signature :
Date:	Date:

Observations présentées le [2] :

1-L'adresse doit être libellée de la façon habituellement requise pour une distribution postale rapide et une bonne gestion des éventuelles notifications
2-A renseigner au moment de la réception des observations

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المملكة المغربية
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BREVET D'INVENTION
FORMULAIRE DE MODIFICATION DES REVENDICATIONS/OBSERVATIONS SUITE A LA NOTIFICATION DU RAPPORT DE RECHERCHE PRELIMINAIRE

Version Octobre 2019

B10

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1. REFERENCES DE LA DEMANDE DE BREVET	**CADRE RESERVE A L'OMPIC**
Numéro de dépôt: Date de dépôt: Date de notification du rapport de recherche:	Date de dépôt : Lieu de dépôt :

2. CATEGORIE ET INFORMATION SUR LE DEPOSANT (obligatoire pour le calcul des droits exigibles) (1)

☐ PME/ TPE ☐ Universités/établissements d'enseignement ☐ Autres Dénomination sociale : ICE: RC : Tribunal :	☐ Personne physique Nom & Prénom : CNI : Genre : ☐ Féminin ☐ Masculin Nationalité :
Adresse(2) : Ville : Pays de résidence : Téléphone : Télécopie : Email:	

3. MANDATAIRE (le cas échéant) **:**

☐ **Conseiller en PI :** Nom & Prénom **ou** Dénomination sociale: Code : Représenté par: CNI : ☐ **Autre :** Dénomination sociale **ou** Nom & Prénom : ICE: RC : Tribunal : **Ou** CNI : Représenté par: CNI :	Adresse(2) **:** Ville : Pays de résidence : Téléphone : Télécopie : Email : (2)L'adresse doit être libellée de la façon habituellement requise pour une distribution postale rapide et une bonne gestion des éventuelles notifications

4. OBJET DE LA REQUETE :

☐ **Modification des revendications**	**Nombre de revendications initiales** **Nombre de revendications après modification**
☐ **Observations à l'appui des revendications maintenues**	

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5. Observations (cas échéant) :

6. RENSEIGENEMENT DES MODIFICATIONS

N° revendication modifiée	Type de modification (suppression, changement ou ajout de revendication)	Nouvelle revendication (avec les modifications soulignées)	Explication de la modification et mention de sa base
Exemple : N° 1	Changement		La revendication est modifiée aux lignes 2 et 3 et indique à présent que le filtre comprend un rétro lavage périodique des moyens couplés en série à une première et deuxième chambre. La base de cette modification figure dans les revendications 2 et 4 telles que déposées initialement/ la base de la modification figure aux paragraphes n° 2 et 19 dans la description telle que déposé.

7. PIECES JOINTES

☐ Revendications modifiées

☐ Pouvoir du mandataire, le cas échéant

SIGNATURE DU DÉPOSANT, OU DE SON MANDATAIRE

Le signataire certifie l'exactitude des informations figurant dans la présente demande

DEPOSANT	**MANDATAIRE**
Nom :	Nom :
Signature et qualité :	Signature et qualité:
Date :	Date :

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OFFICE MAROCAIN DE LA PROPRIETE INDUSTRIELLE ET COMMERCIALE

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BREVET D'INVENTION
FORMULAIRE DE MODIFICATION DES REVENDICATIONS/OBSERVATIONS SUITE A LA NOTIFICATION DU RAPPORT DE RECHERCHE PRELIMINAIRE

FEUILLE DE CALCUL

Extrait de la liste des tarifs des services OMPIC applicables à partir du 1er Octobre 2017 :

	Tarif normal HT	**Tarif réduit (1) HT**
Complément pour publication des revendications additionnelles dépassant 10 revendications (si le nombre des revendications après modification dépasse celui des revendications initialement déposées)	**400,00 par revendication**	**160,00 par revendication**

Montant des droits exigibles (en DH TTC) :

(1) Un tarif réduit est applicable aux TPE, PME conformément aux critères de la charte des PME, personnes physiques, auto-entrepreneurs, artisans, universités et établissements d'enseignement, qu'ils soient nationaux ou étrangers issus des pays bénéficiaires de la réduction au titre du PCT.

STATE AGENCY ON INTELLECTUAL PROPERTY (REPUBLIC OF MOLDOVA)

(AGENTIA DE STAT PENTRU PROPRIETATEA INTELECTUALA)

AS

DESIGNATED (OR ELECTED) OFFICE

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Request for examination (Form F-01-BI-004-E-01-0212) . . . . . Annex MD.III

List of abbreviations:

Office: State Agency on Intellectual Property (Republic of Moldova)

MPL: Moldovan Law on the Protection of Inventions

SUMMARY **Designated (or elected) Office** SUMMARY

MD STATE AGENCY ON INTELLECTUAL PROPERTY (REPUBLIC OF MOLDOVA) MD

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:[1]	Moldovan
Required contents of the translation for entry into the national phase:[1]	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?	The applicant should only send a copy of the application if he has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee:	Currency: Euro (EUR) For patent: Filing fee:[2] EUR 100 Fee for claiming priority: EUR 100 Examination fee, including search: EUR 400 Annual fee for the 1st to the 5th year, per year: EUR 100 For short-term patent: Filing fee:[2] EUR 100 Examination fee: EUR 200
Exemptions, reductions or refunds of the national fee:	See http://agepi.gov.md/en/inventions/fees

[Continued on next page]

[1] Must be furnished within three months from the expiration of the time limit applicable under PCT Article 22 or 39(1).
[2] Must be paid within the time limit applicable under PCT Article 22 or 39(1).

SUMMARY **Designated (or elected) Office** SUMMARY

MD STATE AGENCY ON INTELLECTUAL PROPERTY (REPUBLIC OF MOLDOVA) MD

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[3]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4] Instrument of assignment of the priority right where the applicants are not identical[4] Appointment of an agent if the applicant is not resident in the Republic of Moldova Any document relating to any transfer of rights[4]
Who can act as agent?	Any person registered to practice before the Office as patent attorney
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

[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 of two months from the date of receipt of the invitation.

[4] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

MD.01 **FORMS FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase (see Annex MD.II). This form should be used.

MD.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).

MPL Art. 86

MD.03 **REPRESENTATION.** Natural or legal persons having their residence or principal place of business outside the territory of the Republic of Moldova shall be represented by a patent agent registered to practice with the Office, except for the filing of a patent application, the payment of fees or the filing of an earlier application. A list of registered patent agents is available on the website of the Office.

MPL Art. 61

MD.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex MD.I.

MPL Art. 51

MD.05 **EXAMINATION.** A patent will only be granted after substantive examination by the Office. A request for examination should be filed prior to the expiry of 30 months from entry into the national phase. The request shall only be deemed to be filed upon payment of the examination fee and may not be withdrawn. There is a special form for the request (see Annex MD.III). The amount of the said fee is indicated in Annex MD.I.

MD.06 **FEE FOR GRANT.** A fee for grant must be paid within six months from the date of publication of the decision to grant the patent.

MPL Art. 61
93

MD.07 **ANNUAL FEES.** After a patent has been granted, annual fees must be paid for maintaining the patent in force for each year calculated from the first year of the international filing date. The first annual fee is to be paid simultaneously with payment of the fee for grant. If the decision to grant the patent was taken within one year or more from the international filing date of the application, the fee should be paid for each complete year starting with the filing date. All subsequent fees are to be paid before the beginning of the year for which the fee is due but not earlier than three months from the date of the following year of validity. Payment can still be made, upon request for extension of the time limit together with the payment of a corresponding fee, within six months from the final date. The amounts of the annual fees and of the surcharge for late payment are indicated in Annex MD.I.

PCT Art. 4(3)
43
PCT Rule 49*bis*.1(a), (b)
76.5

MD.08 **SHORT-TERM PATENT.** If the applicant wishes to obtain a short-term patent in the Republic of Moldova on the basis of an international application instead of a patent, such an indication should be made to the Office on entry into the national phase.

MPL Art. 18
61
93

MD.09 **TERM OF A SHORT-TERM PATENT.** The term of a short-term patent shall be six years from the date of filing of the short-term patent application. The patent owner may file with the Office a request for extension of the time limit for a period not exceeding four years, provided that the patent owner requests the Office to carry out a search of the state of the art and establish a search report accompanied by a written opinion on patentability relating to the invention which forms the subject-matter of the respective patent on payment of the prescribed fee. Fees for maintenance of a short-term patent shall be due on the anniversary of the date of filing of the application and for each year of effectiveness of the certificate.

MPL Art. 54

MD.10 **CONVERSION.** A patent application may be converted, at the request of the applicant, into an application for a short-term patent prior to the date on which the decision to grant a patent is published or, at the latest, within two months following the date on which a decision to refuse the patent application has been sent. An application for a short-term patent may be converted, at the request of the applicant, into a patent application at any time before the decision to grant a short-term patent has been taken.

PCT Art. 25
PCT Rule 51

MD.11 **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, an appeal against this decision may be lodged with the Office.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

MD.12 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where, during the international phase or before the Office, the applicant has missed a time limit for performing any act in relation to the international application or the patent, such time limit may be extended and restored by the Office upon request by the applicant and where justified.

MPL Art. 4(2)c)
18
69-70

MD.13 **SUPPLEMENTARY PROTECTION CERTIFICATE**. A supplementary protection certificate is available to the owner of a patent with effect in the Republic of Moldova, the subject matter of which is a medicinal or a phytopharmaceutical product (basic patent) for which marketing authorization has been granted. The application for the grant of a supplementary protection certificate shall be filed within six months following the date of issuance of the marketing authorization, or, if the authorization has been issued prior to the grant of the initial patent, the application shall be filed within six months from the date of grant of the patent. The application shall not be deemed filed until after the prescribed fees have been paid. Fees for maintenance of a supplementary protection certificate shall be due on the anniversary of the date of filing of the application. The amounts of the fees are indicated in Annex MD.I.

FEES

(Currency: Euro)

Patents

Filing fee	100
Fee for claiming priority	100
Substantive examination, including search	400
— for each independent claim, as originally filed or as amended, in excess of one	100
— for each dependent claims, as originally filed or as amended, in excess of five	10
— fee per sheet in excess of 15	10
Fee for grant :	
— up to 15 pages	100
— fee per sheet in excess of 15	10
Annual fees:	
— for the 1st to the 5th year, per year	100
— for the 6th to the 10th year, per year	300
— for the 11th to the 15th year, per year	500
— for the 16th to the 20th year, per year	700
Surcharge for late payment of the annual fee	
— for each month (but not more than six months)	50
Fee for restoration of rights	100

Short-term patents

Filing fee	100
Fee for claiming priority	100
Fee for examination	200
Fee for grant :	
— up to 15 pages	100
— fee per sheet in excess of 15	10
Annual fees:	
— for the 1st to the 6th year, per year	100
Filing and examination of the request for extension of the term of validity for short-term patent, including search and establishment of search report with written opinion on patentability	300
Publication and issuance of extended short-term patent, including the printing of patent with search report	20
Maintenance of short-term patent after extension, for the 7th to the 10th year, per year	200

Supplementary protection certificate

Filing and examination of the request to grant a supplementary protection certificate	300
Fee for grant	100
Maintenance of supplementary protection certificate, per year:	700

How can payment of fees be effected?

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

AGEPI accounts – Foreign applicants (EUR)

Beneficiary:	MF-Trezoreria de Stat, Agentia de Stat pentru Proprietatea Intelectuala
Code IBAN:	MD55TRPAAA142310A15851AA
Beneficiary Bank:	National Bank of Moldova, Chisinău, Republic of Moldova
SWIFT Code:	NBMDMD2X
Intermediary bank:	De Nederlandsche Bank N.V., Amsterdam, Netherlands
IBAN:	NL90FLOR0600126226
SWIFT Code:	FLORNL2A

F-01-BI-003-E-02-0211

Referinţa solicitantului/ reprezentantului	Se completează de către AGEPI		
	Registratura AGEPI intrare:	Registrul naţional de cereri de brevet de invenţie	Registrul naţional de cereri de brevet de invenţie de scurtă durată
Nr.	Nr.	**(21)** Nr. depozit **(22)** Data depozit	**(21)** Nr. depozit **(22)** Data depozit
Data	Data	**(85)** Data deschiderii fazei naţionale	**(85)** Data deschiderii fazei naţionale

Către **AGENŢIA DE STAT PENTRU PROPRIETATEA INTELECTUALĂ A REPUBLICII MOLDOVA**

Str. Andrei Doga nr. 24, bloc 1, MD-2024, Chişinău, Republica Moldova, tel.: (37322) 40-05-20, fax (37322) 43-85-08

C E R E R E

DE DESCHIDERE A FAZEI NAŢIONALE CONFORM PROCEDURII TRATATULUI DE COOPERARE ÎN DOMENIUL BREVETELOR (PCT)

Cererea se va completa în 3 exemplare dactilografiate sau imprimate

I. (71) SOLICITANT (nume, prenume sau denumire completă, adresă, telefon şi fax cu prefixul zonei)	Numărul de identificare de stat unic (IDNO/IDNP) Cod ţară, conform normei ST. 3 OMPI

☐ **Alt(ţi) solicitant(ţi) este(sunt) indicat(ţi) pe o pagină suplimentară**

II. (74) REPREZENTANT (nume, prenume sau denumire completă, adresă, telefon şi fax cu prefixul zonei)

☐ mandatar autorizat ☐ reprezentant comun al solicitanţilor

☐ procură ☐ procură generală nr./data .....

III. ADRESA PENTRU CORESPONDENŢĂ (nume, prenume, adresă, telefon şi fax cu prefixul zonei)

IV. SOLICIT(ĂM) în baza art. 43 al Legii nr. 50/2008 privind protecţia invenţiilor (Lege) deschiderea fazei naţionale ca urmare a desemnării Republicii Moldova în cererea internaţională

(86) Nr. depozit Data depozit

în vederea eliberării unui ☐ brevet de invenţie ☐ brevet de invenţie de scurtă durată

(54) TITLUL:

Solicitantului îi aparţine dreptul la brevet

în baza ☐ art. 14 alin. 1, ☐ art. 15 alin. 2, ☐ art. 15 alin. 3, ☐ art. 15 alin. 4 din Lege

sau ☐ în baza unui acord încheiat la data de ……..

V. (30) PRIORITATE REVENDICATĂ:

(**31**) Nr. **32**) data (**33**) ţara

Nr. data ţara

Nr. data ţara

(23) denumirea expoziţiei: .....

data ţara

F-01-BI-003-E-02-0211

VI. (62) CEREREA de brevet este **DIVIZIONARĂ** din cererea de brevet nr.
data

VII. (72) Declar(ăm) că inventator(ii) este (sunt) (nume, prenume, cod ţară conform normei ST. 3 OMPI)

☐ acelaşi (aceiaşi) cu **SOLICITANTUL(ŢII)**
☐ persoana(ele) menţionată(e) mai jos

VIII. DOCUMENTE DEPUSE LA AGEPI:

Documente	nr. file	nr. ex.	**Documente**	nr. file	nr. ex.
☐ - copia cererii internaţionale ☐ - traducerea cererii internaţionale, inclusiv: ☐ - descriere ☐ - revendicări iniţiale ☐ - revendicări modificate conform art.19 PCT ☐ - desene ☐ - rezumat ☐ - lista secvenţelor de nucleotide şi/sau aminoacizi, parte a descrierii: ☐ - prezentată pe suport hârtie ☐ - prezentată pe suport electronic			☐ - dovada de plată a taxelor ☐ - act de prioritate ☐ - act referitor la depozitul microorganismului/materialului biologic ☐ - procură ☐ - alte documente		

IX. Semnătura solicitantului(lor)/reprezentantului (numele în clar):

Data:

X. a) **Persoana** care a prezentat cererea, alta decât solicitantul/reprezentantul (nume complet, act de identitate):

b) Semnătura persoanei care a recepţionat cererea la AGEPI (numele în clar):

XI. Registratura AGEPI ieşire:
Nr.
Data:

F-01-BI-003-E-02-0211

I. ALŢI SOLICITANŢI *Dacă nu se completează nici o rubrică menţionată mai jos, această pagină nu se anexează la cerere*	
(71) SOLICITANT (nume, prenume sau denumire completă, adresă, telefon şi fax cu prefixul zonei)	Numărul de identificare de stat unic (IDNO/IDNP) Cod ţară conform normei ST. 3 OMPI
(71) SOLICITANT (nume, prenume sau denumire completă, adresă, telefon şi fax cu prefixul zonei)	Numărul de identificare de stat unic (IDNO/IDNP) Cod ţară conform normei ST. 3 OMPI
(71) SOLICITANT (nume, prenume sau denumire completă, adresă, telefon şi fax cu prefixul zonei)	Numărul de identificare de stat unic (IDNO/IDNP) Cod ţară conform normei ST. 3 OMPI
(71) SOLICITANT (nume, prenume sau denumire completă, adresă, telefon şi fax cu prefixul zonei)	Numărul de identificare de stat unic (IDNO/IDNP) Cod ţară conform normei ST. 3 OMPI
(71) SOLICITANT (nume, prenume sau denumire completă, adresă, telefon şi fax cu prefixul zonei)	Numărul de identificare de stat unic (IDNO/IDNP) Cod ţară conform normei ST. 3 OMPI
(71) SOLICITANT (nume, prenume sau denumire completă, adresă, telefon şi fax cu prefixul zonei)	Numărul de identificare de stat unic (IDNO/IDNP) Cod ţară conform normei ST. 3 OMPI
IX[l]. **Semnătura** solicitantului(ilor)/reprezentantului (numele în clar):	

F-01-BI-004-E-01-0212

R e f e r i n ţ a solicitantului/reprezentantului	Se completează de către AGEPI
	Registratura AGEPI intrare:
Nr.	Nr.
Data	Data

Către **AGENŢIA DE STAT PENTRU PROPRIETATEA INTELECTUALĂ A REPUBLICII MOLDOVA**

Str. Andrei Doga nr. 24, bloc 1, MD-2024, Chişinău, Republica Moldova tel.: (37322) 40-05-05, fax 43-85-08

C E R E R E

DE EXAMINARE DE FOND A CERERII DE BREVET DE INVENŢIE

Cererea se completează într-un exemplar dactilografiat sau imprimat

I. (71) SOLICITANT (nume, prenume sau denumire completă, adresă, telefon şi fax cu prefixul zonei)	Numărul de identificare de stat unic (IDNO/IDNP) Cod ţară conform normei ST. 3 OMPI
(71) SOLICITANT (nume, prenume sau denumire completă, adresă, telefon şi fax cu prefixul zonei)	Numărul de identificare de stat unic (IDNO/IDNP) Cod ţară conform normei ST. 3 OMPI

II. (74) MANDATAR AUTORIZAT / REPREZENTANT; sau REPREZENTANT COMUN
(nume, prenume, adresă, telefon şi fax cu prefixul zonei, nr. procurii)

Persoana indicată este desemnată să acţioneze în faţa AGEPI în calitate de:

☐ mandatar autorizat ☐ reprezentant ☐ reprezentant comun al solicitanţilor

☐ procură ☐ procură generală nr./dată .....

III. ADRESA PENTRU CORESPONDENŢĂ (nume, prenume, adresă, telefon şi fax cu prefixul zonei)

IV. SOLICIT(ĂM) în baza art. 51 al Legii nr. 50/ 2008 privind protecţia invenţiilor examinarea de fond a cererii de brevet de invenţie cu:

(54) TITLUL:

Nr. intrare: **(21)** Nr. depozit:

Data intrare **(22)** Data depozit:

V. Documente anexate**:**

☐ dovada de plată a taxelor ☐ dovada de înlesnire

☐ .....

VI. Semnătura solicitantului(ilor)/reprezentantul (numele în clar):	**VII.** a) Persoana care a prezentat cererea, alta decât solicitantul, reprezentantul (numele complet şi actul de identitate)
Data	b) Semnătura persoanei care a recepţionat cererea la AGEPI (numele în clar):

MINISTRY OF ECONOMIC DEVELOPMENT, DEPARTMENT FOR INTELLECTUAL PROPERTY (MONTENEGRO)

The International Bureau has been informed by the Ministry of Economic Development, Department for Intellectual Property (Montenegro) of the following:

"Article 153 of the Patent Law of Montenegro ("The European Patent Office as Designated or Elected Office") provides that "Any international application in which Montenegro, pursuant to the provisions of the Treaty, has been designated or elected for the granting of a national patent, shall be deemed to be the request for extension of the European patent to Montenegro, within the meaning of this Law, and the European Patent Office shall act as designated or elected Office under the Treaty."

"Accordingly, PCT applicants who desire patent protection in Montenegro should pursue such protection via the European Patent Office under the extension agreement between Montenegro and the European Patent Organisation (see https://www.epo.org/about-us/foundation/extension-states.html and https://www.epo.org/law-practice/legal-texts/official-journal/2016/etc/se4/p547.html).

"Article 141 of the Patent Law of Montenegro ("Extension of the Effect of the European Patent") provides in paragraph (2)(1): "European patent application" shall mean an application for a European patent filed under the European Patent Convention, (hereinafter referred to as the EPC), as well as an international application filed under the Patent Cooperation Treaty (hereinafter referred to as the PCT), for which the European Patent Office (hereinafter referred to as the EPO) acts as a designated or elected office and in which Montenegro is designated."

"Article 142 of the Patent Law of Montenegro ("Request for Extension") provides in paragraphs (1) and (2): "(1) European patent application and a European patent granted upon such application shall be extended to Montenegro at the request of the applicant. (2) The request for extension under paragraph 1 above shall be deemed to be filed with any European patent application filed on or after the date on which the Agreement between the Government of Montenegro and the European Patent Organisation on Extension of European Patents (hereinafter: "Extension Agreement") enters into force."

"Article 145 of the Patent Law of Montenegro ("Effect of Extended European Patents") provides in paragraphs (1) and (2): "(1) Subject to paragraphs 2 to 6 of this Article, an extended European patent shall, from the date of publication of the mention of the grant of the European patent by the EPO, confer the rights identical to those conferred by a national patent under this Law. (2) Within 3 months from the date on which the mention of the grant of the European patent has been published, the holder of the patent shall furnish the competent authority with a translation of the claims of the European patent into Montenegrin language and shall pay the prescribed publication fee and the costs of the printing of the translation of patent claims of the granted European patent."

(17 September 2021)

"What this means for PCT applicants seeking patent protection in practice is the following:

> "1) An extension of the European patent application and a European patent granted upon such application is deemed to be requested in any PCT application filed on or after 1 March 2010 (the entry into force of the Extension Agreement between the EPO and Montenegro).
>
> "2) The applicant should enter the regional phase before the EPO as there is no national phase in place before the Ministry of Economic Development, Department for Intellectual Property (Montenegro) (see here: www.wipo.int/pct/guide/en/gdvol2/annexes/ep.pdf).
>
> "3) An extension fee needs to be paid to the EPO within the period for performing the acts required for entry into the EP regional phase.
>
> "4) The substantive examination of the application will be performed by the EPO up to and including the decision to grant or refuse.
>
> "5) From the date of publication of the mention of the grant of the European patent by the EPO, the extended European patent will confer the rights identical to those conferred by a national patent under the Patent Law of Montenegro, provided the holder of the patent, within 3 months from the date on which the mention of the grant of the European patent has been published, furnishes to the Ministry of Economic Development, Department for Intellectual Property (Montenegro) a translation of the claims of the European patent into the Montenegrin language and pays the prescribed publication fee and the costs of the printing of the translation of patent claims of the granted European patent.
>
> "6) Montenegro will publish in its national register the relevant data about the granted European patent extended to its territory.

"Montenegro has been invited by the Administrative Council of the European Patent Organisation to accede to the European Patent Convention. It is the intention of Montenegro, once it has acceded to the European Patent Convention and thus become an EPC Contracting State, to formally "close its national route" under PCT Article 45(2)."

INDUSTRIAL PROPERTY OFFICE OF MADAGASCAR

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE – SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex MG.I
Deed of assignment . . . . . Annex MG.II
Power of attorney . . . . . Annex MG.III

List of abbreviations:

Office: Industrial Property Office of Madagascar

OPPI: Ordinance establishing arrangements for the protection of industrial property

DA: Decree applying the ordinance

SUMMARY **Designated (or elected) Office** SUMMARY

MG INDUSTRIAL PROPERTY OFFICE OF MADAGASCAR MG

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	French
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, only 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Ariary (MGA) Filing fee:[2, 3] MGA 180,000 (144,000)[4] Annual fees:[5] — for the 3rd year: MGA 125,000 (100,000)[4]
Exemptions, reductions or refunds of the national fee:	Reductions to the national fees are indicated in Annex MG.I

[Continued on next page]

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

2 If not already paid within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to pay the filing fee within a time limit of four months from the date of receipt of the invitation.

3 Includes the fee for grant and publication.

4 The amount in parentheses is applicable if the applicant is a natural person who resides in, or a legal entity whose head office is in, one of the States specified in the schedule of fees attached to Order No.12285/2013 (see www.omapi.mg/taxes_brevet.html). If there are two or more applicants, each applicant must satisfy these criteria.

5 The fee for the third year must be paid within 24 months from the international filing date or within 30 months from the priority date if that 30-month time limit expires later.

SUMMARY Designated (or elected) Office SUMMARY

MG INDUSTRIAL PROPERTY OFFICE OF MADAGASCAR MG

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[6]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[7] Deed of assignment or declaration concerning the inventor and the right of the applicant to apply for a patent[7] Declaration by the applicant concerning his right to claim priority of the earlier application, if he did not apply himself for that earlier application[7] Appointment of an agent if applicant is not resident in Madagascar Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in computer readable form
Who can act as agent?	Any patent agent resident in Madagascar having the right to practice before the Office.[8]
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[6] 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 of four months from the date of receipt of the invitation.

[7] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[8] A list of registered patent agents is available on the website of the Office at: http://www.omapi.mg/listes_des_mandataires.html

THE PROCEDURE IN THE NATIONAL PHASE

MG.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).

DA Art. 11(I)

MG.02 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees referred to in the Summary and in this Chapter is outlined in Annex MG.I.

DA Art. 11(c)

MG.03 **ASSIGNMENT.** Where the applicant is not the inventor, a deed of assignment or a declaration concerning the inventor and the applicant's right to apply for a patent must be furnished. A model of the assignment (in Malagasy, French and English) is reproduced in Annex MG.II.

OPPI Art. 132
DA Art. 11(e)

MG.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model (in Malagasy, French and English) is reproduced in Annex MG.III.

OPPI Art. 32
DA Art. 56

MG.05 **ANNUAL FEES.** They must be paid before each anniversary date of the international filing date, as from the third. For the time limits of payment of the first annual fee, see the Summary. Where the applicant does not pay the annual fee in good time, he may still do so within a period of six months after the time limit, subject to a surcharge for late payment. The amounts of the annual fees are given in Annex MG.I.

PCT Art. 28
41
DA Art. 36

MG.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Amendments may be made during the national phase up to grant of the patent, provided that the scope of the subject matter is not thereby expanded. An amendment fee must be paid; the amount is given in Annex MG.I.

OPPI Arts. 4 to 6
18
25
DA Art. 40

MG.07 **EXAMINATION PROCEDURE.** If an international preliminary examination report has been drawn up, the application is subject to an examination for patentability. If no international preliminary examination report has been drawn up, examination is limited to determining whether the invention belongs to a field for which a patent may not be issued and whether the application comprises a description and claims drawn up in accordance with the requirements of national legislation.

PCT Art. 25
PCT Rule 51
OPPI Art. 33
DA Art. 58

MG.08 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. A request for review must be submitted together with payment of the restoration fee, the amount of which is given in Annex MG.I. If, upon review under PCT Article 25, the Office denies an error or omission on the part of the receiving Office or of the International Bureau, the decision may be appealed by a request to the competent court within one month of notification of rejection of the request for review.

PCT Art. 24(2)
48(2)
OPPI Art. 33
DA Art. 58

MG.09 **FAILURE TO MEET TIME LIMITS.** Where the applicant has not complied, for reasons beyond his control, with the time limit during the international phase or in the procedure before the Office, a request for restoration may be filed by writing within a period of two months as from the time those reasons cease to apply. The request for restoration has to set out the facts and be accompanied by a restoration fee, the amount of which is given in Annex MG.I. If the request is rejected by the Office, an appeal may be lodged with the competent court within one month as from receipt by the holder or his representative of notification of the refusal of the request.

FEES

(Currency: Ariary)

Filing fee[1] (covering the first two years)	180,000	(144,000)[2]
Fee for each divisional application	10,000	(8,000)[2]
Fee for priority claims, per priority claim	65,000	(52,000)[2]
Claim fee for each claim in excess of ten	60,000	(48,000)[2]
Additional fee for each sheet of the description, in excess of twenty	25,000	(20,000)[2]
Fee per amendments or rectification of mistakes, per page modified or replaced	8,000	(6,400)[2]
Annual fees:		
– before the 3rd anniversary of the filing	125,000	(100,000)[2]
– before the 4th anniversary of the filing	125,000	(100,000)[2]
– before the 5th anniversary of the filing	125,000	(100,000)[2]
– before the 6th anniversary of the filing	380,000	(304,000)[2]
– before the 7th anniversary of the filing	380,000	(304,000)[2]
– before the 8th anniversary of the filing	380,000	(304,000)[2]
– before the 9th anniversary of the filing	380,000	(304,000)[2]
– before the 10th anniversary of the filing	380,000	(304,000)[2]
– before the 11th anniversary of the filing	650,000	(520,000)[2]
– before the 12th anniversary of the filing	650,000	(520,000)[2]
– before the 13th anniversary of the filing	650,000	(520,000)[2]
– before the 14th anniversary of the filing	650,000	(520,000)[2]
– before the 15th anniversary of the filing	650,000	(520,000)[2]
– before the 16th anniversary of the filing	750,000	(600,000)[2]
– before the 17th anniversary of the filing	750,000	(600,000)[2]
– before the 18th anniversary of the filing	750,000	(600,000)[2]
– before the 19th anniversary of the filing	750,000	(600,000)[2]
– before the 20th anniversary of the filing	750,000	(600,000)[2]
Fee for requesting extension of the patent beyond the 15th year	40,000	(32,000)[2]
Surcharge for late payment of an annual fee	50,000	(40,000)[2]
Restoration fee	65,000	(52,000)[2]

How can payment of fees be effected?

Applicants who are not resident in Madagascar must pay all fees (including annual fees) through an agent chosen on the list of agents authorized to practice before the Office.

[1] Includes the fee for grant and publication.

[2] The amount in parentheses is applicable if the applicant is a natural person who resides in, or a legal entity whose head office is in, one of the States specified in the schedule of fees attached to Order No.12285/2013 (see www.omapi.mg/taxes_brevet.html). If there are two or more applicants, each applicant must satisfy these criteria.

ACTE DE CESSION / DEED OF ASSIGNMENT / SORA-PANEKENA FAMINDRAN-TOMPO

Je/Nous soussigné(s)
It is hereby declared that I/we the undersigned
Izaho (Izahay) manao sonia eto ambany

déclare/déclarons par le présent acte avoir cédé mon/notre droit de demander et obtenir un brevet à Madagascar en ce qui concerne l'invention intitulée :
have assigned my/our right to apply for and obtain a patent in Madagascar in respect of the invention entitled:
dia manambara amin'ny sora-panekena etoana ny famindrana ny zoko/zonay hangataka sy hahazo fanamarinan-ko mpamorona eto Madagasikara momba ny famoronana mitondra ny anarana hoe:

à/to/ho an'i :

Lieu/Place/Toerana :..... Date/Daty :.....

Signature(s)/Sonia

AUCUNE LEGALISATION REQUISE / NO LEGALIZATION REQUIRED /
TSY MISY FANAMARINANA TAKIANA

POUVOIR / POWER OF ATTORNEY / FAHEFANA

Je (Nous) soussigné(s)
I (We)
Izaho (Izahay) manao sonia eto ambany

(Nom et adresse)
(Name and address)
(Anarana sy adiresy)

donne (donnons) pouvoir à
do hereby authorize
dia manome fahefana an'i

de me (nous) représenter pour les procédures concernant la demande internationale indentifiée ci-dessous:
to represent me(us) in all proceedings related to the processing of the following international application:
hisolontena ahy (anay) amin'ny paika mikasika ny fangatahana iraisam-pirenena voafaritra eto ambany:

auprès de l'Office malgache de la propriété industrielle et d'effectuer tout paiement ou de recevoir tout remboursement en mon (notre) nom
before the Industrial Property Office of Madagascar and make or receive payments on my(our) behalf.
eo anatrehan'ny Fimasoana Malagasy ny Fizaka-manana ara-Indostria sy hanatanteraka ny fandoavam-bola na handray ny famerenam-bola rehetra amin'ny anarako (anaranay).

Lieu / Place / Toerana: Date/Daty:

Signature(s) / Sonia:

STATE OFFICE OF INDUSTRIAL PROPERTY (NORTH MACEDONIA)

AS

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Fees . . . . . Annex MK.I

List of abbreviations:

Office: State Office of Industrial Property (North Macedonia)

MPL: Law on Industrial Property[1]

LAP: Law on Administrative Procedure

[1] The text may be obtained on the Internet at www.ippo.gov.mk

SUMMARY **Designated (or elected) Office** SUMMARY

MK STATE OFFICE OF INDUSTRIAL PROPERTY MK (NORTH MACEDONIA)

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:[1]	Macedonian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, together with any statement under PCT Article 19), any text matter of drawings Under PCT Article 39(1): Description, claims, any text matter of drawings (if any of those parts has been amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Macedonian denar (MKD) Filing fee:[1] MKD 800
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2]	Appointment of an agent if the applicant is not resident in North Macedonia Statement justifying the applicant's right to the priority application where the applicants are not identical[3] Evidence concerning exceptions to lack of novelty if the applicant claims such exceptions in respect of an international application Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in computer readable form
Who can act as agent?	Any natural or legal person registered to practice before the Office
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

1 Must be furnished or 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 Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

MK.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).

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

MPL Art. 52, 56

MK.03 **EXAMINATION.** A patent will only be granted after substantive examination. Preferably, on entry into the national phase, or within six months of this date the applicant should furnish the Office with a statement concerning examination. This statement shall indicate whether examination has been or shall be carried out either by one of the PCT International Searching Authorities or International Preliminary Examining Authorities (see Annex D or E), or a searching or examining authority that has entered into an agreement for search and examination with the Office or by the Office. The examination report should be furnished to the Office together with a translation in Macedonian within six months of the date of receipt.

MK.04 Where substantive examination by an authorized Office (see MK.03) has not been performed prior to entry into the national phase, such a request must be made within two years.

MPL Art. 22
279

MK.05 **REPRESENTATION.** Where the ordinary residence or principal place of business of the applicant is outside North Macedonia, an agent who is a resident of North Macedonia and who is registered to practice before the Office must be appointed for the purposes of national processing.

PCT Art. 28
41
MPL Art. 50

MK.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend or correct the international application up to the grant of a patent, provided that the scope of the subject matter of the application is not broadened thereby.

MPL Art. 24
86(2)

MK.07 **MAINTENANCE FEES.** Maintenance fees are due from the international filing date for maintaining the patent in force. Payment of the maintenance fees for subsequent years must be made before the anniversary of the international filing date of the application. If payment is not made within this time limit, it may be made together with a 25% surcharge, within three months after the due date or, together with a 100% surcharge, within a further period of six months. The amounts of the maintenance fees are indicated in Annex MK.I.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*
LAP Art. 106-111

MK.08 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where, during the international phase or before the Office, the applicant has missed a time limit for performing any act in relation to the international application, such time limit may be extended by the Office. The excuse of delay procedure is available to: (1) parties which have been delayed in performing certain actions due to justifiable reasons; (2) parties which have failed to submit the application in time because it was submitted to an unauthorized authority due to lack of awareness or obvious mistake; and (3) parties which have missed prescribed deadlines due to lack of awareness or obvious mistake but submit the application or relevant papers to the competent authority within three days after the deadline and where delay would mean that the party would lose rights. The request for excuse of delay must explain the circumstances which caused the delay and include the paper(s) sought to be submitted late. The request for excuse of delay must be submitted within eight days from the day on which the circumstance which caused the delay ceased to exist, or, where the party learned about its cessation only later, from the day the party learned of it. Requests for excuse of delay are acceptable only up until three months from the day when the delayed paper or action was due.

MPL Art. 268-270

MK.09 Reinstatement of rights may be requested where the applicant, in spite of all due care required by the circumstances, failed to observe a time limit set by the Office, which is prejudicial to his rights. A request for reinstatement must be presented in writing within three months after the removal of the cause of the failure to observe the time limit and if the applicant has later learned of this failure, counting from the day he learned of it, but not later than twelve months from the expiration of the time limit which has not been observed. Within the said three months, the omitted action must be completed, the fee for reinstatement of rights and any late payment fees (see Annex MK.I) must be paid and the request must set out the facts on which it relies.

MPL Art. 265-267

MK.10 Continued processing may be requested where the applicant failed to observe a time limit fixed by the Office and that failure directly causes a loss of rights conferred by a patent application or a patent. The continued processing may not be requestd for certain time limits set out in MPL Art. 267. The request for continued processing must be filed within two months from the day on which the applicant learned of the legal consequences. The Office shall authorize continued processing if the applicant files a request, performs all the omitted acts within the time limit, and pays the prescribed fee. After the expiry of six months from the date of omission, continued processing may not be requested.

PCT Art. 25
PCT Rule 51
MPL 20

MK.11 **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, an appeal against this decision may be filed with the Administrative Court of Macedonia in accordance with the Law on Administrative Disputes within 30 days from the date of receipt of the decision.

FEES

(Currency: Macedonian denar)

Filing fee	800
Publication fee	1,500
Maintenance fees:	
— for the 3rd year	800
— for the 4th year	1,000
— for the 5th year	1,200
— for the 6th year	1,400
— for the 7th year	1,600
— for the 8th year	1,800
— for the 9th year	2,000
— for the 10th year	3,000
— for the 11th year	4,000
— for the 12th year	5,000
— for the 13th year	6,000
— for the 14th year	7,000
— for the 15th year	8,000
— for the 16th year	9,000
— for the 17th year	10,000
— for the 18th year	11,000
— for the 19th year	12,000
— for the 20th year	13,000
Fee for restoration of the right of priority	1,000
Surcharge for the late payment of maintenance fees:	
— fees paid within 3 months	25% of the amount due
— fees paid within 6 months	50% of the amount due

How can payment of fees be effected?

Filing and maintenance fees must be paid by money order, cheque or bank transfer to a budget account of North Macedonia No. 1000 000 000 63095; suspense account No. 840-identification of the municipality-03135; revenue code: 722319; manner: 2. All payments should include the complete application number, the name of the applicant and the type of fee being paid.

The publication fee must be paid to the account of the State Office of Industrial Property (North Macedonia): Account No. 1000 000 000 63095; account user 1100200213-787-13; revenue code and program: 724149-20; manner: 1; tax number of IPPO: 4030994253825, depositor of National Bank.

INTELLECTUAL PROPERTY OFFICE OF MONGOLIA

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Intellectual Property Office of Mongolia

MPL: Mongolian Patent Law

MPR: Regulations on the Drafting, Filing and Processing of an Application for a Patent for Invention

SUMMARY **Designated (or elected) Office** SUMMARY

MN MN

INTELLECTUAL PROPERTY OFFICE OF MONGOLIA

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:[1]	Mongolian
Required contents of the translation for entry into the national phase:[1]	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:[2]	Currency: Mongolian tugrik (MNT) Annual fee for the period from the 1st to the 3rd year:[3] MNT 10,000
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2, 4]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[5] Appointment of an agent if the applicant is not resident in Mongolia Inventor's declaration[5] Assignment deed where the applicant is not the inventor[5]
Who can act as agent?	Any natural or legal person resident in Mongolia, registered to practice as a patent agent before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

1 If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to furnish a complete translation within two months from the date of the invitation.

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 requirements within a time limit fixed in the invitation.

3 Due to the new time limit applicable under PCT Article 22, the Office should be consulted for the time limit applicable for the payment of this fee.

4 The list of special requirements is still subject to confirmation by the Office.

5 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

MPR Rule 1.2

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

MN.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). If the translation furnished to the Office contains only the description, the Office will invite the applicant to furnish the missing part 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.

MPL Art. 24

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

MPL Art 6(5)

MN.04 **INVENTOR'S DECLARATION.** For details, see the model of such declaration in Annex MN.III. Legalization is not required.

MPL Art. 6(5)

MN.05 **ASSIGNMENT DEED.** For details, see the model of such deed in Annex MN.IV. Legalization is not required. If the applicant has obtained the right to file the international application through the intermediary of one or more other persons and not directly from the inventor, the assignment deed linking the inventor and the applicant must be produced.

MPL Art. 6(5) 7

MN.06 **POWER OF ATTORNEY.** An agent must be appointed by power of attorney. A model is given in Annex MN.V.

MPL Art. 24 25

MN.07 **FEE FOR GRANT.** The fee for grant must be paid within six months after receipt by the applicant of the decision to grant the patent. Where the applicant fails to pay the fee within that time limit, he can make this payment, together with a 100% surcharge for late payment, within six months from the date of the expiration of the above-mentioned time limit. The amount of the said fee is indicated in Annex MN.I.

PCT Art. 28 41
MPL Art. 10(3), (4)

MN.08 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Within three months after entry into the national phase, the applicant has the right to amend or correct the description, claims or drawings on his own initiative, without paying any fee for that purpose, provided that the amendments or corrections do not modify the subject matter of the claimed invention or utility model beyond the original disclosure.

MPL Art. 25(2), (3)

MN.09 **ANNUAL FEES.** Fees for the maintenance of a patent must be paid for fixed periods as indicated in Annex MN I. The maintenance fees for the first three years must be paid within six months from the date when the decision to grant the patent was made. The fees for the subsequent periods must be paid during the six months prior to the commencement of those periods. If no payment is made in time, it can still be made within six months from the date of expiration of the time limit, together with a 100% surcharge for late payment. The amounts of the annual fees are indicated in Annex MN I.

PCT Art. 23(2)

MN.10 **EARLY START OF NATIONAL PHASE.** If the applicant wishes the examination of his application by the Office to start earlier than the expiration of the time limit applicable under PCT Article 22 or 39(1), he can file an express request in writing therefor.

PCT Rule 49*bis*.1 (a), (b) 76.5

MN.11 **UTILITY MODEL.** If the applicant wishes to obtain a utility model registration on the basis of an international application instead of a patent, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

MPL Art. 13(1)

MN.12 If the international application is for a utility model instead of a patent, the requirements are basically the same as for a patent.

PCT Art. 25
PCT Rule 51

MN.13 **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, an appeal against this decision may be lodged within two months from the date of receipt of the decision.

PCT Art. 24(2) 48(2)
PCT Rule 82*bis*

MN.14 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Restoration of rights may be requested where the applicant has failed to observe a time limit during the international phase or before the Office. A request to waive the requirement which was not observed is also possible. Any such request must state the reasons for missing the time limit or for the failure to observe a requirement and must be accompanied by evidence in support of the statements made.

FEES

(Currency: Mongolian tugrik)

Fee for grant	2,500

Annual fees:

– for the period from the 1st to the 3rd year	10,000
– for the period from the 4th to the 6th year	20,000
– for the period from the 7th to the 10th year	30,000
– for the period from the 11th to the 15th year	40,000
– for the period from the 16th to the 20th year	50,000

Surcharge for late payment of fees	100% of the applicable fee

How can payment of fees be effected?

Applicants who are foreign nationals or foreign entities must pay all fees (including annual fees) in freely convertible currency through an agent chosen from the list of agents appointed by the Office.

[Маягт П-01]

ЗАСГИЙН ГАЗРЫН ХЭРЭГЖҮҮЛЭГЧ АГЕНТЛАГ
ОЮУНЫ ӨМЧИЙН ГАЗАРТ

ШИНЭ БҮТЭЭЛИЙН ӨРГӨДӨЛ

ЗӨВХӨН АЛБАН ХЭРЭГЦЭЭНД
Санамж : Өргөдлийн маягтыг сайтар уншсаны дараа компьютерээр бөгөлнө үү

(21) Мэдүүлгийн улсын бүртгэлийн дугаар[1]: .....

(22) Анхдагч огноо[1]: .....

1. Патент авах тухай хүсэлт

Шинэ бүтээлд эрхийн хамгаалалт хийлгэж..... нэр дээр патент авах хүсэлтийг үүгээр гаргав.

2. Мэдүүлгийн төрөл[2]:

☐Эрхийн хамгаалалт хийлгэх ☐тусгаарлах ☐нэгтгэх ☐PCT мэдүүлэг ☐ Ашигтай загварын мэдүүлэгт шилжүүлэх

3. Үндсэн мэдүүлгийн дугаар[3]:

[1] Зөвхөн Оюуны Өмчийн Газар бөгөлнө

[2] Мэдүүлгийг салгаж тусгаарлах, нэгтгэх, Патентийн хамтын ажиллагааны тухай гэрээний дагуу гаргаж байгаа мэдүүлэг, ашигтай загварын мэдүүлэгт шилжүүлэхийн алинд уг мэдүүлэг хамаарч байгааг тэмдэглэнэ

[3] Хэрэв мэдүүлэг нь тусгаарлах, нэгтгэх, шилжүүлэх мэдүүлэг бол үндсэн мэдүүлгийн дугаарыг бичнэ.

[Маягт П-01]

(71)
4. Мэдүүлэг гаргагч

4.1. Нэр:[4]

4.2. Хаяг:

Утас:
Факс:
И-майл хаяг:
Регистрийн дугаар:

4.3. Өөрийн Улсын нэр:
Оршин суудаг Улсын нэр:

4.4. Нэгээс дээш мэдүүлэг гаргагч байгаа бол энэ хэсэгт дээр дурдсан мэдээллийн дагуу дараалуулан бичнэ.

(72)
5. Зохиогч

5.1. Нэр: [5]

5.2. Хаяг:

Утас:
Факс:
И-майл хаяг:
Регистрийн дугаар:

5.3. Өөрийн Улсын нэр:
Оршин суудаг Улсын нэр:

5.4. Нэгээс дээш зохиогч байгаа бол энэ хэсэгт дээр дурдсан мэдээллийн дагуу дараалуулан бичнэ.

(73)
6. Патент эзэмшигч

6.1. Нэр:

6.2. Хаяг:

Утас:
Факс:
И-майл хаяг:
Регистрийн дугаар:

6.3. Өөрийн Улсын нэр:
Оршин суудаг Улсын нэр:

6.4. Нэгээс дээш патент эзэмшигч байгаа бол энэ хэсэгт дээр дурдсан мэдээллийн дагуу дараалуулан бичнэ.

[4]Хэрэв мэдүүлэг гаргач нь хуулийн этгээд бол түүний оноосон нэр ба зохион байгуулалтын хэлбэр, хувь хүн бол түүний эцэг(эхийн) нэр ба өөрийн нэрийг энд бичнэ.

[5]Зохиогчийн эцэг(эхийн) нэр ба өөрийн нэрийг энд бичнэ.

[Маягт П-01]

(74)

7. Итгэмжлэгдсэн төлөөлөгч[6]

7.1. Нэр

7.2. Хаяг:

Утас:
Факс:
И-майл хаяг:

7.3. ☐Итгэмжлэлийг хавсаргасан.
7.4. ☐Итгэмжлэлийг хуулийн хугацаанд жич ирүүлнэ.
7.5. ☐Итгэмжлэл нь ОӨГ-т хадгалагдаж байгаа.
7.5.1. Дугаар:[7]

(54)

8. Шинэ бүтээлийн нэр

(51)

9. Патентийн олон улсын ангилал [8]

(30)

10. Давамгайлах огноо[9]

(31)

10.1. Давамгайлах огноо авсан бүртгэлийн дугаар

(32)

10.2. Давамгайлах огноо

(33)

10.3. Давамгайлах огноо авсан улсын нэр

(23)

11. Үзэсгэлэнгийн давамгайлах огноо[10]

11.1. Үзэсгэлэнгийн нэр

11.2. Үзэсгэлэнгийн огноо

[6]Хэрэв мэдүүлэг гаргагч нь мэдүүлгээ өөрийгөө төлөөлүүлэн Аж ахуйн үйл ажиллагааны тусгай зөвшөөрлийн тухай хуулийн дагуу Оюуны өмчийн газраас олгосон тусгай зөвшөөрөл бүхий итгэмжлэгдсэн төлөөлөгчөөр дамжуулан гаргаж байгаа бол энэ хэсгийг бөглөнө

[7]Хэрэв итгэмжлэл нь энэхүү өргөдлөөс өмнө тухайн мэдүүлэг гаргагчаас гаргасан мэдүүлэгт хавсаргасан бөгөөд түүнд мэдүүлэг гаргагчаас цаашид гаргах мэдүүлгүүдэд итгэмжлэл нь хамаарна гэж заасан бол энд тэмдэглэл хийж өмнө гаргасан мэдүүлгийн дугаарыг заана.

[8] Тухайн мэдүүлж буй шинэ бүтээлийн ашиглагдах салбарыг Шинэ бүтээлийн олон улсын ангилал тогтоох тухай Страссбургийн хэлэлцээрийн дагуу тогтоох бөгөөд хэрвээ тогтоож мэдэхгүй бол хоосон үлдээнэ

[9] Аж үйлдвэрийн өмчийг хамгаалах тухай Парисын Конвенцийн болон Дэлхийн Худалдааны байгууллагын гишүүн аль нэг бусад гадаад оронд тухайн шинэ бүтээлийг бүртгүүлэхээр энэхүү мэдүүлгээс өмнө гаргасан мэдүүлэг байгаа бол түүний он сар өдрийг энэ хэсэгт бичнэ.

[10] Аж үйлдвэрийн өмчийг хамгаалах тухай Парисын Конвенцийн дагуу олон улсын үзэсгэлэнд тавигдсан өдрөөр давамгайлах эрх хүсч байгаа бол энэ хэсгийг бөглөнө.

[Маягт П-01]

12. Оюуны Өмчийн Газарт хүлээлгэн өгсөн материал

12.1.	Шинэ бүтээлийн өргөдөл	/..... хуудас/
12.2.	Шинэ бүтээлийн тодорхойлолт	/..... хуудас/
12.3.	Шинэ бүээлийн товч тайлбар	/..... хуудас/
12.4.	Шинэ бүтээлийн томъёолол	/..... хуудас/
12.5.	Зураг	/..... хуудас/
12.6.	Зохиогчийн баталгаа	/..... хуудас/
12.7.	Эрх шилжүүлсэн акт	/..... хуудас/
12.8.	Итгэмжлэл	/..... хуудас/
12.9.	Үйлчилгээний хураамж төлсөн баримт	/..... хуудас/
12.10.	Бусад материал	/..... хуудас/

13. Патентийн хамтын ажиллагааны дагуу гаргасан мэдүүлэгт хавсаргах бусад материал[11]

13.1.	Мэдүүлгийн орчуулга
13.2.	Олон улсын мэдүүлгийн хуулбар
13.3.	Олон улсын хайлт шүүлтийн тайлан

14. Мэдүүлэг гаргагчийн гарын үсэг, тамга.[12]

..... / /

[11]Шинэ бүтээлийн олон улсын хамгаалалтын талаарх Патентийн хамтын ажиллагааны гэрээний дагуу гадаад орноос тус оронд эрхийн хамгаалалт хийлгэхээр мэдүүлж байгаа мэдүүлэгт хамаарна.

[12]Мэдүүлэг гаргагч иргэн бол овог, нэр бичиж гарын үсгээ зурах ба хуулийн этгээд бол эрх бүхий албан тушаалтны овог ,нэр бичиж, гарын үсэг зуран тамга тэмдэг дарсан байна.

Хуудас **4:** Нийт **4**

[Маягт П-01]

Санамж: Зөвхөн компьютераар болон бичгийн машинаар бөглөнө Патент М-15 (Хавсралт№4)

Хавсралт №4 **/Зохиогч тус бүр үйлдэнэ/**

Зохиогчийн баталгаа (Inventor's declaration)

Доор гарын үсэг зурсан би	I the under signed
.....	.....
..... улсын иргэн бөгөөд миний хаяг	with domicile ..... and address
.....	.....
..... дараа зааснаар нэрлэгдэх	here declare that the invention filed in Intellectual Property Office of Mongolia under the title
..... шинэ бүтээлийн өргөдлийг Монгол Улсын Оюуны Өмчийн Газар өгсөн ба уг бүтээлийг би хэнээс ч хуулбарлаагүй болон түүний жинхэнэ зохиогч нь би болохыг батлав.	..... has not been borrowed from any body, and that i'm the true inventor of it.
Зохиогчийн гарын үсэг	Signature of inventor .....
Огноо:	Date: .....

Санамж: Зөвхөн компьютераар болон бичгийн машинаар бөглөнө Патент М-15 (Хавсралт №5)

Хуудас **2:** Нийт **3**

[Маягт П-01]

Хавсралт №5 **/Зохиогч тус бүр үйлдэнэ/**

Тайлбар: Зохиогч(чид) нь патент эзэмшигч бол энэ маягтыг үйлдэхгүй.

Шилжүүлэх акт (Assignment deed)

Би ..... дараа заагдсан нэрээр Монгол Улсын Оюуны Өмчийн Газарт бүртгүүлэхээр өргөдөл өгсөн шинэ бүтээлээс үүсэн гарах бүх эрхийг шилжүүлэн өгсөн болохыг мэдэгдье.	I ..... declare that i have transferred all the rights resulting from my invention Intellectual Property Office of Mongolia under the title.
.....	.....
Би ..... дээр заагдсан эрхийг хүлээн авснаа мэдэгдье.	I ..... declare that i accept the aforesaid right.
Эрх шилжүүлэн авагчийн гарын үсэг	Signature of the Assignee .....
Эрх шилжүүлэгчийн гарын үсэг	Signature of the Assignor .....
Огноо:	Date: .....

Хуудас **3:** Нийт **3**

МОНГОЛ УЛС

ИТГЭМЖЛЭХ

Доор гарын үсэг зурсан (бид)
……
……

Өргөдөл гаргагчийн нэр, хаяг
……
……
……
……

Олон улсын өргөдөлтэй
……
……..

Шинэ бүтээлд Монголд патент авахтай холбогдсон ажлыг эрхлэн явуулахыг итгэж бүрэн эрх мэдлийг олгов.
……
……
……
……..

Монголын итгэмжлэгдсэн төлөөлөгчийн бүрэн нэр, хаяг
……
……
……
……

Намайг (биднийг) төлөөлөн бүх төрлийн өргөдөл, баримт тодорхойлолт, зураглал зэрэг бичиг хэрэгт гарын үсэг зурах, патентын өргөдлийг Оюуны өмчийн газарт бүртгүүлэх бүх төрлийн баримт бичгүүдийг явуулах ба хүлээн авах, анхдагч огнооны баримт бичиг, патент хүлээн авах, батламжлах тодорхойлолт ба зураглалд зохих ёсны засвар, сайжруулалт хийх, материалыг бүрнээр ба хэсэгчлэн эргүүлж авах, хүсэлт ба татгалзал өгөх, шинэ бүтээлд олгогдсон патентыг хүчинтэй байлгахад зохих арга хэмжээ авна.
……..
Хаана (огноо)

……..
Гарын үсэг

MONGOLIA

POWER OF ATTORNEY

The undersigned duly appointed agent to
……
……..

Name and address of applicant
……
……
……
……..

wishing to obtain a patent in Mongolia based upon international patent applicationNo
……
……..

hereby appoints
……
……
……

Full name and address of Mongolian agent
……
……
……
……
……
……

to file a corresponding patent application with the Mongolian Intellectual Property Office, and to represent me (us) in respect of the said application and on my (our) behalf to receive services and empowers the appointee to sign the petition and drawings, to amend the specification and drawings, to prosecute the application, and to receive the patent granted on the said application; and ratifies any act done by the said appointee in respect of the said application.

……..
Place (Date)

……
Applicant's signature

MINISTRY OF JUSTICE, DEPARTMENT OF THE REGISTRAR GENERAL (MALAWI)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Ministry of Justice, Department of the Registrar General (Malawi)

MPA: Patents Act of Malawi

MPR: Patent Regulations of Malawi

MPT: Patents Tribunal Rules

SUMMARY **Designated (or elected) Office** SUMMARY

MW MINISTRY OF JUSTICE, DEPARTMENT OF THE REGISTRAR GENERAL (MALAWI) MW

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	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: [1]	Currency: Malawian kwacha (MWK) Fee for lodging complete specification: MWK 500
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[2, 3] Declaration concerning the inventor where the applicant is not the inventor[2, 3] Appointment of an agent[2] Verified translation of priority document into English[4]
Who can act as agent?	Any person registered as a patent attorney or attorney at law before the Ministry of Justice of Malawi
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

1 Must be furnished or 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.

4 If the validity of the priority claim is relevant to the determination of whether the invention concerned is patentable.

THE PROCEDURE IN THE NATIONAL PHASE

MW.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The national application form for lodging a complete specification (Patents Form No. 6) may be used for entering the national phase, but its use is not required (therefore, this form is not reproduced in an Annex).

MW.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). For the applicable procedure, see paragraph MW.10(i).

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

MPR Rules 78, 79, 82(2)

MW.04 **ADDRESS FOR SERVICE.** An applicant, irrespective of whether or not he is a national of or a resident in Malawi, is not required to be represented by an agent, but he is required to have an address for service (of notices and other communications) in Malawi. If an agent in Malawi is appointed to represent the applicant for the entry into the national phase, a written authorization is not required, though the agent must be prepared to prove his authority to act if called upon to do so by the Office.

MPA Sec. 12(3)

MW.05 **DECLARATION CONCERNING THE INVENTOR.** Where the applicant is not the inventor, he must furnish a declaration that he believes that the person indicated as inventor is the inventor and that he owns the invention in respect of Malawi. This must be done in writing (there is no special form for it) and signed by the applicant or his agent. Legalization is not required.

MPR Rule 7

MW.06 **PRIORITY DOCUMENT (VERIFICATION OF TRANSLATION).** To verify the translation into English of a priority document, the translator must declare that he believes the translation is true and complete.

MPA Sec. 21(2)

MW.07 **ADVERTISEMENT OF ACCEPTANCE.** The applicant must, upon receipt of a notice from the Office that the international application has been accepted (notice of acceptance), advertise the acceptance in the Journal of the Office. Such advertisement must be approved by the Registrar of the Office. To advertise the acceptance the applicant must send the approved advertisement to the Government Printer, P.O. Box 37, Zomba, Malawi, together with a fee for publication of advertisement (see Annex MW.I).

MPA Sec. 25
MPR Rule 33

MW.08 **REQUEST FOR SEALING; TIME LIMIT.** If after the acceptance of the international application there is no opposition to the grant of a patent or, if in the event of an opposition, the final determination is in favor of the grant of a patent, the applicant must make a request for the sealing of a patent to the Office. Such request must be made on Patents Form No. 15 (see Annex MW.II), together with the payment of the fee indicated in Annex MW.I. The request for the sealing of the patent must be made not later than 22 months after the international filing date or, where the time limit under PCT Article 39(1) applies, not later than 32 months from the international filing date.

MPA Sec. 32
MPR Rules 37 to 39

MW.09 **RENEWAL FEES.** After a patent has been granted (sealed), the applicant must pay a renewal fee for each year after the expiration of the third year counted from the international filing date; payment must be made within six months from the date of sealing by lodging Patents Form No. 19 (see Annex MW.III). Payment for any succeeding year may be made in advance but not later than by the expiration of that year. The Office may at its discretion grant an extension of time not exceeding six months from the expiration of the year for which the renewal fee is due. An application for extension of time shall be made on Patents Form No. 20 and is subject to the payment of a fee for extension of the period for payment of renewal fees. For the amounts of fees, see Annex MW.I.

PCT Art. 28, 41
MPA Sec. 43
MPR Rules 54 to 56

MW.10 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The following modifications to the description, claims and drawings may be made by the applicant:

(i) at any time, correction of clerical errors, omissions or obvious mistakes; such corrections must be made on Patents Form No. 42 (see Annex MW.VI) together with the payment of the related fee (see Annex MW.I);

(ii) until the acceptance of the application, amendments, provided that the scope of the subject matter of the application is not broadened thereby; such amendments must be made on Patents Form No. 30 (see Annex MW.IV) together with the payment of the related fee (see Annex MW.I);

(iii) after the acceptance of the application, amendments, but only if they are by way of disclaimer, correction or explanation and provided that the scope of the subject matter of the application is not broadened thereby; such amendments must be made on Patents Form No. 31 (see Annex MW.V) together with the payment of the related fee (see Annex MW.I).

All modifications must be accompanied by a copy certified by the applicant or his agent of those sheets on which the proposed amendment appears, clearly showing in red ink the amendment sought.

PCT Art. 25
PCT Rule 51
MPA Sec. 73, 80
MPT Rule 3

MW.11 **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, an appeal against this decision may be lodged on Form P.T. No. 1 with the Registrar of the Patents Tribunal within three months from the date of the decision. On every appeal the related fee indicated in Annex MW.I must be paid within the same time limit.

PCT Art. 24(2), 48(2)
PCT Rule 82*bis*

MW.12 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Restoration of rights may be requested where the applicant has failed to observe a time limit during the international phase or before the Office. A request to waive the requirement which was not observed is also possible. Any such request must state the reasons for missing the time limit or for the failure to observe the requirement and must be accompanied by evidence by affidavit in support of the statements made. Where the restoration of a lapsed patent is requested, application must be made on Patents Form No. 22 together with the payment of the related fee (see Annex MW.I).

FEES

(Currency: Malawian kwacha)

Patents Form No.	Item	Amount
6	Fee for lodging complete specification	500
42	On request for correction of clerical error	50
15	On request for sealing of a patent	250
19	Renewal fees:[1]	
	– for the 4th to the 6th year, per year	165
	– for the 7th to the 9th year, per year	180
	– for the 10th year	200
	– for the 11th year	200
	– for the 12th year	250
	– for the 13th year	250
	– for the 14th year	300
	– for the 15th year	350
	– for the 16th year	400
20	On application for extension of the period of time for payment of renewal fee:	
	– not exceeding one month	150
	– not exceeding two months	200
	– not exceeding six months	250
30	On application for amendment of a specification not yet accepted	100
31	On application for amendment after acceptance	
	– up to sealing, by applicant	150
	– after sealing, by patentee	180
P.T. No.1	Notice of appeal to Patents Tribunal	50
22	On application for restoration of lapsed patent	
	– if made within one year of lapsing	500
	– if made after one year of lapsing	550
–	Fee for publication of advertisement	150

How can payment of fees be effected?

The payment of fees has to be effected in Malawian kwacha. All payments must be made together with the filing of the form relating to the fee to be paid and indicate the name of the applicant or patentee, the application number (national, if already known; international, if the national number is not yet known) or the number of the patent and the category of fee being paid.

Fees may be paid by any of the following means: in cash at the Office or by check drawn on a Malawian or foreign bank.

[1] One-half only of the fees is payable on patents endorsed "Licences of Right."

Patents Regulations (Subsidiary)

MALAWI

Patents Form No. 15

Section 25(1)
Regulation 33

THE PATENTS ACT

(Cap 49:02)

Fee: MK 250.00

Request for the sealing of a Patent

I/We (1) ..... (1)State
..... name of
request that a patent may be sealed on my/our application No..... applicant(s)
of 19....,and I/We hereby transmit the prescribed fee for sealing, and
further request that the following may be entered on the register as
my/our address for service in Malawi.

.....
.....
.....

Dated this .....day of ....., 19.....

(2) ..... (2)To be
..... signed by
..... the appli-
cant(s) or
his/their
agent

The Registrar,
The Patent Office,
P.O. Box 100,
Blantyre

MALAWI

Patents Form No. 19

Section 37 (4)
Regulations 37, 47

THE PATENTS ACT
(Cap 49:02)

Fee: See ANNEX MW.I

Payment of Renewal Fee

I/We (1) .....
.....
hereby transmit the fee prescribed for the continuation in force of (2)
.....
.....

(1)State name of person(s) tendering the fee

(2)Here insert name of patentee(s)

Patent No. .... for a further period of
..... and request that the
Certificate of Payment may be sent to me/us at (3).....
.....
.....

(3)Here insert full address to which certificate is to be sent

Dated this .....day of ....., 19....

NOTE. —If the address given above is not that entered in the register as the patentee's address for service and it is desired to amend the entry in the register, application therefor must be made in Patents Form No. 39.

The Registrar,
The Patent Office,
P.O. Box 100,
Blantyre.

Patents Regulations (Subsidiary)

MALAWI

Patents Form No. 30 Section 43
Regulation 54

THE PATENTS ACT

(Cap 49:02)

Fee: MK 100.00

Application under section 43 of the Act for Amendment of a Provisional Specification or of a Complete Sepecification not yet accepted

I/We (1) ..... (1)State full name and address of applicant(s)
.....
.....
seek leave to amend the provisional/complete specification of Patent Application No. ..... as shown in red ink in the certified copy of the original specification hereunto annexed.
My/Our reasons for making this amendment are in detail as follows:—

(2) ..... (2)State full particulars of the reasons for seeking amendment
.....
.....
.....
.....
.....

Dated this..... day of ....., 19...

(3) ..... (3)To be signed by the applicant(s)or his/their agent
.....

My/Our addres for service in Malawi

.....

.....

.....

The Registrar,
The Patent Office,
P.O. Box 100,
Blantyre

MALAWI

Patents Form No. 31 Section 43
Regulation 55

THE PATENTS ACT
(Cap 49:02)

Fee: See Annex MW.I

Application under section 43 of the Act for Amendment of Specification after Acceptance

I/We (1) .....
.....
.....

(1)Here state full name and address of applicant(s)

seek leave to amend the specification of Letters Patent No. ...../ Patent Application No. .....as shown in red ink in the certified copy of the original specification hereunto annexed.

I/We (2) .....
declare that no action for infringement or proceedings for the revocation of the Letters Patent in question are pending

My/Our reasons for making this amendment are as follows:-

(3).....
.....
.....

(2)These words are to be struck out when Letters Patent have not been sealed

(3)State full particulars of the reasons for making amendment

Dated this.....day of ....., 19...

(4) .....
.....

(4)To be signed by applicant(s) or patentee(s)or his/ their agent

My/Our address for service in Malawi

.....
.....
.....

The Registrar,
The Patent Office,
P.O. Box 100,
Blantyre

MALAWI

Patents Form No. 42

Section 59(2)
Regulation 69

THE PATENTS ACT

(Cap. 49:02)

Fee: Item 41

Request for Correction of Clerical Error

I/We (1) .....
.....
.....
.....

(1) State full name and address of applicant(s)

hereby request that the clerical error(s) in the (2)
.....
relating to the Application/Patent No. .....
indicated in red ink in the annexed copy of the said (2) .....
.....
..... or shown as follows:
.....
.....
may be corrected.

(2) State whether in application, specification, entry in register, patent or the particular relevant document

Dated this ..... day of ..... 19.....

(3) .....
.....
.....
.....

(3) To be signed by the applicant(s) or his/their agent

My/Our address for service in Malawi
.....
.....
.....
.....

The Registrar,
The Patent Office,
P.O. Box 100,
Blantyre

(July 1994)

MEXICAN INSTITUTE OF INDUSTRIAL PROPERTY

(INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL)
AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Mexican Institute of Industrial Property

MFL: Mexican Federal Law on Administrative Procedures

MPL: Mexican Patent Provisions under the Federal Law on the Protection of Industrial Property

MPR: Mexican Patent Rules under the Industrial Property Regulations

SUMMARY **Designated (or elected) Office** SUMMARY

MX MEXICAN INSTITUTE OF INDUSTRIAL PROPERTY MX

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, together with any statement under 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[2, 3]	Currency: Mexican peso (MXN) For patent: Filing fee: MXN 3,147[4] MXN 1,500[5] fee per sheet in excess of 30: MXN 61 For utility model: Filing fee: MXN 2,000[4] MXN 1,350[5] fee per sheet in excess of 30: MXN 61
Exemptions, reductions or refunds of the national fee:	Applicants which are inventors, small- or medium-sized enterprises, public or private institutions of higher education or public sector scientific or technological institutions may pay 50% of the applicable fees in accordance with Title II of the Industrial Property Law as well as 50% of those related to technical information.

[Continued on next page]

1 Where the filing fee has been paid and a copy of the international application has been provided to the Office within the time limit applicable under PCT Article 22 or 39(1), the translation may be filed within two months from the expiration of that time limit.
2 Must be paid within the time limit applicable under PCT Article 22 or 39(1).
3 This fee is subject to a national tax of 16%.
4 Payable where the national phase is entered under PCT Article 22.
5 Payable where the national phase is entered under PCT Article 39(1).

SUMMARY Designated (or elected) Office SUMMARY

MX MEXICAN INSTITUTE OF INDUSTRIAL PROPERTY MX

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[6]	Document evidencing the entitlement to apply for a patent[7] Instrument of assignment where the applicants in the national phase and international phase are not identical Appointment of an agent if the applicant is not resident in Mexico
Who can act as agent?	Any resident of Mexico
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No

[6] 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.

[7] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

MX.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).

MPL Art. 13
MPR Art. 5(VII)¶3

MX.02 **TRANSLATION (LATE FURNISHING OF).** If the translation of the international application has not been furnished by the applicant within the time limit applicable under PCT Article 22 or 39(1) but the national fee indicated in the Summary has been paid and a copy of the international application has been furnished within that time limit, the translation can still be furnished within a further period of two months.

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

MPL Art. 27 (I or II)

MX.04 **POWER OF ATTORNEY.** If the applicant is not resident in Mexico, an agent must be appointed by filing a simple power of attorney signed in the presence of two witnesses, each of whom must sign that power and indicate his address. In addition, but only in the case of an applicant which is a legal entity, the power must state that the person signing on behalf of that legal entity has authority to do so and must cite the relevant document supporting such statement. A model power of attorney is given in Annex MX.II.

MPL Art. 137
MPR Art. 9(II)

MX.05 **INSTRUMENT OF ASSIGNMENT.** Where the applicant in the national phase is not identical to the applicant in the international phase, he will be invited to furnish a certified copy or an originally signed version of the document(s) containing the assignment of the rights to the application.

MPL Art. 50
110-111
MPR Art 42-45

MX.06 **EXAMINATION.** The Office examines patent applications as to substance. No request is necessary and no special fee is required.

PCT Art. 28
41
MPL Art. 116

MX.07 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend or correct the description, claims or drawings at any time during the patent procedure before the notice of allowance, provided that the scope of the subject matter of the application is not broadened thereby.

MPL Art. 117

MX.08 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** The Office does not excuse the failure to comply with a time limit, either during the international phase or during the national phase, unless otherwise specified in this Chapter.

PCT Art. 25
PCT Rule 51

MX.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 omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged with the Office.

PCT Art. 4(3)
43
PCT Rule 49*bis*.1 (a), (b)
76.5
MPL Art. 58-64

MX.10 **UTILITY MODELS.** If the applicant wishes to obtain a utility model instead of a patent in Mexico on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

MPL Art. 103
MPR Art. 41

MX.11 **CONVERSION.** An international application for a patent may be converted into a utility model application, and vice versa, within three months after the applicant has performed the acts for entering the national phase indicated in the Summary, or within three months from the date on which the Office has required him to make the conversion, as long as the application has not become abandoned. The applicant should submit proof of payment of the applicable fee together with the request for conversion or upon compliance with the requirements for conversion.

MFL Art. 83

MX.12 **APPEALS.** The applicant may request reconsideration of a decision to refuse to grant a patent or utility model by submitting to the Office, in writing, within 15 days from the date of the notification of refusal, a request for reconsideration accompanied by any relevant documentation. A decision by the Office denying reconsideration will be communicated to the applicant in writing and published in the Gazette of the Office.

FEES[1]

(Currency: Mexican peso)

Patents

Filing fee[2]	3,147.00[3]
	1,500.00[4]
fee per sheet in excess of 30	61.00
Priority claim fee, per priority	1,066.17
Annual fees:	
— for the 1st to the 5th years, per year	1,161.90
— for the 6th to the 10th years, per year	1,360.69
— for the 11th and each subsequent year, per year	1,536.99

Utility models

Filing fee[2]	2,000.00[3]
	1,350.00[4]
fee per sheet in excess of 30	61.00
Priority claim fee, per priority	1,066.17
Annual fees:	
— for the 1st to the 3rd years, per year	1,099.39
— for the 4th to the 6th years, per year	1,122.83
— for the 7th and each subsequent year, per year	1,290.36

How can payment of fees be effected?

The payment of fees must be effected in Mexican pesos. 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. All fees must be paid to the Office through a person who has an address in the national territory. The applicant must attach the payment receipt to his application.

[1] The Office or the agent should be consulted for the applicable schedule of fees.

[2] This fee is subject to a national tax of 16%.

[3] Payable where the national phase is entered under PCT Article 22.

[4] Payable where the national phase is entered under PCT Article 39(1).

PODER

Por medio de la presente se confiere al (los) Sr. (Sres.)[1]

poder cumplido y bastante para que en mi (el) nombre y representación realice el trámite de presentación de una solicitud internacional relativa a la invención denominada[2]

ante el Instituto Mexicano de la Propiedad Industrial, de conformidad con la Ley de la Propiedad Industrial.

(En el caso de personas morales) El poderdante que suscribe la presente cuenta con las facultades legales para otorgar dicho poder, de acuerdo con (instrumento en el conste dichas facultades)

Lugar Fecha

Poderdante[3]
(firma)

Apoderado
(firma)

Testigo

Nombre y firma

Testigo

Nombre y firma

1 Nombre del mandatario o apoderado.

2 Título de la invención.

3 Nombre y dirección completo de la persona que ha nombrado al mandatario. En el caso de poderdante, en nombre de persona moral deberá indicar la denominación de la empresa y la dirección de la misma.

INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA

AS

DESIGNATED (OR ELECTED) OFFICE

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Statement justifying the applicant's right to a patent (Patents Form No. 22) . . . . . Annex MY.IV
Request for substantive examination (Patents Form No. 5) . . . . . Annex MY.V
Request for modified substantive examination (Patents Form No. 5A) . . . . . Annex MY.VI

List of abbreviations:

Office: Intellectual Property Corporation of Malaysia

PA: Patents Act, 1983 (Act 291)

PR: Patents Regulations, 1986

SUMMARY Designated (or elected) Office SUMMARY

MY INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA MY

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19[2]), 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[2])
Is a copy of the international application required?	Yes, a copy is required only if the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) or 40(2).
National fee:	Currency: Malaysian ringgit (MYR)

	Electronic Filing	Paper Filing
Filing fee:[1]	MYR 260	290
Claim fee for each claim in excess of 10:	MYR 20	20

Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3, 4] Statement justifying the applicant's right to the patent where the applicant is not the inventor[3, 4] Evidence of entitlement to claim priority where the applicant is not the applicant who filed the earlier application[3, 4] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)[4] Appointment of an agent if the applicant is not resident in Malaysia Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form

[Continued on next page]

1 Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
2 Where the applicant furnishes a translation of the international application only as amended or only as originally filed, the Office will invite the applicant to furnish the missing translation.
3 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.
4 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 of two months from the date of receipt of the invitation.

SUMMARY Designated (or elected) Office SUMMARY

MY INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA MY

[Continued]

Who can act as agent?	Any patent agent registered before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies the "unintentional" criterion to such requests

THE PROCEDURE IN THE NATIONAL PHASE

PR 25A

MY.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase (see Annex MY.II). This form should preferably be used.

MY.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

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

PA 86(5)
PR 45B(2)

MY.04 **APPOINTMENT OF AGENT.** If the applicant is not resident in Malaysia, an agent shall be appointed by submitting to the Registrar a special form (see Annex MY.III), signed by the applicant. Any patent agent registered before the Office may act as agent.

PR 10(2)

MY.05 **INVENTOR.** If the applicant is not the inventor, the request must be accompanied by a statement naming the inventor and justifying the applicant's right to the patent (see Annex MY.IV)

PA 35(2)
PR 33

MY.06 **ANNUAL FEES.** Annual fees are payable for the second and each subsequent year following the date of grant of the patent. The fees must be paid twelve months before the date of expiration of the second and each succeeding year during the term of the patent. Payment of annual fees may still be made within six months from the due date, subject to the payment of a surcharge. The amounts of the annual fees are indicated in Annex MY.I.

PA 29A
PR 27 to 27D

MY.07 **REQUEST FOR EXAMINATION.** Requests for examination or modified examination must be made on special forms (see Annexes MY.V and MY.VI) provided by the Office, together with the payment of the prescribed fees within four years from the filing date of the international application. Requests for modified examination must be accompanied by a certified copy of the granted patent in English; patents in Japanese or Korean must be accompanied by a certified translation into English.

PCT Art. 28, 41
PA 26A
PR 46

MY.08 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may, at any time before the patent is granted, make amendments to his application, with the payment of the prescribed fee, provided that the amendment does not go beyond the disclosure in the initial application.

PCT Art. 25
PCT Rule 51

MY.09 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. Where an international application is considered withdrawn, the applicant may request reconsideration by the Office.

PCT Art. 24(2), 48(2)
PCT Rule 49.6, 82*bis*

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

MY.11 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant unintentionally failed to observe a time limit set by the Office, which is prejudicial to his rights. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit or twelve months from the date of expiration of the applicable time limit, whichever time limit expires earlier. Within the said two months, the omitted action must be completed and the fee for reinstatement of rights (see Annex MY.I) must be paid.

PA 17B
PR 33C

MY.12 **CONVERSION.** The applicant may convert an application for a patent into an application for a certificate for a utility innovation by filing a request to that effect and paying the prescribed fee within six months from the date of the examination report. The converted application shall have the filing date of the initial application.

FEES

(Currency: Malaysian Ringgit (MYR))

Patents

	Electronic Filing	Paper Filing
Filing fee	260	290
Claim fee for each claim in excess of 10	20	20
Request for examination	950	1,100
Request for modified examination	600	640
Fee for amendment of the application	70	80
Reinstatement fee (per month of delay):	650	690
Annual fees:		
— for the 2nd year	260	290
— for the 3rd year	330	360
— for the 4th year	390	420
— for the 5th year	460	490
— for the 6th year	520	560
— for the 7th year	600	640
— for the 8th year	650	690
— for the 9th year	720	760
— for the 10th year	780	820
— for the 11th year	850	890
— for the 12th year	900	940
— for the 13th year	1,050	1,100
— for the 14th year	1,200	1,250
— for the 15th year	1,300	1,350
— for the 16th year	1,600	1,660
— for the 17th year	1,850	1,900
— for the 18th year	2,100	2,200
— for the 19th year	2,400	2,500
— for the 20th year	2,600	2,700
Surcharge for late payment of annual fee	100% of fee for year concerned	
Fee for restoration of the right of priority		None
Fee for conversion	260	290

How can payment of fees be effected?

The payment of the fees has to be effected in Malaysian Ringgit. 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 may be effected to the Office by money order, cheque, bank draft or cash. Payments by bank transfer should be made to the following bank: Malayan Banking Berhad, Lot F1/26 and F1/27, 1st floor, Kompleks Dayabumi, Jalan Sultan Hishamuddin, 50050 Kuala Lumpur; account number: 564100004244, SWIFT code: MBBE MY KL.

Patents Form No. 2A PATENTS ACT 1983 FEE FOR ENTERING THE NATIONAL PHASE (Regulations 25A) To : The Registrar of Patents Patents Registration Office Kuala Lumpur, Malaysia	For Official Use Fee received on : ……..…. Amount : ……. *Cheque / Postal Order / Money Order / Draft / Cash No. : … …….
Please submit this Form in duplicate together with the prescribed fee and/or reinstatement fee for international application	Applicant's or Agent's file reference ……. …….

I. APPLICANT (S) :

Name : ...……..……..

Address : ……..……...…

……..…….

……

II. THE APPLICANT(S) REQUEST(S) ENTRY INTO THE NATIONAL PHASE IN ACCORDANCE WITH :

*SECTION 78O ☐

*SECTION 78OA ☐

INTERNATIONAL APPLICATION NO. :

_____

III. AGENT :

Applicant has appointed a patent agent in the accompanying Patents Form No. 17

Yes ☐

No ☐

Agent's Registration No.:

_____

SIGNATURE ……..…. ……

** (*Applicant/Agent)* *(Date)*

If Agent, indicate Agent's Registration No. ……

For Official Use

Date application received : …….

* Tick whichever is applicable

** Type name under signature and delete whichever does not apply

Patents Form No. 17 PATENTS ACT 1983 APPOINTMENT OR CHANGE OF PATENT AGENT (Regulations 45B (2) and 45(3)) To : The Registrar of Patents Patents Registration Office Kuala Lumpur, Malaysia	For Official Use APPLICATION NO. :…….. Filing Date : …….. Received on :……
	Date of Mailing ……..
Please submit one copy of this Form	Applicant's or Agent's file reference …….

*I/ We the undersigned ,

Name : ……..……..
Address : ……..……..…
……..…….

appoint

Name : ……..……...
Address : ……..……

Telephone Number (if any)	Fax Number (if any)
……..	……..……

to act as *my/our agent in connection with the following matter(s) :
……..…..
……..……..

ratify all acts done by the agent on *my/our behalf in connection with that/those matter(s), and request that all notices, requisitions and communications relating thereto be sent to the agent at the abovementioned said address.

Any previous appointment in respect of the same matter(s) is revoked.

**SIGNATURE ……..…. ……
(Date)

* Delete whichever does not apply
** Type name under signature and delete whichever does not apply

Patents Form No. 22 PATENTS ACT 1983 **STATEMENT JUSTIFYING THE APPLICANT'S RIGHT TO A PATENT/CERTIFICATE** (Regulation 10) To : The Registrar of Patents Patents Registration Office Kuala Lumpur, Malaysia	For Official Use APPLICATION NO. : …….. Filing Date : …….. Request received on :…… Date of mailing ……..
Please submit this Form in duplicate	Applicant's or Agent's file reference ……. …….

I. IN THE MATTER OF :
Patent Application No. : ……..……..……..... Filing Date : …….
Certificate Application No. : …….. Filing Date : …….

II. TITLE OF INVENTION : ……
……..…..……

III. APPLICANT :
Name : ...……..……..
Address : ……..……...…
……..…….

IV. I/we believe that the inventor(s)/innovator(s) of the above mentioned application is as follows :
……..……..……..……
……..……..……..……
……..……..……

V. Statement justifying the applicant's right to a patent/certificate :
……..……..……..…
……..……

VI. ADDITIONAL INFORMATION accompanying this Form :

Yes ☐ No ☐

VII. SIGNATURE ……..…. ……
** (*Applicant/Agent)* *(Date)*

If Agent, indicate Agent's Registration No. ……

* Delete whichever does not apply
** Type name under signature and delete whichever does not apply

Patents Form No. 5
PATENTS ACT 1983

REQUEST FOR SUBSTANTIVE EXAMINATION
(Regulations 27(1) and 45(3))

To : The Registrar of Patents
Patents Registration Office
Kuala Lumpur, Malaysia

Please submit this Form in duplicate together with prescribed fee

For Official Use

APPLICATION NO. : ……..

Filing Date : ……..

Request received on :……

Fee received on : ……

Amount : ……

*Cheque / Postal Order / Money Order / Draft / Cash No. : … ……

Date of mailing ……..

Applicant's or Agent's file reference
……. ……

I. IN THE MATTER OF :

Patent Application No. : ……..……..……..... Filing Date : …….
Certificate Application No. : …….. Filing Date : …….

II. APPLICANT (S) :
Name : ..……..……..
Address : ……..……..…
……..……

III. REQUEST :
The applicant(s) request(s) the Registrar to refer the patent application identified above to an Examiner for a substantive examination in accordance with Section 29A (1) of the Patent Act 1983.

IV. ADDITIONAL INFORMATION accompanies this Form :

Yes ☐ No ☐

V. SIGNATURE ……..…. ……
** (*Applicant/Agent*) *(Date)*

If Agent, indicate Agent's Registration No. ……

* Delete whichever does not apply
** Type name under signature and delete whichever does not apply

Patents Form No. 5A PATENTS ACT 1983 REQUEST FOR MODIFIED SUBSTANTIVE EXAMINATION (Regulations 27A(1) and 45(3)) To : The Registrar of Patents Patents Registration Office Kuala Lumpur, Malaysia Please submit this Form in duplicate together with prescribed fee	For Official Use APPLICATION NO. : …….. Filing Date : …….. Request received on :…… Fee received on : …… Amount : …… *Cheque / Postal Order / Money Order / Draft / Cash No. : … …… Date of mailing …….. Applicant's or Agent's file reference ……. …….

I. IN THE MATTER OF :
Patent Application No. : ……..……..……..... Filing Date : …….
Certificate Application No. : …….. Filing Date : …….

II. APPLICANT (S) :
Name : ..……..……..
Address : ……..……..…
..……..…….

III. REQUEST :
The applicant(s) request(s) the Registrar to refer the patent application identified above to an Examiner for a modified substantive examination in accordance with Section 29A (1) of the Patent Act 1983.

IV. PRESCRIBED FOREIGN PATENT :

I provide herewith a certified copy of the specification of Patent No. : ……
in granted in …… on ……..
Copy of granted patent from : * UK/US/EP/Australia

V. AMENDMENTS :

Amendments in accordance with regulation 27A (3)(b) accompany this Form :

Yes ☐ No ☐

VI. SIGNATURE ……..…. ……
** (*Applicant/Agent*) (*Date*)

If Agent, indicate Agent's Registration No. ……

* Delete whichever does not apply
** Type name under signature and delete whichever does not apply

INDUSTRIAL PROPERTY INSTITUTE (IPI) (MOZAMBIQUE)

AS
DESIGNATED (OR ELECTED) OFFICE

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Fees . . . . . Annex MZ.I
National processing request form . . . . . Annex MZ.II

List of abbreviations:

Office: Industrial Property Institute (IPI) (Mozambique)

IPC: Industrial Property Code, Decree No. 47/2015

SUMMARY **Designated (or elected) Office** SUMMARY

MZ INDUSTRIAL PROPERTY INSTITUTE (IPI) (MOZAMBIQUE) MZ

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:	Portuguese
Required contents of the translation for entry into the national phase:[1]	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?	A copy is required only if the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) at a time when the applicant has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20
National fee:[1]	Currency: Mozambican metical (MZM) For patent: Filing fee: MZM 8,100 Annual fee for the first year:[2] MZM 1,275 Annual fee for the second year:[2] MZM 1,725 For utility model: Filing fee: MZM 2,775 Annual fee for the first and second year, per year:[2] MZM 1,275
Exemptions, reductions or refunds of the national fee:	Applicants may, if the Director of the Office so orders, be entitled to a reduction or exemption of certain fees. Such requests must be made prior to entering the national phase (IPC, Articles 233 and 234).
Special requirements of the Office (PCT Rule 51*bis*):[3]	Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in the international publication or in a notification from the International Bureau (Form PCT/IB/306) Instrument of assignment if the applicant is not the inventor[4] Appointment of an agent if the applicant is not resident in Mozambique

[Continued on next page]

1 If not furnished or paid within the time limit applicable under PCT Article 22 or 39(1), may still be furnished or paid within a further time limit of 90 days.

2 Must be paid when entering the national phase.

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.

SUMMARY Designated (or elected) Office SUMMARY

MZ INDUSTRIAL PROPERTY INSTITUTE (IPI) (MOZAMBIQUE) MZ

[Continued]

Who can act as agent?	Any patent attorney or patent agent registered to practice before the Office and resident in Mozambique
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Please refer to the Office

THE PROCEDURE IN THE NATIONAL PHASE

IPC Art. 7

MZ.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has a special form available for entering the national phase (see Annex MZ.II). This form should preferably be used.

MZ.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).

IPC Art. 11 62

MZ.03 **TRANSLATION (LATE FURNISHING OF).** If the translation of the description and claims has not been furnished within the 31-month time limit applicable under PCT Article 22(3) or 39(1)(b), it may still be furnished within a further period of 90 days.

IPC Art. 60

MZ.04 **INFORMATION CONCERNING CORRESPONDING APPLICATIONS IN OTHER COUNTRIES.** The applicant shall inform the Office of the date and number of any application for a patent filed by him abroad relating to the same or essentially the same invention as that claimed in the application filed with the Office and must furnish the following documents to the Office:

(i) a copy of any search report on the corresponding foreign application;
(ii) a copy of the patent granted to the corresponding foreign application;
(iii) a copy of any final or provisional decision to refuse or grant the foreign application;
(iv) a copy of any decision to grant a patent on the basis of the foreign application.

IPC Art. 230-238

MZ.05 **FEES (MANNER OF PAYMENT).** The manner of payment referred to in the Summary and in this Chapter is outlined in Annex MZ.I.

IPC Art. 231

MZ.06 **RENEWAL FEES.** The first two annuities in respect of patents and utility models shall be paid at the time of entering the national phase. Subsequent annuities shall be paid during the last six months of each year, counting from the date on which the right has been granted. The amounts of the renewal fees are shown in Annex MZ.I.

PCT Art. 28 41

MZ.07 **AMENDMENT OF THE APPLICATION.** The applicant may, at any time before a patent is granted, make amendments to the application, provided that the amendment does not go beyond the disclosure in the initial application.

PCT Art. 25
PCT Rule 51

MZ.08 **REVIEW UNDER PCT ARTICLE 25.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 24(2) 48(2)

MZ.09 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PCT Art. 4(3) 43, 44
PCT Rule 49*bis*.1(a), (b) 76.5

MZ.10 **UTILITY MODEL.** If the applicant wishes to obtain a utility model in Mozambique for international applications instead of a patent, he shall so indicate to the Office when performing the acts referred to in Article 22 or 39.

IPC Art. 96 101 103

If the international application is for a utility model instead of a patent, the procedural processes for patents shall be applicable in respect of utility models with the possibility of annual renewal. The maximum term of protection for a utility model in Mozambique is 15 years. The amounts of the annual renewal fees are shown in Annex MZ.I.

IPC Art. 65 99

MZ.11 **CONVERSION.** Prior to the examination of the application, the applicant may change the application for a patent into an application for a utility model. Before the examination stage of the application, the applicant may transform a utility model application into a patent application, against payment of the applicable fee.

FEES

(Currency: Mozambican metical)

Patents

Filing fee	8,100
Annual fees:	
— for the 1st year	1,275
— for the 2nd year	1,725
— for the 3rd year	2,100
— for the 4th year	2,250
— for the 5th year	2,850
— for the 6th year	3,000
— for the 7th year	3,450
— for the 8th year	3,750
— for the 9th year	4,350
— for the 10th year	4,800
— for the 11th year	5,400
— for the 12th year	5,925
— for the 13th year	6,375
— for the 14th year	6,975
— for the 15th year	7,275
— for the 16th year	7,800
— for the 17th year	8,550
— for the 18th year	8,850
— for the 19th year	9,150
— for the 20th year	10,125
— 6 months extension surcharge for renewal	50% of fee to be paid
— Revalidation	Triple of fee to be paid

Utility Models:

Filing fee	2,775
Annual fees:	
— from the 1st to 5th year	1,275
— from the 6th to 10th year	2,325
— from the 11th to 15th year	4,125
— 6 months extension surcharge for renewal	50% of fee to be paid
— Revalidation	Triple of fee to be paid

How can payment of fees be effected?

All payments must give 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, by means of a special payment slip for treasury transactions (see also IPC Art. 231 and 232).

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Av. Consiglieri Pedroso 165
Caixa Postal n°1072
Tel.: 258 21 354900 Fax 258 21 354944
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Web: www.ipi.gov.mz
Maputo - Moçambique

DESPACHO

PEDIDO DE PATENTE

INVENÇÃO ☐		MODELO DE UTILIDADE ☐
ENTRADA Nº:	**Data/Hora:**	**Processo Nº:**

1. REQUERENTE

Nome/Firma/Den. Social:			Nuit:
Domicílio/Sede/Estabelecimento:		CP:	Nac.:
Telefone:	Fax:	E-mail:	Actividade:

NOME DO INVENTOR

Nome/Firma/Den. Social:			Nuit:
Domicílio/Sede/Estabelecimento:		CP:	Nac.:
Telefone:	Fax:	E-mail:	Actividade:

3. TÍTULO DA INVENÇÃO

4. RESUMO

5. REIVINDICAÇÃO DE PRIORIDADE

Data de Pedido: País de Origem:
Nº Pedido:

6. DOCUMENTOS ANEXOS

❑ Doc. Titularidade ❑ Exemplo Sinal ❑ Procuração
Folhas Complementares_____ ❑ Descrição
Outro _____

7. TAXAS

Taxa de Serviços	_____	Mt
Pedido de Registo	_____	Mt
Publicação	_____	Mt
Exame	_____	Mt
Outras Taxas	_____	Mt
Total	_____	Mt

Por Extenso

8. REPRESENTANTE LEGAL

Nome:
BI ❑ Dire ❑ Pass. ❑: De:
Emitido Por: _____
Ass._____

9. MANDATÁRIO

Nome:
BI ❑ Dire ❑ Pass. ❑: De:
Emitido Por: _____
Ass._____

*O Funcionário*_____ *Página* _____ *de*_____

Modelo P

BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY (BIPA) (NAMIBIA)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE – SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

NA BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY (BIPA) (NAMIBIA) NA

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:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), 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:[1]	Currency: Namibian dollar (NAD) For patent: Filing fee: NAD 12 Renewal fee: — for the 3rd to the 6th year, per year: NAD 8 — for the 7th to the 9th year, per year: NAD 12 — for the 10th to the 20th year, per year: NAD 20
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

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

SUMMARY Designated (or elected) Office SUMMARY

NA BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY (BIPA) (NAMIBIA) NA

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	The applicant must be represented in all cases. An instrument appointing the agent (authorization or power of attorney) is required.[2] Translation of the international application to be furnished in one single copy Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3, 4] Evidence of entitlement to file where the applicant is not the inventor[3, 4] Evidence of entitlement to claim priority where the applicant is not the applicant who filed the earlier application[3, 4] Document evidencing a change of name or person of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)[4] Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing and/or tables related thereto in electronic form
Who can act as agent?	Any attorney or lawyer registered in Namibia
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[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.

[4] 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 two months from the date of the invitation by the Office.

COMMERCIAL LAW DEPARTMENT (TRADEMARKS, PATENTS AND DESIGNS) (NIGERIA)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

NG COMMERCIAL LAW DEPARTMENT (TRADEMARKS, PATENTS AND DESIGNS) (NIGERIA) NG

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[1]	Currency: Nigerian naira (NGN) Filing fee: NGN 13,000
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2]	Appointment of an agent Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3] Translation of the international application to be furnished in two copies
Who can act as agent?	Any patent attorney or patent agent registered to practice before the Office.
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[1] Must be furnished or 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.

REGISTRY OF INTELLECTUAL PROPERTY (NICARAGUA)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE – SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

NI REGISTRY OF INTELLECTUAL PROPERTY (NICARAGUA) NI

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), 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: Córdoba Oro (NIO) For patent: Filing fee:[1] NIO 200 For utility model: Filing fee:[1] NIO 100
Exemptions, reductions or refunds of the national fee:	The national fee is reduced by 75% where the application is filed by a natural person
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[2, 3] Declaration as to the applicant's entitlement to apply for and be granted a patent[2, 3] Declaration as to the applicant's entitlement to claim priority of the earlier application[2, 3] Document evidencing a change of name of the applicant[3] Translation of the international application to be furnished in three copies[3] Appointment of an agent if the applicant is not resident in Nicaragua Power of attorney if an agent is appointed Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form

[Continued on next page]

[1] Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
[2] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.
[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 of two months from the date of receipt of the invitation.

SUMMARY Designated (or elected) Office SUMMARY

NI REGISTRY OF INTELLECTUAL PROPERTY (NICARAGUA) NI

[Continued]

Who can act as agent?	Any attorney registered in Nicaragua
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

NORWEGIAN INDUSTRIAL PROPERTY OFFICE

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex NO.I
National processing request form . . . . . Annex NO.II
Power of attorney . . . . . Annex NO.III
Deed of transfer . . . . . Annex NO.IV
Declaration of right to the invention . . . . . Annex NO.V

List of abbreviations:

Office: Norwegian Industrial Property Office

NPL: Patents Act (Norway)

NPR: Norwegian Patent Regulations

SUMMARY Designated (or elected) Office SUMMARY

NO NORWEGIAN INDUSTRIAL PROPERTY OFFICE NO

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:[1]	Norwegian or English[2]		
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as originally filed or as amended, at applicant's option), 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, as originally filed or as amended by the annexes to the international preliminary examination report, at applicant's option)		
Is a copy of the international application required?	The applicant should only send a copy of the international application if he/she has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).		
National fee:	Currency: Norwegian krone (NOK)		
	Basic fee, including examination fee:[3]	NOK 4,650	(850)[4]
	Claim fee for each claim in excess of 10:[3]	NOK 250	
	Additional fee for late furnishing of translation :[1]	NOK 950	
	Annual fees for the first three years, per year:[5]	NOK 700	

[Continued on next page]

[1] Where a request for entry into the national phase has been made within the time limit applicable under PCT Article 22 or 39(1), the translation may be filed within two months from the expiration of that time limit, provided that an additional fee for late furnishing of the translation is paid within 30 days from the date of the invitation to pay that fee.

[2] For further details, see paragraph NO.02.

[3] Must be paid within 30 days from the date of the invitation to pay that fee.

[4] The amount in parentheses is applicable where the applicant is a natural person or a legal entity with 20 permanent employees or less.

[5] These fees are due on the last day of the month containing the second anniversary (24 months) of the international filing date; where PCT Article 39(1) applies, they are payable within two months after performing the acts for entering the national phase, unless the 24-month time limit has not yet expired.

SUMMARY Designated (or elected) Office SUMMARY

NO NORWEGIAN INDUSTRIAL PROPERTY OFFICE NO

[Continued]

Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[6]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[7] If someone other than the inventor applies for a patent, the application shall contain a declaration from the applicant stating his right to the invention, or a deed of transfer[7]
Who can act as agent?	Any natural or legal person
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies the "unintentional" criterion to such requests

[6] 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.

[7] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

NO.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase (see Annex NO.II). This form should preferably (but need not) be used. This form is also available on the Office's website at: https://www.patentstyret.no/en/services/forms-PDF-format/

NPR Sec. 5
105

NO.02 **LANGUAGE OF PROCEEDINGS.** The description, the claims, any text matter of drawings and the abstract of the international application must be in Norwegian or English[1]. If the application has not been published in English, a translation into English or Norwegian has to be furnished. Other documents and correspondence may be in Norwegian, Danish, Swedish or English. The languages of opposition and appeal proceedings are Norwegian, Danish or Swedish.

NPL Sec. 31(3)

NO.03 **TRANSLATION (LATE FURNISHING OF).** If the translation of the international application has not been furnished by the applicant within the time limit applicable under PCT Article 22 or 39(1), the translation can still be furnished within a further period of two months, provided that the basic fee and the additional fee for late furnishing of the translation, indicated in the Summary, have been paid within the prescribed deadlines (the deadlines being 30 days after the date of the invitations to pay those fees).

NO.04 **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).

NO.05 **TRANSLATION (IN CASE OF LACK OF UNITY OF INVENTION).** Where a part of the international application was not subjected to an international search for reason of lack of unity of the invention, a translation is required only of those parts of the international application which were subjected to the international search. However, where the applicant wants to maintain the part which was not searched, a translation of this part must also be furnished. See also paragraph NO.9.

NO.06 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex NO.I.

NPL Sec. 8(4)

NO.07 **DECLARATION OF RIGHT AND DEED OF TRANSFER.** If someone other than the inventor applies for a patent, the application shall contain a declaration from the applicant stating his right to the invention, or a deed of transfer. For details, see the model of such declaration and deed (not an official form) in Annexes NO.V and IV. Legalization is not required.

NO.08 **POWER OF ATTORNEY.** An agent may be appointed by filing a separate power of attorney or by use of the special form referred to in paragraph NO.01 (see Annex NO.II). A model of a separate power of attorney is given in Annex NO.III. Where a lawyer in person is appointed as agent to act on the applicant's behalf for matters concerning the national phase, a power of attorney is not mandatory. If a company is appointed, a power of attorney is necessary, even if the employee representing the applicant is a lawyer.

[1] A patent can also be granted in English. All patent documents may be furnished in Norwegian or in English. However, a translation of the claims into Norwegian is required where a patent in English is sought.

PCT Art. 17(3)(b) 34(3)(c) NPL Sec. 36 37

NO.09 **ADDITIONAL NORWEGIAN SEARCH OR EXAMINATION REPORT (IN CASE OF LACK OF UNITY OF INVENTION).** Where a part of the international application was not subject to an international search or preliminary examination because the international application did not comply with the requirement of unity of invention and the applicant did not pay the additional search or preliminary examination fee to the International Searching or Preliminary Examining Authority, the Office will decide whether the said finding as regards the application translated into Norwegian or English was correct. If this is found to be the case, the Office will invite the applicant to pay an additional fee within two months after mailing of the notification of this decision. The amount of the said fee is indicated in Annex NO.I. Where the applicant does not pay the additional fee, that part of the international application which was not subjected to international search or preliminary examination will be considered withdrawn.

NPL Sec. 20 21

NO.10 **PATENT GRANT FEE.** When the applicant has been notified that a patent may be granted, a patent grant fee must be paid within two months. The amount of the fee is indicated in Annex NO.I.

NPL Sec. 8(5) 8(6) 40 to 42

NO.11 **ANNUAL FEES.** Annual fees must be paid for each year following the international filing date. For the due date of the annual fees for the first three years, see the Summary. Payment of the subsequent annual fees must be made before the expiration of the month containing the anniversary of the international filing date. Payment can still be made, together with an additional fee for late payment, before the expiration of the sixth month after the month containing the anniversary of the international filing date. The amounts of the annual fees are indicated in Annex NO.I.

PCT Art. 28 41 NPL Sec. 13

NO.12 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make the following modifications before the Office, provided that the scope of the subject matter of the application is not broadened thereby:

NPL Sec. 34 NPR Sec. 77

(i) within 35 months from the priority date: corrections of defects and voluntary amendments;

NPL Sec. 19 to 21 NPR Sec. 20 and 21

(ii) up to the grant of a patent: amendments or additions to the description and drawing(s) if they are necessary to comply with general requirements under PCT Articles 5 and 7; amendments or additions to the claims, which, unless the Office allows otherwise, must be made by filing a new document comprising all of the claims in sequence; where additions are made to the claims, the applicant must at the same time file a statement indicating the reference basis for these additions.

PCT Art. 25 PCT Rule 51 NPL Sec. 26 27 38 NPR Sec. 78

NO.13 **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, an appeal against this decision may be lodged with the Board of Appeals, within two months from the date of the decision. An appeal fee must be paid within 30 days from the date of the invitation to pay that fee (for the amount, see Annex NO.I).

PCT Art. 24(2) 48(2)

NO.14 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

NPL Sec. 72 73

NO.15 Reestablishment of rights may be requested where the applicant failed to observe a time limit during the international phase or before the Office, default of which is prejudicial to his rights, and can prove that the failure to comply with the time limit was unintentional.[2] A request for reestablishment must be presented in writing within two months after the removal of the cause of the failure to perform the action but not later than one year from the expiration of the time limit which has not been observed. Within the said two months, the omitted action must be completed. A fee for reestablishment of rights (see Annex NO.I) must be paid and will be invoiced by the Office.

NPL Sec. 15

NO.16 Resumption of proceedings concerning the application may be requested from the Office where the applicant has missed a time limit which had been fixed for a certain action by the Office. Resumption of proceedings may not be requested where the missed time limit is fixed in the PCT, the PCT Regulations, the Norwegian Patents Act or the Norwegian Patent Regulations. A request for resumption of proceedings has the effect that the proceedings for grant will be resumed, provided that, within four months from the expiration of the missed time limit, the said request is presented in writing, the resumption fee (see Annex NO.I) is paid and the omitted act has been completed.

NPL Sec. 24

NO.17 **OPPOSITION.** Any person may file an opposition to a granted patent. A notice of opposition shall be filed in writing, state the grounds for the opposition, and reach the Office within nine months from the date of grant of the patent. There is an exception for oppositions that assert that the patent is contrary to public order or morality; these can be filed within three years from the time when the patent was granted.

[2] Section 72 of the Patent Act, as amended with effect from 1 July 2019, which provides for the "unintentional criterion", also applies to time limits which have expired before 1 July 2019, if the request is submitted on or after 1 July 2019 within the prescribed time limit.

FEES

(Currency: Norwegian krone)

National fee, including examination fee	4,650	(850)[1]
Additional fee for late furnishing of translation or copy		950
Claim fee for each claim in excess of 10		250
Additional fee (see paragraph NO.09)		4,650
Patent grant fee:		
— basic fee		1,200
— additional fee for each new patent claim		250
— additional fee for each commenced sheet in excess of 14		250
Resumption fee		550
Second or additional resumption fee		1,950
Fee for reestablishment of rights		3,000
Fee for restoration of the right of priority		3,000
Appeal fee (see paragraph NO.13)		5,700
Annual fees:		
— for the 1st year		700
— for the 2nd year		700
— for the 3rd year		700
— for the 4th year		1,350
— for the 5th year		1,650
— for the 6th year		2,000
— for the 7th year		2,200
— for the 8th year		2,550
— for the 9th year		2,850
— for the 10th year		3,200
— for the 11th year		3,500
— for the 12th year		3,850
— for the 13th year		4,200
— for the 14th year		4,500
— for the 15th year		4,850
— for the 16th year		5,200
— for the 17th year		5,500
— for the 18th year		5,800
— for the 19th year		6,200
— for the 20th year		6,500
Supplement for late payment		700

[1] The amount in parentheses is applicable where the applicant is a natural person or a legal entity with 20 permanent employees or less.

How can payment of fees be effected?

The payment of fees has to be effected in Norwegian kroner. All payments must indicate the national application number (however, if that number is not yet known, the international application number may be used), the name of the applicant and the category of fee being paid. Payment may be effected by transfer to the following bank:

Renewal fees:

Beneficiary's name:	PATENTSTYRET
Bank name:	DNB ASA
Bank Account No.:	8276 01 00192
Bank Address:	P.O. Box 1600 Sentrum, NO 0021 OSLO
BIC code:	DNBANOKKXXX
IBAN No.:	NO8282760100192

Other fees:

Beneficiary's name:	PATENTSTYRET
Bank name:	DNB ASA
Bank Account No.:	8276 03 00078
Bank Address:	P.O. Box 1600 Sentrum, NO 0021 OSLO
BIC code:	DNBANOKKXXX
IBAN No.:	NO4682760300078

Annual fees can be paid online. This service is free of charge and available on the Office's digital services website: https://search.patentstyret.no/

Patent Application

patent trademark design
Norwegian Industrial Property Office

Read the notes carefully before completing this form. This is particularly important if you are sending us information concerning trade secrets that you do not wish published. Fields marked with ● are mandatory. Fill in the form using capital letters or type it. Please do not staple the pages together. Please note that you will have to print out this form, as the information can not be saved.

Sandakerveien 64
PO Box 4863 Nydalen 0422 Oslo
Customer Service Centre +47 22 38 73 00
patentstyret.no
post@patentstyret.no
Bank account 8276 01 00192
Org.no. 971526157 MVA

●Applicant

Given name/Company name: | Surname:

Postal address:

Postal code: | City: | Country:

Organisation number, if company: | Customer ID at NIPO, if any:

☐ Check box if additional applicants are listed in a separat document (see the notes).

Contact Info

Here is where you designate the contact person for the applicant or for the applicant's agent for this application.

E-mail:

Reference (max. 20 characters; this reference will appear on the invoice): | Telephone:

●Number of full-time employees and application fee

See the notes

☐ The applicant(s) have more than 20 full-time employees or equivalents.

☐ The applicant(s) have fewer then or exactly 20 full-time employees or equivalents.

Please state number of claims: ☐
(not obligatory)

Agent

Disregard if you have not appointed an agent to represent you.

Given name/Company name: | Surname:

Postal address:

Postal code: | City: | Country:

Organisation number, if company: | Customer ID at NIPO, if any:

●Inventor

Please state the inventor, even when the applicant and the inventor are identical.

Given name/Company name: | Surname:

Postal address:

Postal code: | City: | Country:

Organisation number, if company: | Customer ID at NIPO, if any:

☐ Check box if additional inventors are listed in a separat document (see the notes).

1 (5)

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Patent Application

patent trademark design
Norwegian Industrial Property Office

●Title

Provide a short title for the invention (must not exceed 255 characters, including spaces).

PCT

Disregard if this is not a continuation of a PCT application in Norway.

PCT application date and number: PCT application date (yyyy-mm-dd): PCT PCT application number: /

Priority claim

Disregard if this is the first application you have made for this invention (in Norway or abroad).

Priority is claimed based on a previously filed application in Norway or abroad:

Information about the previously filed application. If you have more than one claim, state the earliest priority: Priority date (yyyy-mm-dd): Country code: Application number:

☐ Check box if additional priority claims are listed in a separate document (see the notes).

Deposited biological material

Disregard if the application does not involve deposited biological material.

The invention is made up of deposited biological material. Please state the location and number of the deposition:

☐ Sample of the biological material should only be given to a specialist

The location and number of the deposition:

Divided / Separated

Disregard if this is your first patent application filing in Norway.

The application is divided / separated from an earlier Norwegian filing:

☐ Divided application

☐ Separated application

Information about the original application / additional submitted materials: Date (yyyy-mm-dd): Application number:

Other

☐ This application was previously filed by email/fax. State filing date: (yyyy-mm-dd):

☐ I have undergone a preliminary search. State the number: Do not attach the preliminary search results. Year: Number: Letter:

Processing in English

☐ I request processing in English. You can read more about this in the Norwegian notes.

Attachments

See the notes.

●Signature

Please sign the application, and make sure all relevant fields are filled.

Name/Company name (in capital letters): Your reference:

Place: Date: Signature:

P.S! We will send you an invoice for the application fee. You must pay the invoice by the due date (approximately one month - see the invoice).

patent trademark design
Norwegian Industrial Property Office

Patent Application

Attachment: Additional applicants

This form is used to file additional applicants. If the application contains more than one applicant, the Norwegian Industrial Property Office will correspond with the applicant stated in the application form.

Contact Info

Repeat the reference code from page one of the application form.

Name:

Reference (max. 20 characters; this reference will appear on the invoice):

Telephone:

Applicant no.:

Given name/Company name:

Surname:

Postal address:

Postal code:

City:

Country:

Organisation number, if company:

Customer ID at NIPO, if any:

Applicant no.:

Given name/Company name:

Surname:

Postal address:

Postal code:

City:

Country:

Organisation number, if company:

Customer ID at NIPO, if any:

Applicant no.:

Given name/Company name:

Surname:

Postal address:

Postal code:

City:

Country:

Organisation number, if company:

Customer ID at NIPO, if any:

Applicant no.:

Given name/Company name:

Surname:

Postal address:

Postal code:

City:

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Organisation number, if company:

Customer ID at NIPO, if any:

patent trademark design
Norwegian Industrial Property Office

Patent Application

Attachment: Additional inventors

This form is used to file additional inventors.

Contact Info

Repeat the reference code from page one of the application form.

Name:

Reference (max. 20 characters; this reference will appear on the invoice):

Telephone:

Inventor no.:

Given name/Company name:

Surname:

Postal address:

Postal code:

City:

Country:

Organisation number, if company:

Customer ID at NIPO, if any:

Inventor no.:

Given name/Company name:

Surname:

Postal address:

Postal code:

City:

Country:

Organisation number, if company:

Customer ID at NIPO, if any:

Inventor no.:

Given name/Company name:

Surname:

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Country:

Organisation number, if company:

Customer ID at NIPO, if any:

Inventor no.:

Given name/Company name:

Surname:

Postal address:

Postal code:

City:

Country:

Organisation number, if company:

Customer ID at NIPO, if any:

patent trademark design
Norwegian Industrial Property Office

Patent Application

Attachment: Additional priority claims

This form is used to file additional priority claims.
The priority claim stated in the application form must be the oldest (the first one you received for this invention).

Contact Info

Repeat the reference code from page one of the application form.

Name:	
Reference (max. 20 characters; this reference will appear on the invoice):	Telephone:

Additional priority claims

Remember to state the application number for the priority.

Priority date (yyyy-mm-dd):	Country code:	Application number:

Søknad om patent

patent varemerke design Patentstyret

Les veiledningen nøye før du fyller ut skjemaet. Dette er spesielt viktig hvis du sender oss informasjon om forretningshemmeligheter som du ikke ønsker at vi skal offentliggjøre. Felt merket med ● er obligatoriske og må fylles ut. Du kan fylle ut skjemaet elektronisk eller for hånd med blokkbokstaver. Unngå å hefte sammen arkene, siden de blir lest maskinelt. Skjemaet kan ikke lagres.

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Pb. 4863 Nydalen 0422 Oslo
Kundesenter +47 22 38 73 00
patentstyret.no
post@patentstyret.no
Org.nr. 971526157 MVA

●Søker

Den som søker om patent blir også innehaver av en eventuell rettighet.

Fornavn/foretaksnavn: | Etternavn:

Postadresse:

Postnummer: | Poststed: | Land:

Organisasjonsnummer, hvis foretak: | Ev. kundenummer i Patentstyret:

☐ Kryss av hvis flere søkere er oppført på medfølgende skjema, eller på eget ark (se veiledningen).

Kontaktperson

Kontaktperson hos søker eller fullmektig ang. denne søknaden. Oppgi tlf.nr. og ev. referanse.

E-post

Referanse (maks. 20 tegn): | Telefon:

●Gebyrgrunnlag

Se veiledningen.

☐ Kryss av hvis søker(ne) utfører flere enn 20 årsverk.

☐ Kryss av hvis søker(ne) utfører 20 årsverk eller færre, eller er en enkeltperson.

Oppgi antall krav: ☐
(ikke obligatorisk)

Fullmektig

Hvis du ikke har oppnevnt en fullmektig, kan du gå til neste punkt.

Fornavn/foretaksnavn: | Etternavn:

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Postnummer: | Poststed: | Land:

Organisasjonsnummer, hvis foretak: | Ev. kundenummer i Patentstyret:

●Oppfinner

Oppfinneren skal alltid oppgis, selv om oppfinner og søker er samme person.

Fornavn/foretaksnavn: | Etternavn:

Postadresse:

Postnummer: | Poststed: | Land:

Ev. kundenummer i Patentstyret:

☐ Kryss av hvis flere oppfinnere er oppført på medfølgende skjema, eller på eget ark (se veiledningen).

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Søknad om patent

patent varemerke design Patentstyret

●Tittel

Gi en kort benevnelse eller tittel for oppfinnelsen (ikke over 256 tegn, inkludert mellomrom).

PCT

Fylles bare ut hvis denne søknaden er en videreføring av en tidligere innlevert internasj. søknad (PCT).

PCT-søknadens dato og nummer: Inngivelsesdato (åååå-mm-dd): PCT Søknadsnummer: /

Prioritetskrav

Hvis du ikke har søkt om denne oppfinnelsen tidligere (i Norge eller i utlandet) kan du gå videre til neste punkt.

Prioritet kreves på grunnlag av tidligere innlevert søknad i Norge eller utlandet:

Opplysninger om tidligere søknad. Ved flere krav skal tidligste prioritet angis her: Prioritetsdato (åååå-mm-dd): Landkode: Søknadsnummer:

☐ Flere prioritetskrav er angitt i medfølgende skjema, eller på eget ark (se veiledningen).

Deponert biologisk materiale

Fylles bare ut hvis oppfinnelsen omfatter deponert biologisk materiale.

Søknaden omfatter deponert biologisk materiale. Deponeringssted og nummer må oppgis:

☐ Prøve av materiale skal bare utleveres til en særlig sakkyndig.

Deponeringssted og nummer (benytt gjerne eget ark):

Avdelt / utskilt

Hvis du ikke har søkt om patent tidligere i Norge kan du gå videre til neste punkt.

Søknaden er avdelt eller utskilt fra tidligere levert søknad i Norge:

☐ Avdelt søknad

☐ Utskilt søknad

Informasjon om opprinnelig søknad/innsendt tilleggsmateriale: Inngivelsesdato (åååå-mm-dd): Søknadsnummer:

Annet

☐ Søknaden er også levert per telefaks/e-post. Oppgi dato: (åååå-mm-dd):

☐ Jeg har fått utført forundersøkelse. Oppgi nummer: NB! Forundersøkelsen skal ikke vedlegges søknaden. Årstall: Nummer: Bokstav:

Engelsk saksbehandling

☐ Jeg ønsker at Patentstyret skal saksbehandle på engelsk. Les mer om dette i veiledningen.

Vedlegg

Se veiledningen.

●Avsender

Sjekk at du har fylt ut alle relevante felt.

Søkerens/fullmektigens navn (i blokkbokstaver):

●Signatur

Signer søknaden.

Sted: Dato: Signatur:

OBS! Vi sender deg en faktura på søknadsgebyret. Du må betale fakturaen innen betalingsfristen som er ca. én måned (se faktura).

Søknad om patent

Vedleggsskjema: Flere søkere

Dette skjemaet benyttes som vedlegg til patentsøknaden for å oppgi flere søkere. Dersom det er flere enn en søker vil Patentstyret av praktiske grunner kun korrespondere med den søkeren som er oppført på søknadsskjemaet. Dersom noen av søkerne har et organisasjonsnummer ber vi om at dette oppgis. **NB!** Ved behov for mer plass benyttes flere skjema, eller eget ark.

Kontaktperson

Gjenta referansen fra "Kontaktperson", ev. søkerens navn, som angitt på søknads-skjemaets første side

Navn:

Referanse (maks. 20 tegn; denne referansen vil vises på fakturaen):

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Søker nr.

Fornavn/foretaksnavn:

Etternavn:

Postadresse:

Postnummer:

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Land:

Organisasjonsnummer, hvis foretak:

Ev. kundenummer i Patentstyret:

Søknad om patent

Vedleggsskjema: Flere oppfinnere

Dette skjemaet benyttes som vedlegg til patentsøknaden for å oppgi flere oppfinnere.
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Kontaktperson

Gjenta referansen fra "Kontaktperson", ev. søkerens navn, som angitt på søknads-skjemaets første side

Navn:

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Telefon:

Oppfinner nr.

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Poststed:

Land:

Ev. kundenummer i Patentstyret:

Oppfinner nr.

Fornavn/foretaksnavn:

Etternavn:

Postadresse:

Postnummer:

Poststed:

Land:

Ev. kundenummer i Patentstyret:

Oppfinner nr.

Fornavn/foretaksnavn:

Etternavn:

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Postnummer:

Poststed:

Land:

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Fornavn/foretaksnavn:

Etternavn:

Postadresse:

Postnummer:

Poststed:

Land:

Ev. kundenummer i Patentstyret:

Søknad om patent

patent varemerke design Patentstyret

Vedleggsskjema: Flere prioritetskrav

Dette skjemaet benyttes som vedlegg til patentsøknaden for å oppgi flere prioritetskrav.
Prioritetskravet oppgitt på søknadsskjemaet skal alltid være det eldste.
NB! Ved behov for mer plass benyttes flere skjema, eller eget ark.

Kontaktperson

Gjenta referansen fra "Kontaktperson", ev. søkerens navn, som angitt på søknads-skjemaets første side

Navn:	
Referanse (maks. 20 tegn; denne referansen vil vises på fakturaen):	Telefon:

Ytterligere prioritetskrav

Husk å oppgi hvilket søknadsnummer prioriteten knytter seg til.

Prioritetsdato (åååå-mm-dd):	Landkode:	Søknadsnummer:

Veiledning for søknad om patent

patent varemerke design Patentstyret

Søker

Både personer og foretak kan søke om patent. Eksempler på foretak er: Næringsdrivende selskaper, stiftelser og foreninger, samt statsforetak, kommunale og fylkeskommunale foretak. Flere personer kan søke i fellesskap. Søkes patent av flere søkere oppføres navn, adresse m.v. til en av søkerne på selve søknadsskjemaet. De øvrige søkernes navn, adresse m.v. oppføres på et eget vedleggsskjema. Inneholder søknaden flere søkere vil Patentstyret av praktiske grunner forholde seg til den søkeren som er oppført på selve søknadsskjemaet. All korrespondanse vedrørende søknaden vil følgelig bli rettet til denne personen. Kundenummeret kan oppgis hvis søker har vært kunde hos Patentstyret tidligere. Har søker et organisasjonsnummer ber vi om at dette også oppgis.

Kontaktperson

Dersom Patentstyret skal henvende seg til en bestemt person internt hos søker (se ovenfor) eller hos søkers fullmektig vedrørende denne søknaden, oppgis navn og telefonnummer til denne personen her. Dersom søker eller søkers fullmektig har en egen referanse knyttet til denne søknaden kan dette oppgis her.

Gebyrgrunnlag

Oppgi om søker utfører flere eller færre enn 20 årsverk. Hvis søkeren er en enkeltperson eller småbedrift, eller flere slike i fellesskap med fast ansatte som til sammen utfører 20 årsverk eller mindre, får man redusert søknadsgebyr. Dersom søker eller fullmektig oppgir et bestemt antall krav og det oppgitte antall krav overskrider 10, vil Patentstyret fakturere et tilleggsgebyr.

Fullmektig

Denne rubrikken skal bare fylles ut hvis du har oppnevnt en fullmektig til å representere deg i saken. En fullmektig kan være et patent- eller advokatkontor, eller en privatperson. Vedkommende bør ha innsikt i patentrett. Hvis fullmektigen har vært kunde hos Patentstyret tidligere, kan dennes kundenummer oppgis. Har fullmektigen et organisasjonsnummer ber vi om at dette oppgis.

Oppfinner

Oppgi oppfinnerens navn og adresse. Hvis det er flere oppfinnere som sammen har utviklet oppfinnelsen, må alle oppfinnernes navn og adresse oppgis. Eget skjema benyttes. Har oppfinner(ne) vært kunde(r) hos Patentstyret tidligere, kan kundenummeret oppgis.

Tittel

Du må oppgi en kort og saklig benevnelse eller tittel på den oppfinnelsen som søkes patentert. Hvis du leverer inn søknaden på engelsk, må også tittelen være på engelsk.

PCT

Denne rubrikken skal bare fylles ut hvis patentsøknaden er en internasjonal søknad som videreføres etter patentloven § 31. Eksempel nedenfor viser hvordan dato- og søknads-nummerfelt skal fylles ut: 2003.08.11 (fire første tegn angir årstall, to neste angir måned og siste to angir dag) og PCT:PCT/GB04/01275 (første fire tegn angir landkode og årstall, mens de seks siste benyttes til søknadens løpenummer).

Prioritetskrav

Denne rubrikken skal bare fylles ut hvis du krever prioritet fra en tidligere innlevert søknad (prioritetssøknaden) som angår den samme oppfinnelsen innlevert i utlandet (eller Norge). Søknaden må innleveres til Patentstyret senest 12 måneder etter at prioritetssøknaden ble innlevert. Oppgi dato for innlevering av den første søknaden (prioritetsdatoen), landet den ble innlevert i og søknadsnummeret. Kravet om prioritet og prioritetsopplysningene må være angitt i søknaden ved innlevering til Patentstyret, eller senest 4 måneder fra innlevering av søknaden.

Deponert biologisk materiale

Denne rubrikken skal bare fylles ut hvis biologisk materiale er deponert. Opplysning om hvilken institusjon deponeringen ble foretatt ved, og det nummeret som denne institusjonen har gitt materialet, skal angis.

Veiledning for søknad om patent

patent varemerke design Patentstyret

Avdelt / utskilt

Avdelt

Denne rubrikken skal bare fylles ut hvis søknaden/ søknadene er avdelt fra en søknad innlevert tidligere i Norge. I en slik søknad (stamsøknad) er det i søknadens basisdokumenter beskrevet flere individuelt uavhengige oppfinnelser. Oppgi søknadsnummeret og innleveringsdagen til stamsøknaden som søknaden(e) er avdelt fra.

Utskilt

En innlevert søknad kan ikke endres slik at den omfatter en oppfinnelse som ikke fremgår av den opprinnelige søknaden. Eventuelt senere materiale må da utskilles til en ny søknad. Oppgi søknadsnummeret for den opprinnelige søknaden, samt tidspunkt for innlevering av det senere materialet (tilleggsmateriale i den opprinnelige søknaden).

Annet

E-post / telefa

Hvis du sender inn denne søknaden både per e-post/telefaks og i original, må du krysse av for dette slik at innsendelsene får samme søknadsnummer. Vi ber om at du oppgir dato for innsendelsen av e-posten/telefaksen. Søknad innlevert per e-post/telefaks skal bekreftes ved innsendelse søknadsskriv undertegnet av søkeren eller dennes fullmektig. Det oppfordres til begrenset bruk av e-post/ telefaks. Vi gjør oppmerksom på at du kan sende inn søknader og korrespondanse via Altinn.

Forundersøkelse

Dersom du har fått utført en forundersøkelse som er relevant for patentsøknaden, ber vi om at du oppgir referansenummeret på forundersøkelsen. Du skal ikke legge ved dokumentet med resultatet av forundersøkelsen. Hvis du likevel legger ved dette dokumentet, vil det bli gjort allment tilgjengelig i henhold til patentloven § 22.

Saksbehandling på engelsk

Søknaden kan behandles på engelsk hvis du ber om det. Dette gjelder også for internasjonale søknader som videreføres i Norge. Du kan levere inn søknaden med engelsk beskrivelse, sammendrag og tegninger. Patentkravene må imidlertid fortsatt leveres på norsk. Vi meddeler søknaden på det språket den er innlevert. Les mer her.

Vedlegg

Tegninger

For mer utfyllende informasjon viser vi til «Eksempel på patentsøknad» på patentstyret.no

Patentkrav

Patentkrav er en bestemt angivelse av hva som søkes beskyttet ved patentet. Et krav skal som hovedregel være på en todelt form. Den todelte formen innebærer at kravet omfatter en innledende del, der det som er kjent fra før angis, og en karakteriserende del, der det nye og særegne ved oppfinnelsen angis. For mer utfyllende informasjon viser vi til «Eksempel på patentsøknad».

Hvis du leverer inn søknaden på engelsk, må også patentkravene være på engelsk. For å oppnå provisorisk vern må kravene i tillegg oversettes på norsk.

Beskrivelse av oppfinnelsen

Beskrivelsen skal gi en nærmere forklaring på oppfinnelsen, fortrinnsvis belyst ved utførelseseksempler eller utførelsesformer, og den skal være så tydelig at en fagperson på grunnlag av denne skal kunne utøve oppfinnelsen. For mer utfyllende informasjon viser vi til «Eksempel på patentsøknad».

Hvis du leverer inn søknaden på engelsk, må også beskrivelsen være på engelsk.

Sammendrag

Sammendraget skal inneholde en kort sammenfatning av det som fremgår av beskrivelse, patentkrav og tegninger i basisdokumentene. Sammendraget bør videre ikke innholde mer enn 150 ord. For mer utfyllende informasjon viser vi til «Eksempel på patentsøknad».

Hvis du leverer inn søknaden på engelsk, må også sammendraget være på engelsk.

Dokumentasjon av prioritetskrav (prioritetsbevis)

Det er i utgangspunktet ikke nødvendig å vedlegge prioritetsbevis. Patentstyret kan imidlertid likevel kreve at prioritetsbevis blir innsendt. Prioritetsbevis kan sendes inn i papirs form eller lagret på CD-ROM eller DVD.

Veiledning for søknad om patent

Oversettelse og videreføring av internasjonal søknad
Hvis søknaden er en internasjonal søknad som skal videreføres i Norge skal det innen 31 måneder fra den internasjonale innleveringsdag, eller hvis prioritet er begjært, 31 måneder fra den dag som prioritet er begjært fra, innleveres en oversettelse av den internasjonale søknaden til norsk eller engelsk, jf. patentloven § 31 første ledd. For å oppnå provisorisk vern må kravene i tillegg oversettes på norsk. Søknadsgebyr for videreførte internasjonale søknader vil bli fakturert. Innbetales ikke det fakturerte søknadsgebyret innen fastsatt frist vil søknaden bli ansett som trukket for Norge og søknadsbehandlingen kan følgelig ikke gjenopptas.

Informasjon om biologisk materiale og/eller tradisjonell kunnskap
For oppfinnelser som gjelder eller anvender biologisk materiale og/eller tradisjonell kunnskap skal følgende tilleggsopplysninger gis som vedlegg på et eget ark, hvis de ikke er oppgitt i søknadens beskrivelse:
a) Angivelse av hvilket land oppfinner mottok eller hent materialet og/eller kunnskapen fra (leverandørland), og at et eventuelt samtykke for uttak av materialet og/eller bruk av kunnskapen er innhentet fra leverandørlandet.
b) Angivelse av opprinnelsesland hvis dette er et annet e leverandørlandet, og at et eventuelt samtykke for uttak av materialet og/eller bruk av kunnskapen er innhentet fra opprinnelseslandet. Hvis opprinnelseslandet ikke er kjent, skal dette opplyses.
c) Hvis biologisk materiale er ervervet i samsvar m artikkel 12 nr. 2 og 3 i den internasjonale traktat om plantegenetiske ressurser for mat og jordbruk av 3. november 2001, skal det i stedet for opplysningene i punktene a og b vedlegges en kopi av standard avtale om overdragelse av materiale som nevnt i artikkel 12 nr. 4 i traktaten.
d) Hvis patentsøknaden gjelder eller omhandler biologi materiale fra menneske, skal det bare angis om personen materialet stammer fra har gitt samtykke til anvendelse av materialet.

Kravene om tilleggsopplysninger gjelder ikke for internasjonale patentsøknader.

Fullmaktsdokument
Dersom du har oppnevnt en fullmektig til å representere deg i forbindelse med denne søknaden, må det sendes inn et fullmaktsdokument som bekrefter fullmaktsforholdet (se også punktet om fullmektig ovenfor).

Fullmakten må inneholde navn og signatur fra den som gir fullmakten, navn på den som får fullmakten, og en bestemt angivelse av hva fullmakten omfatter. Fullmakten må legges ved patentsøknaden. Skjema for utfylling av fullmaktsdokument kan lastes ned fra patentstyret.no.

Søkers erklæring om retten til oppfinnelsen
Dersom patentsøker er en annen enn oppfinner(ne) må det vedlegges en erklæring om at søkeren har fått overdratt retten til oppfinnelsen. Det er tilstrekkelig at patentsøker selv gir en slik erklæring. Erklæringen må inneholde navnet på den som har fått rettigheten overdratt til seg og dennes eventuelt fullmektigens signatur. Er søker eller fullmektig et foretak skal en representant fra foretaket signere på foretakets vegne.

Erklæringen må også inneholde en bestemt angivelse av hva overdragelsen gjelder (søknadsnummer eller tittel) og en beskrivelse av hva som er grunnlaget for søkers rett til oppfinnelsen. Erklæringen legges ved patentsøknaden. I søknader uten prioritetskrav vil en orientering bli sendt til oppfinneren om atvedkommende står oppført som oppfinner i søknaden. Skjemaet «Erklæring om retten til oppfinnelsen» kan lastes ned fra patentstyret.no.

Søker kan i stedet for å legge ved en erklæring om retten til oppfinnelsen, legge ved et **overdragelsesdokument** eller annen form for dokumentasjon på at retten til oppfinnelsen er overdratt. Overdragelsesdokumentet må inneholde både navn og signatur fra oppfinner(ne). Dokumentet må inneholde navnet til den som får overdratt retten til seg, og det må inneholde en angivelse av hvilken rett overdragelsen gjelder (søknadsnummer eller tittel).

Dato og underskrift
Den som står som søker må datere og signere søknaden. Er søkeren representert ved en fullmektig, kan denne datere og signere søknaden. Er søker eller fullmektig et foretak, skal en representant fra foretaket signere på foretakets vegne. Navnet på foretaket (søker eller fullmektig) skal også oppgis her.

Vedleggsskjema
Flere søkere
Flere personer kan søke i fellesskap. Søkes patent av flere søkere oppføres navnet, adresse m.v. til en av søkerne på selve søknadsskjemaet. De øvrige søkernes navn, adresse m.v. oppføres på et eget vedleggsskjema. Innehold søknaden flere søkere vil Patentstyret av praktiske grunner forholde seg til den søkeren som er oppført på selve søknadsskjemaet. All korrespondanse vedrørende søknaden vil følgelig bli rettet til denne personen. Har søker(ne) vært kunde(r) hos Patentstyret tidligere, kan kundenummeret oppgis. Hvis søker(ne) har organisasjonsnummer ber vi om at dette oppgis.

Veiledning for søknad om patent

Flere oppfinnere
Hvis det er flere oppfinnere som har utviklet oppfinnelsen sammen, må hver enkelt av oppfinnernes navn og adresse m.v. angis i dette skjemaet, eventuelt på eget ark. NB! Hu at den oppgitte referansen eller oppfinnerens navn som er angitt på søknadsskjemaets første side skal gjentas her. Har oppfinner(ne) vært kunde(r) hos Patentstyret tidligere, ber vi om at kundenummeret blir oppgitt.

Flere prioritetskrav
Hvis det er behov for å angi flere prioritetskrav, må dato, landkode og søknadsnummer for hvert krav angis i dette skjemaet, eventuelt på eget ark. NB! Husk at den oppgitte referansen eller søkerens navn som angitt på søknadsskjemaets første side skal gjentas her.

Personopplysninger
Styreloven og patent-/design-/varemerkeloven krever at det innleveres visse personopplysninger. Patentstyret behandler disse opplysningene med elektroniske hjelpemidler i forbindelse med registrering og journalføring i de registre vi administrerer. Et av formålene med registreringen og journalføring av personopplysninger er at innehaverne skal kunne bevise overfor tredjemenn at de er innehaver av rettigheten. Opplysningene er offentlige og vil bl.a. bli utlevert i forbindelse med begjæring om utskrift fra registeret. Opplysningene vil også bli gjort tilgjengelig for andre, eksempelvis ved online oppkobling mot basen. Patentstyret vil på begjæring rette og gi innsyn i alle personopplysninger som er innført om den enkelte.

YTTERLIGERE INFORMASJON

Forretningshemmeligheter
Du kan be om at forretningshemmeligheter kan unntas offentligheten. En slik begjæring om unntak må være skriftlig. I tillegg må du tydelig markere hvilke opplysninger i dokumentet som du ønsker unntatt. Vi vil deretter foreta en vurdering av om opplysningene kan unntas offentligheten.

Avgifter og gebyrer
Søknadsgebyret blir fakturert, og må være innbetalt innen angitt frist. Søknadsbehandlingen starter ikke før betalingen er mottatt. Søknadsgebyret tilbakebetales ikke selv om søknaden avslås eller trekkes tilbake. Innbetalte avgifter og gebyrer tilbakebetales i henhold til betalingsforskriften.

Design og varemerke
Hvis du ønsker å søke beskyttelse på oppfinnelsens utseende, skal du være oppmerksom på at design- og patentsøknaden ofte bør innleveres samtidig fordi søknadene ellers kan bli nyhetsskadelige i forhold til hverandre. Design og varemerkesøknader inngis på egne skjema. Ta kontakt med oss for ytterligere informasjon.

NB! Patentbeskyttelse i utlandet
Ønsker du å beskytte den her søkte oppfinnelsen i utlandet, må du gjøre det innen 12 måneder fra innleveringen av søknaden til Patentstyret. Fristen regnes fra den dagen Patentstyret mottar søknaden (prioritetsdagen). Etter utløpet av 12-månedersperioden kan du ikke oppnå prioritet i utlandet på bakgrunn av denne søknaden (se også punktet om prioritet ovenfor).

Kontakt Patentstyret
Har du spørsmål er du velkommen til å kontakte Patentstyret for ytterligere informasjon på tlf: 22 38 73 00 eller e-postadresse: post@patentstyret.no.

Power of attorney

This form is a notification of an appointment or change of representative

patent trademark design
Norwegian Industrial Property Office

Sandakerveien 64
PO Box 4863 Nydalen 0422 Oslo
Customer Service Centre +47 22 38 73 00
patentstyret.no
post@patentstyret.no
Bank account 8276 01 00192
Org.no. 971526157 MVA

Read the notes carefully before completing this form. This is particularly important if you are sending us information concerning trade secrets that you do not wish published. Fields marked with ● are mandatory. Fill in the form using capital letters or type it. Please do not staple the pages together. Please note that you will have to print out this form, as the information can not be saved.

●Subject area
One subject area per form only.

☐ Trademark ☐ Design ☐ Patent

●Application / reg.no.
The power of attorney applies to the following application/registration: (Please use the list on the next page if the list below is not sufficient.)

Appl. No./Reg. No./Patent No.	Trademark/design/title of patent
Appl. No./Reg. No./Patent No.	Trademark/design/title of patent

Attachments

☐ Check box if additional documentation is attached.

Change of representative

☐ This is a notification of change of representative.

Your reference regarding this notification:

●Representative

I / we hereby authorize:

Given name/Company name: Surname:

Postal address:

Postal code: City: Country:

Organisation number, if company: Customer ID:

the power to file an application and represent me/us in everything concerning it, and after the application has been registered, to receive and send announcements and other procedural communications relating to it. I/we hereby also confer upon the representative the right to withdraw the application, partially or totally, and to request a partial or total cancellation of the protection. This power of attorney includes divisional and separate applications and protection obtained on the basis of such applications. The representative is authorised to transfer this power of attorney to another agent.

●Applicant / holder

Given name/Company name: Surname:

Postal address:

Postal code: City: Country:

Organisation number, if company: Customer ID:

●Signature

Place: Date: Signature (the holder or his/her representative):

For insertion of the representative´s logo (optional)

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Power of attorney

patent trademark design
Norwegian Industrial Property Office

Please use this list if the list on the previous page is not sufficient

Appl. No./Reg. No./Patent No.	Trademark/design/title of patent

Notes to power of attorney

patent varemerke design Patentstyret

Form
This form is a notification of the appointment or change of representative.

Subject area
Indicate whether the appointment or change concerns a trademark, design or patent. Separate forms must be submitted if the holder wishes to notify transfers of different kinds of intellectual property rights.

Application / Registration number
The relevant application or registration number must be submitted. Where applicable, also state the name of the trademark, design or patent. For trademarks, if there are no verbal elements in the trademark, please indicate the type of mark. If there is not enough space to list all the trademarks, designs or patents affected by the notification, please use the list on page 2.

Change of representative
Check box if the notification concerns a change of representative.

Representative
Please provide the name and address of the representative. If the representative does not have a customer ID with The Norwegian Industrial Property Office (NIPO) you will need to provide a complete mailing address. Space is provided at the bottom of the form for the representative's logo.

Division and separation of basic application
The power of attorney is applicable to possible divisional and separated applications. Such applications must each contain a reference to the power of attorney in the basic application.

Applicant / holder
Please provide the name of the holder. It is optional to provide an address or any customer ID you may have with The Norwegian Industrial Property Office (NIPO).

Signature
The form must be signed by the applicant/holder. Copies of the form will be accepted only if all the submitted information is legible. If the notification concerns a transfer of power of attorney, the signature of the current representative is sufficient. If a trademark, design or patent has more than one applicant/holder, all must confirm the appointment of the representative. Separate powers of attorney must be submitted if the applicants/holders have different addresses.

Trade secrets
Trade secrets may be exempted from public disclosure. A request for exemption must be in writing. In addition, you must clearly mark the information in the document that you wish to be excluded. We will then make an assessment of whether the information may be exempted.

Notification of change in ownership/merger

patent trademark design
Norwegian Industrial Property Office

Sandakerveien 64
PO Box 4863 Nydalen 0422 Oslo
Customer Service Centre +47 22 38 73 00
patentstyret.no
post@patentstyret.no
Bank account 8276 01 00192
Org.no. 971526157 MVA

Read the notes carefully before completing this form. This is particularly important if you are sending us information concerning trade secrets that you do not wish published. Fields marked with ● are mandatory. Fill in the form using capital letters or type it. Please do not staple the pages together. Please note that you will have to print out this form, as the information can not be saved.

●Subject area
One subject area per form only.

☐ Trademark ☐ Design ☐ Patent

●Application / registration number
The transfer includes the following rights.

Appl. No./Reg.No./Patent No.	Trademark/design/title of patent

☐ Check box if further rights are listed on page 2.

Change in ownership

☐ Check box if the notification concerns transfer of a right.

☐ Check box if the notification concerns a partial transfer of a right. Documentation must be attached.

Merger

☐ Check box if the transfer is the result of a company merger.

●Former holder (transferor)

Given name/Company name:

Sir name:

Postal address:

Postal code:	City:	Country:

Organisation number, if company:	Customer ID:

●New holder (transferee)

Given name/Company name:

Sir name:

Postal address:

Postal code:	City:	Country:

Organisation number, if company:	Customer ID:

Change of representative

☐ Check box if the change of ownership/merger results in a change of representative (see notes).

☐ Check box if the change of ownership/merger does not results in a change of representative. (see notes)

●Signature

Name/Company name (in capital letters):	Your reference:

Place:	Date:	Signature:

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Notification of change in ownership/merger

patent trademark design
Norwegian Industrial Property Office

Please use this list if the list on the previous page is not sufficient.

Appl. No./Reg.No./Patent No.	Trademark/design/title of patent

Notes to the notification of change in ownership/ merger

patent varemerke design Patentstyret

Form

This form is a notification of transfer of a trademark, design or patent. The changes will only be registered if the form is filled in correctly. If the form is inadequately completed, the transfer will not be registered and a new form must be submitted. It is sufficient to send a copy of the form as long as all the information contained therein is legible.

If the assignment consists of several trademarks, designs or patents, please add a separate list. Documentation of the transfer is not required. Any documentation exceeding 15 pages must be submitted electronically.

Subject area

Indicate whether a trademark, design or patent has been transferred. Separate forms must be submitted if the holder wishes to notify transfers of different kinds of intellectual property rights.

Application/Registration number

To record a transfer, the application, registration or patent number must be submitted. Where applicable, also state the name of the trademark, design or patent. For trademarks, if there are no verbal elements in the trademark, please indicate the type of mark.

Partial change in ownership

It is possible to transfer a design partially. Please check the box if the notification is of such a transfer. Documentation must be attached, clearly specifying what the transfer covers. It is also possible to divide a trademark application/ registration, and transfer each unit as a total transfer of a divided right. Partial transfers of patents are not permitted.

Merger

Check box if the transfer follows a company merger.

Former holder (transferor)

Enter the full name and address of the holder as shown on our records. Please submit any customer ID the holder/ transferee may have with the Norwegian Industrial Property Office.

New holder (transferee)

Enter the full name and address of the new holder. Please submit any customer ID the holder/transferee may have with the Norwegian Industrial Property Office.

Change of representative

Check box if the change of ownership results in a change of representative, or if the change of ownership does not result in a change of representative. Both events require that you send a power of attorney to NIPO. A change of representative must be submitted on separate forms. These are downloadable at patentstyret.no.

Sender and signature

Please state name or company name of the sender in typed or capital letters. A notification regarding change of ownership/merger concerning an application may only be signed and sent by the registered applicant or his representative. When a design or a trademark is registered or a patent is granted, the registered holder, the new owner or their representative may sign and submit the form. If available, include your reference concerning this notification.

Trade secrets

Trade secrets may be exempted from public disclosure. A request for exemption must be in writing. In addition, you must clearly mark the information in the document that you wish to be excluded. We will then make an assessment of whether the information may be exempted.

Declaration of right to the invention

patent trademark design
Norwegian Industrial Property Office

Read the notes carefully before completing this form. This is particularly important if you are sending us information concerning trade secrets that you do not wish published. Fields marked with ● are mandatory. Fill in the form using capital letters or type it. Please do not staple the pages together. Please note that you will have to print out this form, as the information can not be saved.

Sandakerveien 64
PO Box 4863 Nydalen 0422 Oslo
Customer Service Centre +47 22 38 73 00
patentstyret.no
post@patentstyret.no
Bank account 8276 01 00192
Org.no. 971526157 MVA

●Applicant

Given name/Company name: | Surname:

Postal address:

Postal code: | City: | Country:

Organisation number, if company: | Customer ID:

●Indication (see notes)

Please enter application number, title of the application or a short description of the invention

●The rights to this invention is transferred to the applicant through:

☐ An agreement with the inventor(s)

☐ National law

☐ Other (please indicate on which grounds the transfer has been established):

●Signature of the applicant

I hereby declare that the Applicant is entitled to apply for and to be granted a patent based on this invention.

Name/Company name (in capital letters): | Your reference:

Place: | Date: | Signature:

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1 (1)

Notes to the declaration of right to the invention

patent varemerke design Patentstyret

Form

Any person who has made an invention has the right to apply for a patent. The inventor(s) may at any point transfer his/their rights to a third party. If someone other than the inventor(s) applies/apply for a patent, this form must be submitted, containing a declaration from the applicant stating his right to apply for and to be granted a patent. It is sufficient that the applicant submits this declaration. This form is only applicable at the time of filing a patent application. If the right to the invention has been transferred after an application has been filed or patent has been granted, use the Change of ownership form.

Applicant

Enter full name of the applicant.

Indication

The declaration must indicate the invention concerned. Enter application number, title or short description of the invention.

Specification of entitlement

The declaration must specify whether the applicant's entitlement is based on an agreement with the inventor(s), national law, gift, inheritance etc.

Signature

The applicant must sign this form. If the applicant has registered a representative at The Norwegian Industrial Property Office (NIPO), this representative may sign the form on his behalf.

Information to the inventor

If the application is filed without a priority claim, information will be sent to the inventor(s) stating that he is/they are named as inventor(s) of the patent application.

Trade secrets

Trade secrets may be exempted from public disclosure. A request for exemption must be in writing. In addition, you must clearly mark the information in the document that you wish to be excluded. We will then make an assessment of whether the information may be exempted.

INTELLECTUAL PROPERTY OFFICE OF NEW ZEALAND (IPONZ)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office:	Intellectual Property Office of New Zealand (IPONZ)
NZPA:	New Zealand Patents Act
NZPR:	New Zealand Patents Regulations 2018
Sec.:	Section of the Patents Act
Reg.:	Regulation of the Patents Regulations 2018

SUMMARY **Designated (or elected) Office** SUMMARY

NZ INTELLECTUAL PROPERTY OFFICE OF NEW ZEALAND (IPONZ) NZ

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:	English
Required contents of the translation for entry into the national phase:	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	Applicant should only provide a copy of the international application if he/she has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee:[1]	Currency: New Zealand dollar (NZD) For patent or patent of addition: Filing fee: NZD 250 plus Goods and Services Tax for New Zealand residents
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2]	Name and address of each inventor if they have not been furnished in the "Request" part of the international application[3] Address for service in New Zealand or Australia (no representation by an agent is required) An electronic communication address must be provided by all persons communicating with the Office Verification of translation of international application

[Continued on next page]

[1] Must be furnished or 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

NZ INTELLECTUAL PROPERTY OFFICE OF NEW ZEALAND (IPONZ) NZ

[Continued]

Who can act as agent?	Any person registered to practice before the Office as a patent attorney[4]
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the office applies both the "unintentional" and the "due care" criteria to such requests

[4] Information about registered patent attorneys is available from the Trans-Tasman IP Attorneys Board at: https://www.ttipattorney.gov.au/

THE PROCEDURE IN THE NATIONAL PHASE

NZ.01 **FORM FOR ENTERING THE NATIONAL PHASE.** It is strongly recommended that the national phase application be filed through the Office's online case management facility, which operates in real time so that the applicant receives immediate confirmation of the filing date. The applicant is required to provide an electronic communication address for all further communications between the Office and the applicant, which must take also place via the case management facility.

PCT Rule 51*bis*.1(d)
PCT Rule 17.2(a)
NZPA Sec. 51(1)(d),(e)
NZPR Reg. 65
65(2)
70

NZ.02 **TRANSLATION.** A verified translation into English of any document forming part of the international application must be furnished to the Office within three months of the commencement date of the national phase, which time can be extended by up to two months. Documents include the original specification, Article 19 and Article 34 amendments and these translations must be filed as separate documents. A verified English translation of the priority document is not required, unless requested by the Office.

NZ.03 **TRANSLATION (VERIFICATION).** The required verified translation is a translation into English of an accompanying document that has a certificate of verification attached. The certificate of verification is a statement that a document to which the statement refers is a true and complete translation of the accompanying document to the best of the knowledge of the person who signs the statement and must be dated and signed.

The (or each) certificate must contain the NZ patent application number or the PCT international application number and should be included in a single document with the translation(s) referred to, or if the certificate is not so included it must be filed on the same day and evidently correspond to its translated document as part of the same filing transaction.

The Office will invite the applicant, during an on line request to enter national phase, to file a verified translation in the prescribed format and time. Failure to do so may result in the application being deemed void, and the applicant may then request restoration.

NZ.04 **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).

NZ.05 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex NZ.I.

NZ.06 **REQUEST FOR EXAMINATION.** The Office examines national patent applications only after a request for examination has been received and the examination fee has been paid. Examination must be requested within five years of the international filing date, or where the Office issues a direction to the applicant to request examination, within two months of the date of the direction.

The amount of the fee for requesting examination is set out in Annex NZ.I. An application must be accepted within 12 months after the date of issuance of the first examination report for all applications with a national phase entry date after 12 September 2014.

Before an application is accepted, a notice of entitlement of the applicant to the grant of the patent must be filed. The notice must be filed before acceptance. This requirement may be met if the applicant files a notice indicating the relevant declarations in accordance with PCT Rule 4.17(ii).

NZPR Reg 3
14
34

NZ.07 **ADDRESS FOR SERVICE.** An applicant, irrespective of whether or not he/she is a national of or a resident in New Zealand, is not required to be represented by an agent, but is required to have an address for service (of notices and other communications) in New Zealand or Australia. Any applicant may be represented by a patent attorney authorised to practice before the Office and the address for service should normally be that of a registered patent attorney.[1]

PCT Art. 4(4)

NZ.08 The name and address of each inventor must be provided at the time of requesting entry into the national phase or within a time subsequently prescribed by the Office.

PCT Art. 28
41
NZPA Sec. 33(5)
40
201-202
NZPR Reg. 58
136-140

NZ.09 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make the following modifications to his application before the Office:

(i) prior to acceptance:

— corrections of clerical errors or omissions in the patents register, patents, patent applications, or any documents filed in connection with a patent application or proceedings before the Commissioner in connection with a patent or patent application. This does not apply to errors or omissions in a patent specification;

— amendments that do not result in the broadening of the description and/or claims by the incorporation of new matter (beyond the disclosure of the international application as filed) otherwise the Commissioner may direct post-dating of the application and specification;

(ii) after acceptance:

— corrections of clerical errors or omissions per (i) above;

NZPA Sec 83-88
NZPR Reg 87-89

— no amendment is allowed, except for the purpose of correcting an obvious mistake, the effect of which would be that the application as amended would claim or describe matter not disclosed in substance in the application before amendment, or that any amended claim would not fall wholly within the scope of a claim of the application before amendment.

PCT Art. 4(3)
43
PCT Rule 49*bis*.1(c)
76.5
NZPA Sec. 106-111
NZPR Reg. 100

NZ.10 **PATENT OF ADDITION.** A request by the applicant to have a patent granted as a patent of addition may be made at any time from the date of filing of the national phase application. The applicant should also indicate the number of the patent or patent application to which he seeks a patent of addition.

NZPA Sec. 20
21
35
NZPR Reg. 8-10

NZ.11 **MAINTENANCE AND RENEWAL FEES.** Maintenance fees are payable annually on all applications from the 4th anniversary of the international filing date. After grant, renewal fees are payable annually and are due on the corresponding anniversary of the international filing date. An annual maintenance fee is due on the 4th anniversary of the international filing date of applications following entry into national phase. Following grant, an annual renewal fee is payable on the anniversary date of the international filing date. Where a maintenance fee has been paid, and a patent is granted before the next annual payment is due, then the next annual payment will be the renewal fee. Maintenance and renewal fees may be paid in the period of three months preceding the anniversary date, and up to six months late (with an increased maintenance fee or a penalty fee for renewal fees). The amounts of the maintenance and renewal fees are indicated in Annex NZ.I.

[1] Information about registered patent attorneys is available from the Trans-Tasman IP Attorney Board at: https://www.ttipattorney.gov.au/

NZPR Reg. 11A

NZ.12 **EXCESS CLAIMS FEE.** An excess claims fee for the examination of the application and specification will be payable after the application has been accepted if, at any time between the filing of the request for examination and the acceptance of the specification, the specification contains 30 or more claims concurrently. The applicant will be informed of the fee amount, as indicated in Annex NZ.I, after the specification has been accepted, and the grant of the patent will be postponed until the excess claims fee has been paid. The excess claims fee will be waived or refunded at the applicant's request if the application is withdrawn or abandoned, or if the grant of the patent is refused. If an application is abandoned then restored, the excess claims fee remains payable.

PCT Art. 25
PCT Rule 51
NZPA Sec. 208

NZ.13 **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, the applicant may request a hearing before the Commissioner.

PCT Art. 24(2)
48(2)
NZPA Sec. 231
232
NZPR Reg. 146
147
148

NZ.14 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Once the application has entered the national phase, the Commissioner may, in his/her discretion, extend certain time limits for doing acts or taking proceedings under the regulations, upon request. Such extension may be granted although the time has expired for doing the act or taking the proceedings. A request for such an extension can be filed through the online system.

NZPA Sec. 129
NZPR Reg. 122

NZ.15 **CHANGE OF NAME OR SUBSTITUTION OF APPLICANT.** Where the applicant for entry into national phase in New Zealand differs from the applicant for the corresponding international application and this change of name or substitution has not been recorded at the International Bureau under Rule 92*bis*, the New Zealand applicant should apply to the Office to record the change of name or substitution of applicant using the Office online system.

FEES[1]

(Currency: New Zealand dollar)

Standard patent applications

Filing fee	250
Maintenance (payable only at pre-grant):	
— on the 4th and each subsequent anniversary of the filing date of the complete specification if the fee is paid during the period prescribed by regulation 9(1)(a)	200
— on the 4th and each subsequent anniversary of the filing date of the complete specification if the fee is paid during the further period prescribed by regulation 9(1)(b)	300
Renewal fees (payable only at post-grant):	
— on the 4th, 5th, 6th, 7th, 8th and 9th anniversary of the filing date of the complete specification if the fee is paid during the period prescribed by regulation 10	200
— on the 10th, 11th, 12th, 13th and 14th anniversary of the filing date of the complete specification if the fee is paid during the period prescribed by regulation 10	450
— on the 15th, 16th, 17th, 18th, and 19th anniversary of the filing date of the complete specification if the fee is paid during the period prescribed by regulation 10	1,000
Penalty payable for a request to extend the period for payment of a renewal fee during the penalty period prescribed by section 21(1)	100
Fee for voluntary amendment of a complete specification:	
— before acceptance	150
— after acceptance	500
Request for examination fee	750
Excess claims fee for examination, for each 5th claim in excess of 25	120
Request for restoration of a patent or patent application (including 'late entry' into the national phase)	600
Request for a hearing	850

Patents of addition

All fees as for standard patent applications, with the exception that renewal fees are not payable.

How can payment of fees be effected?

Fees must be paid by electronic means once an application has entered the national phase[2]. Goods and Services Tax is payable by New Zealand residents.

[1] These amounts are periodically updated and are available from the Office at: https://www.iponz.govt.nz/about-ip/patents/fees/
[2] For more information see: https://www.iponz.govt.nz/about-ip/patents/

AFRICAN INTELLECTUAL PROPERTY ORGANIZATION (OAPI)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE – SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex OA.I

Power of attorney . . . . . Annex OA.II

List of abbreviations:

BAR: Agreement Relating to the Revision of the Bangui Agreement dated 2 March 1977 instituting an African Intellectual Property Organization

BAR I: Annex I, Patents, to the said Agreement

BAR II: Annex II, Utility Models, to the said Agreement

AI: Administrative Instructions under the said Agreement

RR: Regulations Relating to the Restoration of Rights of July 1970

RHCA: Regulations Relating to the Organization and Functioning of the High Commission of Appeals

SUMMARY **Designated (or elected) Office** SUMMARY

OA AFRICAN INTELLECTUAL PROPERTY ORGANIZATION (OAPI) OA

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date		
Translation of international application required into:[1]	English or French		
Required contents of the translation for entry into the national phase: [1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)		
Is a copy of the international application required?	No		
National fee:	Currency: CFA franc BEAC (XAF)		
		Patent	*Utility Model*
	Filing fee:[1]	XAF 225,000	XAF 20,000
	Fee for priority claims, per priority:[2]	XAF 63,000	XAF 25,000
	Publication fee:[2]	XAF 365,000	XAF 30,000
	Claim fee for each claim in excess of 10:[2]	XAF 45,000	XAF 40,000
	Fee for acceptance of description and drawings:[2]		
	– for 11 to 20 sheets	XAF 120,000	None
	– for 21 to 30 sheets	XAF 300,000	None
	– for 31 to 40 sheets	XAF 600,000	None
	– after 40 for each set of 10 sheets	XAF 80,000	None
	Annual fee for the second year:[3]	XAF 220,000	XAF 20,000
	Annual fee for the third year:[3]	XAF 220,000	XAF 35,000

[Continued on next page]

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

2 Due within six months from the time limit applicable under PCT Article 22 or 39(1).

3 Due to the new time limit applicable under PCT Article 22, the Office should be consulted for the time limit applicable for the payment of this fee.

SUMMARY Designated (or elected) Office SUMMARY

OA AFRICAN INTELLECTUAL PROPERTY ORGANIZATION (OAPI) OA

[Continued]

Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[4]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[5] Appointment of an agent if the applicant is not resident in a member State of OAPI Translation of priority document into English or French[6] Instrument of assignment of the priority application where the applicants are not identical[5]
Who can act as agent?	Any patent attorney or attorney-at-law registered to practice before OAPI
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[4] The list of special requirements is still subject to confirmation by the Office.

[5] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[6] If the validity of the priority claim is relevant to the determination of whether the invention concerned is patentable.

THE PROCEDURE IN THE NATIONAL PHASE

OA.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).

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

BAR I Art. 11(c)
AI Sec. 108

OA.03 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model is given in Annex OA.II.

BAR I Art. 35
36

OA.04 **ANNUAL FEES.** Annual fees must be paid for each year following the first anniversary of the international filing date. For the due dates of the annual fees for the second and the third years, see the Summary. Payment of the annual fees for the subsequent years must be made in advance before each anniversary of the international filing date. Payment can then be made, together with a supplement for late payment, within six months after the due date. For the amounts, see Annex OA.I.

PCT Art. 28
41

OA.05 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend the description, claims and drawings of the application, provided that the subject matter of the application is not broadened thereby, until the later of the following two events:

(i) the expiration of six months from the time limit applicable under PCT Article 22 or 39(1),

(ii) the final decision of OAPI to grant a patent.

The amendments must be made by means of replacement sheets and are subject to the payment of a fee whose amount is given in Annex OA.I.

PCT Art. 25
PCT Rule 51
BAR Art. 16
RHCA Art. 8

OA.06 **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, OAPI 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 one month from the notification of the decision. A fee for appeal (see Annex OA.I) must be paid at the same time. The High Commission of Appeal of OAPI will then decide on the appeal.

PCT Art. 24(2)
48(2)
BAR Art. 16
RHCA Art. 9
RR Art. 2

OA.07 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where the applicant, in spite of all due care required by the circumstances having been taken, was unable to meet the time limits for entry into the national phase under PCT Article 22 or 39, he may file a request for restoration of his rights. Likewise, if he was not able to meet the time limit for payment of an annual fee for causes beyond his control, he may file a request for restoration of his rights at the latest 24 months after the expiration of the time limit.

PCT Art. 4(3)
43
BAR I Art. 8
BAR II Art. 5(2)
13(4)

OA.08 **UTILITY MODEL.** Subject to what is said in paragraph OA.11, if the applicant wishes to obtain a utility model instead of a patent, on the basis of an international application, it must be indicated in the international application (in Box No. V of the request) when filed.

BAR II Art. 14

OA.09 The requirements for the national phase are basically the same as for patents, except that it is the fees for utility models which must be paid.

OA.10 Where, in the case referred to in paragraph OA.08, the international application

(i) is not restricted to a single principal subject, the applicant must, at the latest before the expiration of six months from the date of the notification from OAPI that the application cannot be accepted as presented on the grounds of not having one principal subject, divide the application into the required number of applications benefiting from the international filing date;

PCT Art. 7(2)(ii)
PCT Rule 7.2
BAR II Art. 10(d)(ii)
11(1)
17(1)

(ii) does not contain drawings, the applicant must furnish the drawings within two months from the date of the notification from OAPI. Where an international application for a patent is converted into a utility model application (see the next paragraph), the drawing(s) must be submitted with the request for conversion.

OA.11 **CONVERSION.** An international application for a patent may be converted into a utility model application after the applicant has compiled with the requirements for entering the national phase for a patent application as indicated in the Summary. The conversion is subject to the payment of a fee for conversion indicated in Annex OA.I and may be requested up to the occurrence of the first of the following two events:

(i) the expiration of 30 days from the date of notification of the rejection of the application (for a patent) by OAPI;

(ii) the expiration of four years from the international filing date or three years from the grant of the patent, whichever is the later.

BAR II Art. 13

Subject to the production of legitimate reasons why the applicant was prevented from requesting conversion into a utility model application, the time limit for requesting conversion may be extended upon request by the applicant by 60 days. Two further extensions of 60 days each may be requested before the expiration of the 60-day period, provided that the applicant submits legitimate reasons why he was prevented from applying for conversion.

FEES

(Currency: CFA franc)

Patents

Filing fee	225,000
Publication fee	365,000
Fee for acceptance of description and drawings:	
— from 11 to 20 pages	120,000
— from 21 to 30 pages	300,000
— from 31 to 40 pages	600,000
— and for each additional set of 10 sheets	80,000
Claim fee for each claim in excess of 10	45,000
Fee for claiming the priority of one or several earlier applications, per priority claim	63,000
Annual fees:	
— for the 2nd to the 5th year, per year	220,000
— for the 6th to the 10th year, per year	375,000
— for the 11th to the 15th year, per year	500,000
— for the 16th to the 20th year, per year	650,000
Supplement for late payment of annual fee	70,000
Fee for amendment or correction of errors of substance in the request, description, claims, abstract or drawings	40,000
Fee for restoration of rights:	
(a) in connection with a priority claim:	
— fault attributable to agent	650,000
— fault attributable to applicant or any other circumstances	375,000
(b) in the case of lapse for non-payment of annual fee within the prescribed time limits:	
— fault attributable to agent	650,000
— fault attributable to applicant or any other circumstances	375,000
Appeal fee	960,000

Utility models

Filing fee	20,000
Publication fee	30,000
Fee for claiming the priority of one or more earlier applications, per priority claimed	25,000
Fee for conversion of a patent into a utility model	81,000
Fee for amendment or correction of errors of substance in the description or drawings:	18,000
Fee for putting a utility model application in order within the prescribed time limits	11,000
Fee for restoration in connection with a priority claim not having been effected within the prescribed time limits:	
— fault attributable to agent	260,000
— fault attributable to applicant or any other circumstances	100,000

How can payment of fees be effected?

The payment of fees to OAPI has to be effected in CFA francs. Payment of fees can be made by cash payment, check, bank transfer, deposit account, money order, postal order or telegram. All payments must give the application number (national if already known; international if the national number is not yet known). Bank transfer must be effected on OAPI accounts below:

Bank	AFRILAND FIRST BANK, Yaoundé
IBAN	CM21 10005 00001 00118361001 47
SWIFT	CCEICMCX
Bank	BGFI BANK, Yaoundé
IBAN	CM21 10035 01200 50001646011 90
SWIFT	BGFICMCX
Bank	UBA CFA, Yaoundé
IBAN	CM21 10033 05207 07003000016 87
SWIFT	UNAFCMCX
Bank	SCB CAM, Yaoundé
IBAN	CM21 10002 00031 09212713150 42
SWIFT	CRLYCMCXXXX
Bank	SGBC, Yaoundé
IBAN	CM21 10003 00200 29009003489 14
SWIFT	SGCMCMCX
Bank	BICEC, Yaoundé
IBAN	CM21 10001 06860 12301560000 43
SWIFT	ICLRCMCX
Bank	ECOBANK, Yaoundé
IBAN	CM21 10029 26011 01300051802 12
SWIFT	ECOCCMCX
Bank	ECOBANK, Douala
IBAN	CM21 10029 00001 01300051801 31
SWIFT	ECOCCMCX

POUVOIR DE MANDATAIRE **POWER OF ATTORNEY**

Je(Nous) / I(We)

autorise(autorisons) par la présent / do hereby authorize

à me (nous) représenter en qualité de / to represent me (us)
déposant(s), titulaire(s) de brevet ou de modèle d'utilité / patent applicant(s) or utility model proprietor(s)

Intitulé :

A agir en mon(notre) nom dans toutes les procédures auprès de l'Organisation Africaine de la Propriété Intellectuelle pour tout ce qui concerne le dépôt de demande de brevet ou de modèle d'utilité ou en ce qui concerne un brevet délivré ou un modèle d'utilité enregistré

to act for me(us) in all procedings before the African Intellectual Property Organization concerning application of patent or utility model or granted patent or registered utility model

A encaisser tout versement en mon(notre) nom
To receive paiments on my(our) behalf

Le pouvoir peut être délégué.
Substitute powers of attorney may be given

Par la présente, je révoque (nous révoquons) tous les pouvoirs concernant la (les) demande(s) ou le(les) brevet(s) modèles d'utilité ci-dessus.
I(We) hereby revoke all previous powers of attorney in respect of the above applications or patents or utility models.

Lieu / Place

Date / Date
21/11/1999

Signature(s) / Signature(s)

Prière aussi de dactylographier le(s) nom(s) du (des) signataire(s)
Please also indicate by typewriter the name(s) of signatory(ies).

INTELLECTUAL PROPERTY DEPARTMENT, MINISTRY OF COMMERCE AND INDUSTRY (OMAN)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

OM INTELLECTUAL PROPERTY DEPARTMENT, MINISTRY OF COMMERCE AND INDUSTRY (OMAN) OM

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Arabic
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Request, 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): Request, 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: Omani rial (OMR) For patent: Filing fee: OMR 300 (200)[2] For utility model: Filing fee: OMR 300 (200)[2]
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

[1] Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
[2] The amount in parentheses is applicable in case of filing by an individual.

SUMMARY **Designated (or elected) Office** SUMMARY

OM INTELLECTUAL PROPERTY DEPARTMENT, MINISTRY OF COMMERCE AND INDUSTRY (OMAN) OM

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3, 4] Declaration justifying the applicant's right to the patent where the applicant is not the inventor[3, 4] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Appointment of an agent if the applicant is not resident in Oman Power of attorney if an agent is appointed Translation of the international application to be furnished in three copies Copy of extract from the commercial register where the inventor is a company Declaration concerning non-prejudicial disclosures or exceptions to lack of novelty, such as disclosures resulting from abuse, disclosures at certain exhibitions and disclosures by the applicant during a certain period of time[3, 4]
Who can act as agent?	Any patent agent registered before the Office
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

[3] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[4] 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.

DIRECTORATE GENERAL OF THE INDUSTRIAL PROPERTY REGISTRY (DIGERPI) (PANAMA)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

PA DIRECTORATE GENERAL OF THE INDUSTRIAL PROPERTY REGISTRY (DIGERPI) (PANAMA) PA

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	Yes
National fee:	Currency: US dollar (USD) For patent: Filing fee: USD 128.50 For utility model: Filing fee: USD 78.50
Exemptions, reductions or refunds of the national fee:	Where the applicant is also the inventor and his economic situation prevents him from paying the full amount of the fees, he may be entitled to only pay 10% of the filing fee[2]

[Continued on next page]

[1] Must be furnished within the time limit applicable under PCT Article 22 or 39(1).
[2] Please refer to the Office for further details.

SUMMARY **Designated (or elected) Office** SUMMARY

PA DIRECTORATE GENERAL OF THE INDUSTRIAL PROPERTY REGISTRY (DIGERPI) (PANAMA) PA

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3, 4] Declaration as to the applicant's entitlement to apply for and be granted a patent[3, 4] Declaration as to the applicant's entitlement to claim priority of the earlier application[3, 4] Document evidencing a change of name of the applicant if the change occurred after the international filing date[4] Translation to be furnished in three copies[4] Representation by an attorney or a lawyer registered in Panama Instrument appointing the agent (authorization or power of attorney)
Who can act as agent?	Any attorney or lawyer registered in Panama
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

[3] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[4] 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 of six months from the date of the invitation.

NATIONAL INSTITUTE FOR THE DEFENSE OF COMPETITION AND INTELLECTUAL PROPERTY PROTECTION (PERU)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex PE.I
Request for registration of a patent – national phase entry. . . . . Annex PE.II

List of abbreviations:

Office: National Institute for the Defense of Competition and Intellectual Property Protection (Peru)

CAC Decision 486: Decision 486 of the Commission of the Andean Community

SUMMARY **Designated (or elected) Office** SUMMARY

PE NATIONAL INSTITUTE FOR THE DEFENSE OF COMPETITION AND INTELLECTUAL PROPERTY PROTECTION (PERU) PE

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), 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?	A copy is required only if the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) or 40(2).
National fee:	Currency: Nuevo sol (PEN) For patent: Filing fee:[1] PEN 720 For utility model: Filing fee:[1] PEN 324
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[2, 3] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Statement justifying the applicant's right to the invention[2, 3] Statement justifying the applicant's priority right[2,3] Translation of the international application to be furnished in two copies[3] Power of attorney if an agent is appointed Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form

[Continued on next page]

1 Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
2 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.
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 of two months from the date of receipt of the invitation.

SUMMARY **Designated (or elected) Office** SUMMARY

PE NATIONAL INSTITUTE FOR THE DEFENSE OF COMPETITION AND INTELLECTUAL PROPERTY PROTECTION (PERU) PE

[Continued]

Who can act as agent?	Any natural or legal person resident in Peru
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

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

PE.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

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

PE.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. Any natural or legal person resident in Peru may act as agent.

CAC Decision 486 Art. 80

PE.05 **ANNUAL FEES.** Annual fees are due each year on the anniversary of the international filing date. They may also be paid for several years in advance. Payment may still be made within six months from the due date, subject to the payment of a surcharge. The amount of the annual fees is indicated in Annex PE.I.

CAC Decision 486 Art. 44

PE.06 **REQUEST FOR EXAMINATION.** Requests for examination must be made, together with the payment of the prescribed fees, within six months from the date of publication of the application by the office.

PCT Art. 28, 41
PCT Rule 52, 78
CAC Decision 486 Art. 34

PE.07 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may, at any time before the patent is granted, make amendments to his application, with the payment of the prescribed fee, provided that the amendment does not go beyond the disclosure in the initial application.

PCT Art. 25
PCT Rule 51

PE.08 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 48
PCT Rule 82*bis*
CAC Decision 486 Art. 39

PE.09 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. If the applicant fails to comply with the applicable requirements prescribed by the national law upon entry into national phase, the Office will invite the applicant to comply within a period of two months following the date of notification; this period may be extended once, upon request, for an equal length of time.

PCT Rule 49.6

PE.10 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant failed to observe a time limit set by the Office in spite of due care, which is prejudicial to his rights. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit or twelve months from the date of expiration of the applicable time limit, whichever time limit expires earlier. Within the said time limit, the omitted action must be completed.

PCT Art. 43
PCT Rule 49*bis*.1(a)

PE.11 **UTILITY MODEL.** Subject to paragraph PE.12, if the applicant wishes to obtain a utility model instead of a patent in Peru, on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

PCT Rule 49*bis*.2(b)
CAC Decision 486 Art. 35

PE.12 **CONVERSION.** The applicant may convert an application for a patent into an application for a utility model by filing a request to that effect. The converted application shall have the filing date of the initial application.

FEES

(Currency: Nuevo sol (PEN))

Patents

Filing fee	720	
Fee for requesting examination	549.13	
Fee for requesting re-examination	488.13	
Fee for amendment	46.86	
Priority claim fee, per priority	134.49	
Annual fees		
— for the first year to grant	140	(172)[1]
— after grant up to 10th year, per year	274.93	(306.91)[1]
— for the 11th to 20th years, per year	405.95	(435.65)[1]

Utility models

Filing fee	324	
Fee for requesting examination	279.55	
Fee for requesting re-examination	235.11	
Fee for amendment	39.05	
Priority claim fee, per priority	111.83	

How can payment of fees be effected?

The payment of the fees has to be effected in nuevos soles. 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 may be effected to the Office by cheque, money order or cash. Payments by money order should be made to the following banks: Banco de Crédito del Perú, account number: M/N 193-116125-0-34; Scotiabank, account number: M/N 000-0186511; or Banco de la Nación, account number: M/N 000-282545.

[1] The amount in parentheses is applicable in case of late payment within a grace period of six months from the due date (see paragraph PE.05).

PERÚ | Presidencia del Consejo de Ministros | INDECOPI

DIRECCIÓN DE INVENCIONES Y NUEVAS TECNOLOGÍAS
Calle de la Prosa N° 104, San Borja, Lima 41, Perú
Telf: 51-1-2247800 Web: www.indecopi.gob.pe

(21) Nº de Solicitud:

(22) Fecha de Ingreso:

IDENTIFICACIÓN DE LA SOLICITUD

(12) MODALIDAD

☐ PATENTE DE INVENCIÓN ☐ MODELO DE UTILIDAD

TIPO DE SOLICITUD

☐ DIVISIONAL Nº SOLICITUD DE ORIGEN:

PUBLICACIÓN DE LA SOLICITUD

☐ SOLICITO QUE CONCLUIDO EL EXAMEN DE FORMA, SE REALICE LA PUBLICACIÓN ANTICIPADA DE LA SOLICITUD

Solo llenar en caso de Entrada en Fase Nacional PCT

PCT ENTRADA FASE NACIONAL ☐ CAPÍTULO I ☐ CAPÍTULO II	
(86) Nº SOLICITUD INTERNACIONAL PCT:	FECHA: / /
(87) Nº PUBLICACIÓN INTERNACIONAL PCT:	FECHA: / /

(54) TÍTULO O DENOMINACIÓN

(71) SOLICITANTE

APELLIDOS, NOMBRES / RAZÓN SOCIAL				PAÍS DE RESIDENCIA
TIPO DE DOCUMENTO DE IDENTIDAD	Nº DOC. DE IDENTIDAD	Nº DE RUC	SEXO	PAÍS DE NACIONALIDAD
☐ DNI ☐ CARNET DE EXTRANJERÍA			☐ M ☐ F	
EL SOLICITANTE TAMBIÉN ES INVENTOR	DIRECCIÓN (Calle, Av., Jr.)			
☐ SÍ ☐ NO				
TAMAÑO DE LA EMPRESA	REGIÓN	PROVINCIA	DISTRITO	
☐ MICRO ☐ PEQUEÑA ☐ MEDIANA ☐ GRANDE				
DIRECCIÓN CORREO ELECTRÓNICO		TELÉFONO(S) FIJO(S)	TELÉFONO(S) MÓVIL(ES)	

(72) INVENTOR

APELLIDOS, NOMBRES / RAZÓN SOCIAL				PAÍS DE RESIDENCIA
TIPO DE DOCUMENTO DE IDENTIDAD	Nº DOC. DE IDENTIDAD	Nº DE RUC	SEXO	PAÍS DE NACIONALIDAD
☐ DNI ☐ CARNET DE EXTRANJERÍA			☐ M ☐ F	
DIRECCIÓN (Calle, Av., Jr.)				
REGIÓN	PROVINCIA	DISTRITO		
DIRECCIÓN CORREO ELECTRÓNICO		TELÉFONO(S) FIJO(S)	TELÉFONO(S) MÓVIL(ES)	

OTROS SOLICITANTES Y/O INVENTORES

☐ LOS DEMÁS SOLICITANTES Y/O INVENTORES SE INDICAN EN LA HOJA DE INFORMACIÓN COMPLEMENTARIA

F-DIN-01/03

(74) REPRESENTANTE (llenar en caso de contar con representante)

EL SOLICITANTE ESTÁ REPRESENTADO POR:	☐ ESTUDIO DE ABOGADOS ☐ OTRO		
APELLIDOS, NOMBRE(S)		DNI	RUC
DIRECCIÓN (Calle, Av., Jr.), Distrito, Provincia, Región			
CORREO ELECTRÓNICO		TELÉFONO(S) FIJO(S)	TELÉFONO(S) MÓVIL(ES)
EN CASO DE ACTUACIÓN POR MEDIO DE ESTUDIO DE ABOGADOS	NOMBRE DEL ESTUDIO		

(30) REIVINDICACIÓN DE PRIORIDAD (solo llenar en caso de tenerla)

(31) Nº DE SOLICITUD	(32) FECHA DE SOLICITUD (dd/mm/yyyyy)	(33) PAÍS
	/ /	
	/ /	
	/ /	
	/ /	
	/ /	

DECLARACIÓN SOBRE UTILIZACIÓN DE RECURSO GENÉTICOS Y/O CONOCIMIENTOS TRADICIONALES

1. Declaro que mi invención fue obtenida o desarrollada a partir de recursos genéticos o de sus productos derivados.

☐ SI. Indique el lugar de colecta o extracción:

☐ NO

2. Declaro que mi invención fue obtenida o desarrollada a partir de conocimientos tradicionales de las comunidades indígenas, afroamericanas o locales

☐ SI. Indique el nombre de la comunidad/ Pueblo indígena

☐ NO

DOCUMENTOS QUE SE ACOMPAÑAN/ OTRA INFORMACIÓN

☐ Memoria descriptiva N° de folios:	☐ Documento de cesión	☐ Concurso Nacional de Invenciones Año
☐ Reivindicaciones N° de revindicaciones:	☐ Documento(s) de prioridad(es) N° de documentos:	☐ Programa Patenta
☐ Resumen	☐ Certificado de depósito de material biológico	☐ Traducción Solicitud PCT N° de Folios
☐ Dibujos y/o figuras N° de folios	☐ Copia de contrato de acceso al recuerso genetico	☐ Informe Búsqueda PCT
☐ Listado de secuencias	☐ Copia de contrato de licencia de uso de conoc. colectivos	☐ Comprobante pago tasa (tasa de presentación) N° Fecha / /
☐ Poder	☐ Certificado de Protección Exp. N°:	☐ Otros:

FIRMA DEL SOLICITANTE (S) O DEL REPRESENTANTE

_____ _____

Nombre Firma

En cumplimiento de lo dispuesto por la Ley Nº 29733, Ley de Protección de Datos Personales, le informamos que los datos personales que usted nos proporcione serán utilizados y/o tratados por el Indecopi (por sí mismo o a través de terceros), estricta y únicamente para administrar el sistema de promoción, registro y protección de derechos de propiedad intelectual (signos distintivos, invenciones y nuevas tecnologías, y derecho de autor) en sede administrativa, así como, de ser el caso, para las actividades vinculadas con el registro de usuarios del sistema de patentes, pudiendo ser incorporados en un banco de datos personales de titularidad del Indecopi.
Se informa que el Indecopi podría compartir y/o usar y/o almacenar y/o transferir su información a terceras personas, estrictamente con el objetivo de realizar las actividades antes mencionadas.
Usted podrá ejercer, cuando corresponda, sus derechos de información, acceso, rectificación, cancelación y oposición de sus datos personales en cualquier momento, a través de las mesas de partes de las oficinas del Indecopi.

F-DIN-01/03

PERÚ | Presidencia del Consejo de Ministros | INDECOPI

HOJA DE INFORMACIÓN COMPLEMENTARIA
OTRO(S) SOLICITANTE(S)

(71) SOLICITANTE **ESTE SOLICITANTE TAMBIÉN ES INVENTOR** ☐

APELLIDOS, NOMBRES / RAZÓN SOCIAL				PAÍS DE RESIDENCIA
TIPO DE DOCUMENTO DE IDENTIDAD	Nº DOC. DE IDENTIDAD	Nº DE RUC	SEXO	PAÍS DE NACIONALIDAD
☐ DNI ☐ CARNET DE EXTRANJERÍA			☐ M ☐ F	
DIRECCIÓN (Calle, Av., Jr.)				
TAMAÑO DE LA EMPRESA	REGIÓN	PROVINCIA	DISTRITO	
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DIRECCIÓN CORREO ELECTRÓNICO	TELÉFONO(S) FIJO(S)	TELÉFONO(S) MÓVIL(ES)		

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HOJA DE INFORMACIÓN COMPLEMENTARIA OTRO(S) INVENTOR(ES)

(Incluir solo aquellos inventores que no figuren como solicitantes)

(72) INVENTOR

APELLIDOS, NOMBRES				PAÍS DE RESIDENCIA
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☐ DNI ☐ CARNET DE EXTRANJERÍA			☐ M ☐ F	
DIRECCIÓN (Calle, Av., Jr.)				
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DIRECCIÓN CORREO ELECTRÓNICO	TELÉFONO(S) FIJO(S)	TELÉFONO(S) MÓVIL(ES)		

(72) INVENTOR

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REGIÓN	PROVINCIA	DISTRITO		
DIRECCIÓN CORREO ELECTRÓNICO	TELÉFONO(S) FIJO(S)	TELÉFONO(S) MÓVIL(ES)		

(72) INVENTOR

APELLIDOS, NOMBRES				PAÍS DE RESIDENCIA
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☐ DNI ☐ CARNET DE EXTRANJERÍA			☐ M ☐ F	
DIRECCIÓN (Calle, Av., Jr.)				
REGIÓN	PROVINCIA	DISTRITO		
DIRECCIÓN CORREO ELECTRÓNICO	TELÉFONO(S) FIJO(S)	TELÉFONO(S) MÓVIL(ES)		

INTELLECTUAL PROPERTY OFFICE OF PAPUA NEW GUINEA

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

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ANNEX

Fees . . . . . Annex PG.I

List of abbreviations:

Office: Intellectual Property Office of Papua New Guinea

PGPA: Papua New Guinea Patents and Industrial Designs Act 2000

PGPR: Papua New Guinea Patents and Industrial Designs Regulations 2002

SUMMARY **Designated (or elected) Office** SUMMARY

PG INTELLECTUAL PROPERTY OFFICE OF PAPUA NEW GUINEA PG

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:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), 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?	The applicant should only send a copy of the international application if he has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee:	Currency: Kina (PGK) Filing fee:[1] PGK 1,000 If the application includes nucleotide and/or amino acid sequence listings filed on a compact disk or by other electronic means: PGK 1,500 Each divisional application for a patent: PGK 300 Annual fee for the second year: PGK 170
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

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

SUMMARY **Designated (or elected) Office** SUMMARY

PG INTELLECTUAL PROPERTY OFFICE OF PAPUA NEW GUINEA PG

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Appointment of an agent if the applicant is not resident in Papua New Guinea. An instrument appointing the agent (authorization or power of attorney) is required.[2] Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3, 4] Evidence of entitlement to file where the applicant is not the inventor[3, 4] Evidence of entitlement to claim priority where the applicant is not the applicant who filed the earlier application[3, 4] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)[4]
Who can act as agent?	Any natural or legal person resident in Papua New Guinea
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

[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.

[4] 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 of two months from the date of receipt of the invitation.

THE PROCEDURE IN THE NATIONAL PHASE

PGPR Sec. 4

PG.01 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is English. Any document forming part of the application or submitted to the Office shall be in English or be accompanied by an English translation.

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

PGPA Sec. 31(2), (3)
PGPR Sec. 28

PG.03 **ANNUAL FEES.** The prescribed annual fees are to be paid in advance for each year, commencing one year after the filing of the patent application. The annual fee may be paid until six months after the date on which it became due provided that an additional fee as prescribed is also paid.

PGPR Sec. 26(1)

PG.04 **FEE FOR GRANT AND PUBLICATION.** A fee for grant and publication must be paid before the grant of the patent. The amount of the said fee is indicated in Annex PG.I.

PGPA Sec. 54
PGPR Sec. 7, 36, 39

PG.05 **APPOINTMENT OF AGENT, POWER OF ATTORNEY AND ADDRESS FOR SERVICE.** If the applicant is not resident in Papua New Guinea, an agent must be appointed. The appointment of an agent shall be by a power of attorney. The power of attorney appointing an agent may be filed together with the application or within two months from its filing date. The address of the agent shall be treated as the address of service, i.e. the address to which communications to the person or persons who appointed the agent shall be transmitted.

PCT Art. 28, 41
PGPA Sec. 22

PG.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may, at any time before a patent is granted, make amendments to his application, provided that the amendment does not go beyond the disclosure in the initial application.

PCT Art. 25
PCT Rule 51
PGPA Sec. 7
PGPR Sec. 43

PG.07 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. Before any adverse decision is made, the applicant is afforded the opportunity of being heard by filing a request for a hearing. The request for such a hearing shall be in writing and shall be subject to payment of the prescribed fee.

PCT Art. 24(2), 48(2)
PCT Rule 82*bis*

PG.08 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

FEES

(Currency: Kina)

Application for a patent	1,000
In a patent application, if the application includes nucleotide and/or amino acid sequence listings filed on a compact disk or by other electronic means	1,500
Each divisional application for a patent	300
Amendment of application at the instance of the applicant	170
Correction of application at the instance of the Registrar	50
Preparation of abstract by the Registrar	100
Amendment of application on invitation of the Registrar	50
Grant and publication fee	100
Filing notice of opposition to grant of patent/utility model/industrial design certificate	1,200
Annual fees:	
— for the 2nd year	170
— for the 3rd year	200
— for the 4th year	240
— for the 5th year	270
— for the 6th year	330
— for the 7th year	400
— for the 8th year	460
— for the 9th year	550
— for the 10th year	640
— for the 11th year	700
— for the 12th year	750
— for the 13th year	800
— for the 14th year	900
— for the 15th year	1,000
— for the 16th year	1,100
— for the 17th year	1,200
— for the 18th year	1,300
— for the 19th year	1,400
— for the 20th year	0
Surcharge for late payment of the annual fees	In addition to any other fee payable in relation to this item – 200 for each month, or part of a month, in the period between the anniversary and the day when the fee is paid

How can payment of fees be effected?

Fees are to be paid in the Papua New Guinea currency, which is the Papua New Guinea Kina (PGK).

Currently, the mode of payment for overseas applicants is by bank drafts/cheques made payable to the "Investment Promotion Authority".

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

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ANNEXES

Fees . . . . . Annex PH.I
National phase entry application form . . . . . Annex PH.II

List of abbreviations:

Office:	Intellectual Property Office of the Philippines
IP Code:	Republic Act No. 8293 otherwise known as the Intellectual Property Code of the Philippines
PRo-PCT:	Philippine Rules on PCT Applications
Regulations:	The Revised Implementing Rules and Regulations for Patents, Utility Models and Industrial Designs (as in force from 16 March 2012)
IPO Fee Structure:	Rules and Regulations Establishing the Fee Structure of the IPO

SUMMARY **Designated (or elected) Office** SUMMARY

PH INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES PH

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date[1] Under PCT Article 39(1)(a): 30 months from the priority date[1]
Translation of international application required into:[2]	English
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[3]), 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[3])
Is a copy of the international application required?	No, where the international application was filed in a language other than English Yes, where it was filed in English and the applicant has not received Form PCT/IB/308
National fee:[4]	Currency: Philippine peso (PHP) For patent: Filing fee: PHP 4,320 (2,000)[5] For utility model: Filing fee: PHP 3,600 (1,720)[5]
Exemptions, reductions or refunds of the national fee:	No filing fee is payable if priority of an earlier national application is claimed.

[Continued on next page]

1 This time limit can be extended by one month provided the applicant pays an extension fee for late entry into the national phase, equal to 50% of the prescribed filing fee.

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

3 Where the applicant furnishes only a translation of the international application as amended, the Office will invite the applicant to furnish the missing translation of the international application as originally filed. If the translation of the amended part is missing, the Office will not invite the applicant to furnish the missing translation and the amendments will be disregarded.

4 Must be paid at the time of entry into the national phase or within one month from the time of entry into the national phase. Where the national phase is entered after 30 months but not later than 31 months from the priority date, a surcharge (see footnote 1) will have to be paid.

5 The amount in parentheses is applicable in cases of filing by a "small entity". A small entity is any natural or legal person whose assets are worth 100 million PHP or less; or any entity, agency, office, bureau or unit of the Philippine government including government-owned or controlled corporations, state universities and colleges and government-owned or government-run schools. At the time of payment, any natural or legal person is presumed to be a big entity unless a written statement to the contrary is submitted by such natural person or the duly authorized representative of such legal person.

SUMMARY Designated (or elected) Office SUMMARY

PH INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES PH

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Appointment of an agent if the applicant is not a resident of the Philippines[6] Copy or translation of the international application to be furnished in duplicate[7] Name and address of the inventor if they have not been furnished in the "Request" part of the international application[7, 8] Instrument of assignment of the international application if the applicant is not the inventor[7, 8] Instrument of assignment of the priority application where the applicants are not identical[7, 8] Document evidencing a change of name or person of the applicant if the change occurred after the international filing date and has not been reflected in the PCT pamphlet or in a notification from the International Bureau (Form PCT/IB/306)[6] Furnishing, where applicable, of a nucleotide and/or amino sequence listing in electronic form[7]
Who can act as agent?	Any patent agent or representative residing in the Philippines upon whom notices and processes for judicial or administrative procedure may be served
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	No

[6] 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.

[7] Where necessary, the Office will invite the applicant to comply with the requirement within a time limit which shall not be less than two months from the date of the invitation.

[8] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

PH.01 **FORMS FOR ENTERING THE NATIONAL PHASE.** The Office recommends the use of an electronic form for entering the national phase, which is available on the Office's web site at: https://onlineservices.ipophil.gov.ph/eInventionFile/. This form is used by the Office to identify the application as a national phase entry and to assign an appropriate application number.

Regulations Final Provisions Section 1

PH.02 **CORRESPONDENCE.** All business with the Office or the Bureau of Patents shall be performed in writing. Actions will be based exclusively on the written record. No attention will be paid to any alleged oral promise, stipulation, or understanding. All letters and other communications must be addressed to the Director of Patents; if addressed to any other officer, they will ordinarily be returned. In every case, a separate letter shall be written in relation to each distinct subject of inquiry. When a letter concerns an application it shall state the name of the applicant, the title of the invention, the application number and the filing date of the application. When the letter concerns a granted patent, it shall state the name of the patentee, the title of the invention, the patent number and date of issuance.

Regulations Rule 505

PH.03 **FORM OF SIGNATURES.** Where a signature is required, the Office may accept a hand-written signature; or the use of other forms of signature, such as a printed or stamped signature, or the use of a seal, or thumb marks, instead of a hand-written signature, provided that where a seal or a thumb mark is used, it should be accompanied by an indication in letters of the name of the signatory. No attestation, notarization, legalization or other certification of any signature or other means of self-identification referred to in the preceding sentence will be required, except where the signature concerns the surrender of a letters patent.

IP Code Section 33
Regulations Rule 421
PRo-PCT Rule 7(a), (c)

PH.04 **REPRESENTATION.** An applicant who is not a resident of the Philippines shall appoint and maintain an agent or representative residing in the Philippines upon whom notices or processes for judicial or administrative procedure may be served relating to the international application filed with the Office. An applicant who is a resident of the Philippines may likewise appoint and maintain an agent or representative residing in the Philippines for the same purpose.

PRo-PCT Rule 36

PH.05 **EARLIER NATIONAL APPLICATIONS FROM WHICH PRIORITY IS CLAIMED.** Where the international application claims the priority of an earlier Philippine national application, the applicant should elect which one of the two applications shall be further prosecuted. The applicant may indicate his choice in the form for entering the national phase. Otherwise, the Office will invite the applicant, within one month from the date of entry into the national phase of the international application, to elect only one application for further prosecution within two months from the date of the invitation, or within a longer period which the Office may allow, but not to exceed six months from the date of entry into the national phase.

PRo-PCT Rule 38.2

PH.06 **SUBMISSION OF PRIORITY DOCUMENT.** If the priority document has not been submitted to the International Bureau in accordance with PCT Rule 17.1(a)-b-(b-*bis*), the applicant shall submit to the Office a certification from the national Office concerned stating the following data regarding the application the priority of which is claimed: name of the applicant, filing date, application number and title of the application. The certification, and its English translation if not in English, together with the payment of the fee for extension of time to submit the priority document, and the surcharge for late payment provided for in the IPO Fee Structure, shall be submitted within six months from the date of entry into the national phase without need of notice. The certification, and its English translation if not in English, do not require legalization. Failure of the applicant to comply with PRo-PCT Rule 38.2 shall be grounds to disregard the priority claim.

IP Code Section 39
Regulations Rule 612
612.1
612.2

PH.07 **STATEMENT CONCERNING CORRESPONDING APPLICATIONS IN OTHER COUNTRIES.** The applicant shall, at the request of the (Director of the Bureau of Patents) Office, furnish the date and number of any application for a patent filed by him abroad relating to the same or essentially the same invention as that claimed in the application filed with the Office and other documents relating to the foreign application. The application is considered withdrawn if the applicant fails to comply with the requirement to furnish information concerning the corresponding foreign application, within the specified period.

Other documents relating to the foreign application may consist of the following:

(i) a copy of the search reports in English on the corresponding or related foreign application prepared by the European, Japanese or United States Patent and Trademark Offices, by the searching authorities under the Patent Cooperation Treaty or by the office where the first patent application was filed;

(ii) a photocopy of the relevant documents cited in the search report;

(iii) a copy of the patent granted to the corresponding or related application;

(iv) a copy of the examination report or decision on the corresponding or related foreign application; and

(v) other documents which could facilitate adjudication of the application.

Regulations Final Provisions Section 2
PRo-PCT Rule 43

PH.08 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex PH.I.

IP Code Section 55
Regulations Rules 1100
1101
1102
PRo-PCT Rule 40(b)
IPO Fee Structure Part II General Provisions Sections 1-6

PH.09 **ANNUAL FEES.** To maintain the patent application or patent, an annual fee shall be paid upon the expiration of four years from the date of the international publication regardless of the language of publication, and on each subsequent anniversary of such date. Payment may be made within three months before the due date. The obligation to pay the annual fees shall terminate should the application be withdrawn, refused, or cancelled. If an annual fee is not paid within the prescribed time, a notice of non-payment shall be published in the *IPOPHL E-Gazette*. After publication, a notice shall also be immediately mailed to the patent owner, applicant, or resident agent. Within a grace period of six months from the publication of the notice of non-payment in the *IPOPHL E-Gazette*, the annual fee plus the prescribed surcharge for delayed payment and the publication fee must be paid in full. In case of failure to pay the annual fee, surcharge, and the publication fee within the grace period, a notice that the application is deemed withdrawn or that the patent is considered as lapsed as of the date following the expiration of the original period within which the annual fee was due, shall be issued and published in the *IPOPHL E-Gazette* and recorded in the appropriate Register of the Office.

Regulations Rule 417
IPO Fee Structure Part II General Provisions Section 6

PH.10 **CLAIMS INCURRING FEE.** Any application comprising more than five claims, independent and/or multiple/alternative dependent claims at the time of filing, or claims added after the filing date over and above five, incurs payment of a claims fee. The claims fee shall be payable within one month from the date of entry into the national phase. If the claims fees have not been paid in due time, they may still be validly paid within a grace period of one month following a notice from the Office indicating the failure to pay the claims fee. If the claims fee is not paid within the time limit and the grace period referred to in Rule 417, or the claims fee is not fully paid within the time limit prescribed during substantive examination of the application, the claim or claims concerned shall be deemed withdrawn.

PRo-PCT Rule 40(c)

PH.11 **FEE AND TIME LIMIT FOR REQUESTING EXAMINATION.** There is no need to file a separate request for substantive examination in the case of international applications, but the substantive examination fee has to be paid at the date of entry into the national phase or within six months thereafter. The international application shall be deemed withdrawn if the substantive examination fee is not paid within six months from the date of entry into the national phase. The applicant may use a form for payment provided by the Office for this purpose.

IP Code Section 50.1
50.2
Regulations Rule 1000

PH.12 **FEE FOR GRANT.** If the required fees for grant and printing are not paid in due time, the application shall be deemed to be withdrawn.

PRo-PCT Rule 35(d)
Regulations Rules 916-927

PH.13 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** During the national phase, and at any time before a patent is granted or refused on the international application, the applicant may present amendments to the specification, claims and drawings in accordance with the IP Code and its implementing Rules and Regulations.

Regulations Rule 408(b)

PH.14 **REQUIREMENTS FOR APPLICATIONS RELATING TO BIOLOGICAL MATERIALS AND MICROORGANISMS.** If the depositary institution and the file number of the culture deposit are not stated in the application at the time of filing the application, the said information shall be submitted within two months from a request by the examiner.

PRo-PCT Rule 37

PH.15 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase of the Guide.

PH.16 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase of the Guide.

Regulations Rule 928(b)

PH.17 **EXTENSION OF TIME LIMITS.** The time limit for reply to an official action requiring a response may be extended only for good and sufficient cause. Any request for such extension must be filed not later than the day on which the response is due. The examiner may grant a maximum of two extensions, provided that the aggregate period granted, inclusive of the initial period allowed to file the response, shall not exceed six months from the mailing date of the official action requiring such response.

Regulations Rule 929

PH.18 **REVIVAL OF APPLICATION.** An application deemed withdrawn for failure to prosecute may be revived as a pending application within a period of four months from the mailing date of the notice of withdrawal if it is shown to the satisfaction of the Director of the Bureau of Patents that the failure was due to fraud, accident, mistake or excusable negligence. A petition to revive an application deemed withdrawn must be accompanied by showing of a justifiable reason for the failure to prosecute, a complete response, and full payment of the required fee.

IP Code Section 51
Regulations Rules 1300-1311

PH.19 **PETITIONS AND APPEAL.** Petitions may be filed with the Director of Patents from any repeated action or requirement of the examiner which is not subject to appeal and in other appropriate circumstances. The final order of refusal of the examiner to grant the patent may be appealed to the Director of the Bureau of Patents.

IP Code Section 108
109
111
PRo-PCT Rule 5

PH.20 **UTILITY MODEL.** In respect of the Philippines as a designated or elected State, an applicant cannot seek two kinds of protection for the same subject, one for a utility model registration and the other for the grant of a patent, whether simultaneously or consecutively.

Regulations Rules 1405
1406

All applications for utility models shall be registered without substantive examination provided that all required fees, including fees for excess claims and publication are paid and all formal requirements set forth in the Regulations are complied with. However, applicants may request the Office to prepare a registrability report in accordance with Rules 1901-1903 before initiating infringement proceedings in respect of the registered utility model. The Office shall conduct a formality examination of the application and a report thereon shall be transmitted to the applicant.

IP Code Section 110
Regulations Rules 1417
1418

PH.21 **CONVERSION.** At any time before the grant or refusal of a patent, an application for a patent may, upon payment of the prescribed fee, be converted into an application for registration of a utility model, which shall be accorded the filing date of the initial application. It may be converted only once.

At any time before the grant or refusal of a utility model registration, an application for a utility model registration may, upon payment of the prescribed fee, be converted into a patent application, which shall be accorded the filing date of the initial application.

FEES
(Currency: Philippine peso (PHP))

Patents

	Entity Big	Small
Pre-examination:		
— Filing fee[1]	4,320	2,000
— For each sheet in excess of thirty (30)	36	18
— For each claim in excess of five (5)	360	180
— Request for right of priority	2,160	1,000
— Request for extension of time to file priority documents	1,560	740
— Divisional application (for each division)	4,320	2,000
— Conversion from utility model to patent	1,440	690
— Additional fee for late entry into the national phase	2,160	1,000
Examination:		
— Request for:		
— Extension of time to file response:		
— First	720	360
— Second	780	390
— Substantive examination	4,200	2,010
— Revival	1,200	570
— Revival fee for non-payment of the substantive examination fee	960	920
— Preparation of amended page(s) of the master copy of the specification and/or claims, per page	70	—
Post-examination:		
— Amendment or correction in the letters patent (plus publication fee)	600	300
— Petition for:		
— Any amendment or any correction of mistakes in a letters patent of formal and clerical nature without fault of Office	720	360
— Any amendment or any correction in a letters patent of a substantive nature	1,800	860
Annual fees:		
— for the 5th year	3,240	1,550
— for the 6th year	4,320	2,000
— for the 7th year	5,400	2,580
— for the 8th year	6,480	3,100
— for the 9th year	8,640	4,140
— for the 10th year	10,800	5,170
— for the 11th year	13,920	6,670
— for the 12th year	17,280	8,280
— for the 13th year	20,400	9,770
— for the 14th year	24,840	11,900
— for the 15th year	29,160	13,970
— for the 16th year	33,360	15,980
— for the 17th year	37,680	18,050
— for the 18th year	45,240	21,670
— for the 19th year	54,360	26,040
— for the 20th year	65,160	26,040
— Annual fee for each claim in excess of five (5) [5th to 20th year] due and payable at the same time as the applicable Annual Fee listed above.	420	210
— Notice and publication of non-payment of annual fee	360	360
	minimum;	approximately 1/8 page

[1] No filing fee is payable if priority of an earlier national application is claimed (PRo-PCT Rules 35(b) and 40(a)).

Utility models

	Entity	
Pre-examination:	Big	Small
— Filing fee	3,600	1,720
— For each sheet in excess of thirty (30)	36	18
— For each claim in excess of five (5)	240	120
— Request for right of priority	1,800	860
— Divisional application (for each division)	3,600	1,720
— Conversion from patent to utility model	660	330
— Additional fee for late entry into the national phase	1,800	860
Examination:		
— Request for:		
— Extension of time to file response:		
— First	720	360
— Second	780	390
— Registrability report	1,320	630
— Revival	1,200	570
— Preparation of amended page(s) of the master copy of the specification and/or claims, per page	84	84
Post-examination:		
— Amendment or correction to the registration (plus publication fee)	600	300
— Petition for:		
— Any amendment or any correction of mistakes in a registration of formal and clerical nature without fault of Office	600	300
— Any amendment or any correction of mistakes in a registration of substantive nature	800	400

How can payment of fees be effected?

The payment of the fees has to be effected in Philippine pesos (PHP). Fees shall be paid on or before the due date prescribed in the IP Code or the rules and regulations. Where no due date is specified, the fees shall be due upon submission or filing of the request for the service or material incurring the fee. Fees shall be paid in cash, money order, bank drafts and/or cheques in Philippine currency. Payments in the form of money order, bank drafts and/or cheques shall be made payable to the Intellectual Property Office of the Philippines.

Fees shall be considered to have been paid as follows:

(a) in case of cash payment: the date of receipt in cash of the amount due in full.

(b) in case of money order, cheque or bank draft payment: the date of receipt of the money order, cheque or bank draft provided that the same is honored upon first presentation and provided that the payment covers the amount due in full.

Subject to the IP Code or the applicable Regulations, the Office may give the person making the payment the opportunity to fully pay the fee or any deficiency within a maximum period of two months from the mailing date of the notice. Failure to pay the full amount shall not result in any refund whatsoever of any amount already paid.

NATIONAL PHASE ENTRY APPLICATION FORM	APPLICATION NO. **(IPO USE ONLY)** DATE OF NATIONAL PHASE ENTRY **(IPO USE ONLY)**
[ ] INVENTION The undersigned hereby requests for substantive examination and grant of a Philippine patent for the subject application. **[ ] UTILITY MODEL** The undersigned hereby requests that this utility model application be registered.	DATE OF RECEIPT **(IPO USE ONLY)** DATE OF MAILING **(IPO USE ONLY)**

I. INTERNATIONAL APPLICATION NO.	**II. INTERNATIONAL FILING DATE**	**III. LANGUAGE OF INTERNATIONAL APPLICATION**
IV. INTERNATIONAL PUBLICATION NO.	**V. INTERNATIONAL PUBLICATION DATE**	**VI. LANGUAGE OF INTERNATIONAL PUBLICATION**

VII. TITLE OF INVENTION/UTILITY MODEL

VIII. A. EARLIEST PRIORITY DATE CLAIMED *(indicate Application No., Filing Date and Country of Filing)***:**

B. If the priority is based on an earlier Philippine national application, applicant(s) hereby elect(s) the following application for prosecution: [ ] International Application [ ] Philippine National Application

IX. APPLICANT(S) *(indicate Name and Address)* [ ] Big Entity (Total Assets of more than 100M) [ ] Small Entity (Total Assets of 100M or less)

☐ Further applicants are indicated on a continuation sheet.

X. INVENTOR(S)/MAKER(S) *(Mark the appropriate box.)*

☐ The inventor(s)/maker(s) are the same as that contained on the front page of the international publication, which is attached herewith.

☐ The inventor(s)/maker(s) are the same as that contained on the front page of the international publication, which is attached herewith, except for changes set out below.

NAME(S) OF INVENTOR(S)/MAKER(S) *(indicate Name and Address)* [ ] Same as Applicant(s)

XI. CHECKLIST. All documents must be in English or translated into English.

1. Description and claims _____ Sheets
2. Abstract _____ Sheets
3. Drawing (s) _____ Sheets
4. ☐ Sequence Listing (paper) _____ Sheets
   ☐ Sequence Listing (PDF OCR) _____ Sheets

Total _____ Sheets

XII. CLAIMS

Total No. of Claims: _____

XIII. OTHER DOCUMENT(S)/ITEM(S) INCLUDED. All documents must be in English or translated into English.

1. [ ] Amendments
   [ ] Under PCT Article 19
   [ ] Under PCT Article 34
2. [ ] International Search Report
3. [ ] International Preliminary Examination
4. [ ] POA/ARA
5. [ ] PCT/IB/304
6. [ ] Physical data carrier containing Sequence Listing in PDF OCR
7. [ ] Other _____

XIV. AGENT (IF ANY) OR COMMON REPRESENTATIVE (IF ANY) IN THE PHILIPPINES The following person (includes, where applicable, a legal entity) is hereby/has been appointed as agent or common representative to act on behalf of the applicant(s) before the Intellectual Property Office (IPO). Sec. 33 of R.A. No. 8293 requires a resident agent for applicants who are non-residents of the Philippines.

Name and local address, including postal code:

Tel. No. (including area code):
Fax No. (including area code):
E-mail Address:

XV. SIGNATURE OF APPLICANT(S) OR AGENT OVER PRINTED NAME(S) If this Request Form is signed by a resident agent, a separate Power of Attorney/Appointment of Resident Agent duly signed by the applicant(s) shall be submitted to the IPO.

(Revision 01) (March 2015)

GUIDE TO THE NATIONAL PHASE ENTRY APPLICATION FORM

TO BE FILLED UP BY IPOPHL

Application No. - This is the application number issued by the IPOPHL for the specific application submitted (e.g. 1-2013-500001). When this application number is issued, all communications/actions intended for this application number should contain said number.

Date of National Phase Entry – This is the "Date" given to an International Application that has entered into the National Phase.

Date of Receipt – This is the "actual date" when the International Application has been received and entered into the Office's receiving system by the Duty Officer of the day.

Date of Mailing – This is the stamped date of receipt by the Post Office of the international application entering into the national phase lodged for mailing to the Office. The "Date of Mailing" shall be considered as the Date of National Phase Entry in accordance with Memorandum Circular No. 3, Series of 2011.

TO BE FILLED UP BY THE APPLICANT

[ ] Invention – Mark this box if the international application is intended as an invention application.

[ ] Utility Model – Mark this box if the international application is intended as a utility model application.

I. **International Application No.** – This is the application number assigned to the international application by the receiving Office (e.g. PCT/US2011/000001).

II. **International Filing Date** – This is the filing date of the international application accorded by the receiving Office.

III. **Language of International Application** – This is the language in which the international application was written when it was filed with the receiving Office.

IV. **International Publication No.** – This is the publication number given by the International Bureau (IB) of the World Intellectual Property Organization when the international application was published (e.g. WO2012/123456).

V. **International Publication Date** – This is the date when the international application was published by the IB.

VI. **Language of International Publication** – This is the language in which the international application was published by the IB.

VII. **Title of Invention/Utility Model** – This shall be as short and specific as possible. It shall appear as a heading on the first page of the description. *(Revised Implementing Rules and Regulations for Patents, Utility Model and Industrial Design (IRR) Rule 410)*

VIII. **A. Earliest Priority Date Claimed** – This is the date on which the earlier application was filed from which priority is claimed in the international application.

B. If the priority is based on an earlier Philippine national application, applicant(s) hereby elect(s) the following application for prosecution: - If applicable, the applicant shall choose which application shall be prosecuted should there be both an earlier filed local Philippine application and an international application that has entered into the national phase claiming priority over that earlier filed local Philippine application existing in the records of IPOPHL.

IX. **Applicant(s)** – This is/These are the owner(s) of the application. The applicant's(s') complete name(s) and address(es) shall be indicated. Mark the appropriate box to indicate whether the applicant is a small entity or a big entity. Any natural person or juridical person is presumed to be a big entity unless a written statement to the contrary is submitted by such natural person or the duly authorized representative of such juridical person. *(Section 3 (c) of Office Order No. 128 Series of 2003)*

X. **Inventors(s)/Maker(s)** – Mark the appropriate box to indicate whether the inventor(s) or maker(s) are the same as those listed in the international publication or if there are changes to the list made after the international publication. Indicate in the box below the check boxes additional inventor(s) or maker(s) or any changes relating to the name(s) and/or address(es) of the inventor(s) or maker(s).

XI. **Checklist** – This shall contain the number of sheets of the different elements of the international application from which the Duty Officer of the day shall compute the total number of sheets.

XII. **Claims** – For fee calculation purposes, the applicant shall specify the number of claims for which protection is sought. This is also intended to clarify the set of claims from which prosecution of the present application shall be based in view of a series of possible amendments to the international application which occurred prior to national phase entry.

XIII. **Other Document(s) Included** – Mark the appropriate box corresponding the document submitted together with the application.

XIV. **Agent (if any) or Common Representative (if any) in the Philippines** – This is the name and Philippine address of the person who will prosecute the application for the applicant. An applicant who is not a resident of the Philippines shall appoint and maintain an agent or representative residing in the Philippines. *(Revised IRR Rule 421)*

XV. **Signature or Applicant(s) or Agent over printed name(s)** – This confirms the applicant's intent, if applicable through its counsel, to enter the national phase. The Office may accept a hand-written signature; or the use of other forms of signature, such as a printed or stamped signature, or the use of a seal or thumb marks, instead of a hand-written signature, provided that where a seal or a thumb mark is used, it should be accompanied by an indication in letters of the name of the signatory. *(Revised IRR Rule 505)*

PATENT OFFICE OF THE REPUBLIC OF POLAND

(URZAD PATENTOWY RZECZYPOSPOLITEJ POLSKIEJ)
AS
DESIGNATED (OR ELECTED) OFFICE

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Power of attorney . . . . . Annex PL.II

List of abbreviations:

Office: Patent Office of the Republic of Poland

PPL: Polish Law on Inventive Activity

SUMMARY Designated (or elected) Office SUMMARY

PL PATENT OFFICE OF THE REPUBLIC OF POLAND PL

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:	Polish
Required contents of the translation for entry into the national phase:	Under PCT Article 22: Request, 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): Request, 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: Polish zloty (PLN) For patent or utility model: — where an international preliminary examination has been carried out: PLN 350 — where no international preliminary examination has been carried out: PLN 550 — additional fee for each sheet in excess of 20: PLN 25 Fee for priority claims, per priority: PLN 100
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[1]	Statement justifying the applicant's right to the patent if he is not the inventor[2] Statement justifying the applicant's priority right where the applicants are not identical[2] Appointment of an agent if the applicant has neither a residence nor a principal place of business in Poland, or in another member State of the European Union or the European Free Trade Association Translation of the priority document into Polish if it is not in English, French, German or Russian[3] Translation of the international application to be furnished in three copies, except that the translation of the request needs to be furnished only in one copy

[Continued on next page]

[1] 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.

[2] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[3] If the validity of the priority claim is relevant to the determination of whether the invention concerned is patentable.

SUMMARY Designated (or elected) Office SUMMARY

PL PATENT OFFICE OF THE REPUBLIC OF POLAND PL

[Continued]

Who can act as agent?	Any patent attorney registered to practice before the Office[4]
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

[4] A list is available on the website of the Office at: https://grab.uprp.pl/RzecznicyPatentowi/Strony%20witryny/Wyszukiwanie%20rzecznika%20patentowego.aspx

THE PROCEDURE IN THE NATIONAL PHASE

PL.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).

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

PPL Art. 32

PL.03 **DESIGNATION OF THE INVENTOR.** If the applicant is not the inventor, he must name the inventor and state the basis of his right to a patent.

PL.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model (not an official form) is given in Annex PL.II.

PPL Art. 39

PL.05 **LACK OF UNITY OF INVENTION.** In case of lack of unity of invention, the Office will invite the applicant to file divisional applications in respect of the additional inventions claimed in the international application and to pay prescribed filing fees within a time limit fixed in the invitation. In such a case, the decision of the Office may be subject of appeal.

PPL Art. 52

PL.06 **FEE FOR GRANT.** The first annual fee (for the first three years) is treated as the fee for grant. The amount of the said fee is indicated in Annex PL.I. The first annual fee is due within three months from the date of receipt of the invitation to pay that fee.

PL.07 **ANNUAL FEES.** Subsequent annual fees should be paid in advance not later than by the date of expiration of the previous protection period. Annual fees can still be paid, together with 30% surcharge for each additional month, within six months from the due date. The amounts of the annual fees are indicated in Annex PL.I.

PPL Art. 54

PL.08 **FEE FOR PUBLICATION OF THE PATENT SPECIFICATION.** A fee for publication of the patent specification must be paid within three months from the date of receipt of the invitation to pay that fee. The amount of that fee is indicated in Annex PL.I.

PCT Art. 28, 41
PPL Art. 37

PL.09 **AMENDMENT OF THE APPLICATION.** The applicant may make amendments to the description, claims and drawings until the decision to grant a patent has been taken. Where the subject matter of the amended application exceeds the scope of the application as originally filed, the subject matter exceeding that scope will not be subject of any procedure concerning that application, but may be filed by the applicant as a divisional application with a new filing date.

PCT Art. 25
PCT Rule 51

PL.10 **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, an appeal against this decision may be lodged with the Office.

PCT Art. 24(2), 48(2)

PL.11 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PL.12 Time limits fixed by the Office may be extended upon request of the applicant submitted before the expiration of those time limits.

PPL Art. 243

PL.13 Reinstatement of rights may be requested where the applicant has failed to observe a time limit during the international phase or before the Office. A request for reinstatement must be presented within two months after the removal of the cause of the failure to perform the action but not later than 6 months after the expiration of the time limit which has not been observed. At the same time the omitted act must be completed. The applicant must prove in his request that the delay in complying with the requirement within the time limit was caused by circumstances beyond the applicant's control.

PPL Art. 243

PL.14 **RESTORATION OF THE RIGHT OF PRIORITY.** A request for the restoration of the right of priority may be filed with the Office where the applicant, in spite of all due care required by the circumstances, failed to timely file the international application within the priority period (see National Phase, paragraphs 6.006 - 6.011).

PPL Art. 94-100

PL.15 **UTILITY MODEL.** If the applicant, on the basis of an international application, wishes to obtain a utility model instead of a patent in Poland, the applicant must, on entry into the national phase, so indicate to the Office.

PL.16 The requirements for utility models during the national phase are basically the same as for patents.

PPL Art. 38

PL.17 **CONVERSION.** The applicant may apply for conversion of the international application for a patent into an application for a utility model in the international application (in the request), during the processing of the patent application in the national phase or within two months from the date when a decision to refuse a patent takes effect. In that case, the utility model application is deemed to be filed on the filing date of that patent application.

FEES

(Currency: Polish zloty)

National fee for patent or utility model:	
— where international preliminary examination has been carried out	350
— where no international preliminary examination has been carried out (if more than two inventions, the annual fee is increased by 50%)	550
— additional fee for each sheet in excess of 20	25
Fee for priority claims, per priority	100
Fee for publication of the patent specification	90
and additionally for each commenced sheet in excess of 10	10
Fee for publication of the utility model specification	90
Annual fees:[1]	
— for patent:	
for the first three years	480
for the 4th year	250
for the 5th year	300
for the 6th year	350
for the 7th year	400
for the 8th year	450
for the 9th year	550
for the 10th year	650
for the 11th year	750
for the 12th year	800
for the 13th year	900
for the 14th year	950
for the 15th year	1,050
for the 16th year	1,150
for the 17th year	1,250
for the 18th year	1,350
for the 19th year	1,450
for the 20th year	1,550
— for patent of addition:	
for the whole term of protection	1,500
— for utility model:	
for the first three years	250
for the 4th and the 5th years, per year	300
for the 6th to the 8th year, per year	900
for the 9th and the 10th years, per year	1,100
Fee for restoration of the right of priority	80

How can payment of fees be effected?

Applicants who are foreign nationals or foreign entities must pay all fees (including annual fees) through a patent attorney resident in Poland.

[1] The annual fees are counted from the filing date.

PEŁNOMOCNICTWO / POWER OF ATTORNEY / POUVOIR

Ja(My) (imię, nazwisko i adres):
l(We) {fuli name and address):
Je(nous) (nom et adresse):

niniejszym upoważniam (imię, nazwisko i adres):
Do hereby authorize (fuli name and address):
Donne(donnons) pouvoir a (nom et adresse):

do zastępowania mnie(nas) jako zgłaszajacego(ych) w wszelkich czynnościach związanych z postępowaniem dotyczącym
to represent me(us) as applicant(s) in all proceedings relaling to the processing
de me(nous) representer en ma(notre) qualite de deposant(s) pour toutes les procedures concernant

(zakreślić właściwe *okienko)/(check the applicable box*)/(cocher la case correspondante)

☐ zgłoszenia nr / *of application No.* / la demande N° — dokonanego w dniu / *filed on* / deposee le

☐ wszystkich zgłoszeń o patent/wzór użytkowy

*of all my(our)patent/'utility model application*s

toutes mes(nos) demandes de brevet/modele d'utilite

przed Urzędem Patentowym Rzeczypospolitej Polskiej oraz do dokonywania lub przyjmowania opłat w moim/naszym/ imieniu.
before the Patent Office of the Republic of Poland and to make or receive payments on my/our) behalf.
aupres de 1'Office polonais des brevets et d'effectuer ou de recevoir des paiements en mon(notre) nom.

Miejscowość: / *Place:* / Lieu: — Data: / *Date:* / Date:

Podpis:
Signature:
Signature:

NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY (PORTUGAL)

AS

DESIGNATED (OR ELECTED) OFFICE

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Deed of assignment . . . . . Annex PT.III

List of abbreviations:

Office: National Institute of Industrial Property (Portugal)

PTL: Industrial Property Code (Portugal)

APL: Administrative Procedures Law

SUMMARY **Designated (or elected) Office** SUMMARY

PT NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY (PORTUGAL) PT

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:	Portuguese
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only), 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[1]	Currency: Euro (EUR)

		Online		*On paper*
For patent:				
Filing fee:[2]	EUR	53.93	EUR	107.86
For utility model:				
Filing fee:[2]	EUR	53.93	EUR	107.86

Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[3]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4] Deed of assignment or transfer if the applicant is not the inventor[4] Appointment of an agent if the applicant is not resident in Portugal[5]
Who can act as agent?	An official industrial property agent, an appointed lawyer, or a registered representative
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

1 If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the applicant may still file the translation and/or pay the fee within one month from the expiration of the applicable time limit, subject to the payment of a surcharge equal to 50% of the filing fee.

2 Includes publication and examination.

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.

5 Unless an e-mail address or facsimile number is furnished.

THE PROCEDURE IN THE NATIONAL PHASE

PT.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).

PT.02 **FEES (MANNER OF PAYMENT).** The manner of payment referred to in the Summary and in this Chapter is outlined in Annex PT.I.

PT.03 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model is given in Annex PT.II.

PTL Art. 368.1-3

PT.04 **RENEWAL FEES.** Annual fees for the first two years are included in the filing fee. They are payable for the third and each subsequent year following the international filing date, even when the corresponding rights have not yet been granted. For the third and fourth annual fees the Office applies a reduction of 100% (the applicant does not pay any fee). However, the applicant must indicate to the Office that the patent should be renewed for the third and fourth years. The first payment must be made after the filing of the Portuguese translation of the international application, and must occur within three months from the next anniversary of the application filing date following the filing of the translation. Subsequently, annual fees become due each year during the six months preceding the anniversary of the international filing date. Late payment can be made within six months from that anniversary together with 50% surcharge. The amounts of the annual fees are shown in Annex PT.I.

PT.05 **DEED OF ASSIGNMENT.** Where the applicant claims the priority of an earlier application under which he is not the applicant, a deed (or deeds) of assignment must be furnished. For details, see the sample of such deed (not an official form) in Annex PT.III. Legalization is not required. For time limits, see the Summary. Where the applicant is not the inventor, it is sufficient to designate the inventor and to state how the applicant acquired the right to the patent.

PCT Art. 28
41

PT.06 **AMENDMENT OF THE APPLICATION.** The applicant may amend or correct the international application up to the grant of a patent, provided the scope of the subject matter of the application is not broadened thereby. Requests for amendments may be subject to payment of a fee.

PTL Art. 69

PT.07 **PUBLICATION OF THE APPLICATION.** After the international publication, the Office publishes in the Industrial Property Bulletin a notice that the application has entered the national phase, with all the elements which are relevant for the identification of the application. An opposition may be filed by a third party within two months from the date of publication of the notice and is subject to a fee, whose amount is shown in Annex PT.I. If no opposition is filed, the application is subject to a substantive examination.

PT.08 **SUBSTANTIVE EXAMINATION.** All patent applications are subject to substantive examination, but no special request has to be made.

PTL Art. 70

PT.09 **PUBLICATION OF GRANT.** If the examination concludes that the patent can be granted, a notice of acceptance of grant shall be published in the Industrial Property Bulletin.

PCT Art. 25
PCT Rule 51
APL Art. 158
et seq.

PT.10 **REVIEW UNDER PCT ARTICLE 25.** 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, an appeal may be filed with the President of the Office against the decision of the Director of Services. If the Office confirms its decision, another appeal may be filed with the competent Minister and ultimately with the Lisbon Administrative Court which will decide on the appeal. The amount of the appeal fee is shown in Annex PT.I.

PCT Art. 24(2) 48(2)

PT.11 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reestablishment of rights may be requested where the applicant was unable, for legitimate reasons, to observe a time limit during the international phase or before the Office. A request for reestablishment must be filed with the Office in writing and the omitted act must be performed. The request must state the grounds on which it is based and set out the facts to which it refers.

PCT Art. 4(3) 43
PCT Rule 49*bis*.1 (a), (b) 76.5
PTL Art. 119

PT.12 **UTILITY MODEL.** If the applicant wishes to obtain a utility model in Portugal, on the basis of an international application

(i) instead of a patent or

(ii) in addition to a patent,

the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

PTL Art. 119.5-6 142

PT.13 If the international application is for a utility model instead of a patent, the requirements are basically the same as for patents. The maximum term of protection for a utility model is 10 years. Any utility model is no longer valid after a patent has been granted for the same invention.

PT.14 If the international application is for both a utility model and a patent, the applicant must, within the time limit applicable for entry into the national phase, comply with the same requirements as for a patent application except that he has to:

(i) pay two filing fees for both the patent and the utility model,

(ii) where the international application was not filed in Portugal, to furnish a translation in duplicate into Portuguese.

PTL Art. 132

PT.15 **SUBSTANTIVE EXAMINATION.** All utility model applications are subject to substantive examination since 1 July 2019. For the non-examined utility models filed before 1 July 2019 that are still pending or that were provisionally granted, the examination can be requested by the applicant at any given time. In this case, this option should be selected in the application form or, if the examination is requested later, a form should be filled in for this purpose and the corresponding fee should be paid.

PTL Art.6 (transitional provisions)

PT.16 **PROVISIONAL GRANT FOR THE UTILITY MODEL.** The non-examined utility models that were filed before 1 July 2019 and that are still pending can be provisionally granted if they were not subject to substantive examination and no opposition was filed. However, non-examined utility models are no longer accepted by the Office since 1 July 2019.

PT.17 Where, in the case referred to in paragraph PT.13, the international application does not contain drawings, the applicant must furnish the drawing(s) within the time limit applicable under PCT Article 22 or Article 39(1). Where the applicant does not furnish the drawing(s) within the applicable time limit, the Office will invite him to furnish the drawing(s) within a time limit fixed in the invitation. Where an international application is converted into a utility model application (see next paragraph), the drawing(s) must be submitted with the request for conversion.

PT.18 **CONVERSION.** An international application for a patent may be converted into a utility model application after the applicant has complied with the requirements for entry into the national phase for a patent application as mentioned in the Summary. The conversion is subject to payment of a fee for conversion shown in Annex PT.I and may be requested up to the grant of the patent.

PT.19 An international application for a utility model may be converted into a patent application after the applicant has complied with the requirements for entry into the national phase for a utility model application, as shown in the Summary. The conversion is subject to the payment of a fee for conversion shown in Annex PT.I and may be requested up to the grant of the utility model.

FEES

(Currency: Euro)

Patents	*Online*	*On paper*
Filing fee (includes publication and examination)	53.93	107.86
Amendment fees:		
— corrections of the applicant or patentee details	—	—
— claims, description, drawings, abstract, title or other elements	26.97	53.93
Fee for conversion of a patent into a utility model	188.76	377.50
Annual fees:		
– for the 1st year to the 4th year	—	—
– for the 5th year	53.19	53.19
– for the 6th year	79.77	79.77
– for the 7th year	106.37	106.37
– for the 8th year	159.56	159.56
– for the 9th year	319.10	319.10
– for the 10th year to the 11th year, per year	372.30	372.30
– for the 12th year	425.47	425.47
– for the 13th year	478.65	478.65
– for the 14th year	531.85	531.85
– for the 15th year to the 16th year, per year	585.01	585.01
– for the 17th year to the 18h year, per year	691.39	691.39
– for the 19th year to the 20th year, per year	744.57	744.57
Fee for late payment of annual fees	50% of the online fee	50% of the paper fee
Opposition fee	53.93	107.86
Appeal fee (for each level)	161.79	323.58
Fee for reestablishment of rights	161.79	323.58
Fee for restoration of the right of priority	161.79	323.58
Utility models		
Filing fee (includes publication and examination)	53.93	107.86
Examination fee[1]	80.91	161.79
Amendment fees:		
— corrections of the applicant or patentee details.	—	—
— claims, description, drawings, abstract, title or other elements	26.97	53.93
Fee for conversion:	107.86	215.71

[1] Whenever examination is requested for non-examined utility models (non-examined utility models are no longer accepted by the Office since 1 July 2019).

	Online	*On paper*
Annual fees:		
– for the 1st year to the 4th year	—	—
– for the 5th year to the 7th year, per year	32.36	48.54
– for the 8th year to the 10th year, per year	37.73	53.93
Fee for late payment of annual fees	50% of the online fee	50% of the paper fee
Opposition fee	53.93	107.86
Appeal fee (for each level)	161.79	323.58
Fee for reestablishment of rights	161.79	323.58
Fee for restoration of the right of priority	161.79	323.58

How can payment of fees be effected?

Payment of fees by nationals may be effected in cash, by check, by ATM or by postal order for paper filings. For online filings, payment of fees should be made by ATM.

For non-nationals, online payments should be made by credit card (Visa or MasterCard).

Payment of fees by bank transfer is only permitted under very exceptional conditions. Please contact the Office at servico.publico@inpi.pt for further details.

All payments must give 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.

PROCURAÇÃO / POWER OF ATTORNEY / POUVOIR

Eu/Nós / I/we / Je/Nous (1)

nomeio/nomeamos / do hereby appoint / nomme/nommons (2)

para realizar em meu/nosso nome as formalidades de depósito de um pedido referente à invenção intitulada (3)
to take on my/our behalf proceedings for making application for the invention entitled (3)
pour accomplir en mon/notre nom les formalités de dépôt d'une demande relative à l'invention intitulée (3)

junto do Instituto Nacional da Propriedade Industrial(4)
before the Industrial Property Office of Portugal and (4)
auprès de l'Office de la propriété industrielle du Portugal et (4)

de acordo com Lei portuguesa sobre patentes / according to the Portuguese Patent Law / conformément à la loi portugaise sur les brevets.

Lugar / Place / Lieu :..... Data / Date :.....

Assinatura(s) / Signature(s)

(1) Indicar o nome e endereço completos da pessoa ou da sociedade que nomeia o mandatário
Insert in full the name and address of the individual or corporation appointing the attorney / Indiquer le nom complet et l'adresse complète de la personne ou de la société qui nomme le mandataire.

(2) Nome do mandatário / Name of the attorney / Nom du mandataire.

(3) Título da invenção / Title of the invention / Titre de l'invention.

(4) Outros assuntos para os quais o mandatário é nomeado / Other matters for which the attorney is appointed / Autres affaires pour lesquelles le mandataire est nommé.

ACTO DE CESSÃO / DEED OF ASSIGNMENT / ACTE DE CESSION

Eu/nós abaixo assinado(s)
It is hereby declared that I/we the undersigned
Je/Nous soussigné(s)

declaro/declaramos pelo presente acto ter cedido o meu/nosso direito de pedir e obter uma patente em Portugal cujo título é:
have assigned my/our right to apply for and obtain a patent in Portugal in respect of the invention entitled:
déclare/déclarons par le présent acte avoir cédé mon/notre droit de demander et obtenir un brevet au Portugal en ce qui concerne l'invention intitulée :

à/to/à :

Lugar / Place / Lieu :..... Data / Date: .....

Assinatura(s) / Signature(s)

RECONHECIMENTO NÃO EXIGIDO / NO LEGALIZATION REQUIRED / AUCUNE LEGALISATION REQUISE

INTELLECTUAL PROPERTY DEPARTMENT (QATAR)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEX

Fees . . . . . Annex QA.I

List of abbreviations:

Office:	Intellectual Property Department (Qatar)
Law:	Decree Law No. 30, 2006

SUMMARY Designated (or elected) Office SUMMARY

QA INTELLECTUAL PROPERTY DEPARTMENT QA (QATAR)

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Arabic
Required contents of the translation for entry into the national phase:[1]	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?	A copy is required only if the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) at a time when the applicant has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20.
National fee:[1]	Currency: Qatar riyal (QAR) Filing fee: 2,000[2] 1,000[3] 0[4]
Exemptions, reductions or refunds of the national fee:	Reductions of the national fee are indicated above
Special requirements of the Office (PCT Rule 51*bis*):[5]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[6] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Appointment of an agent if the applicant is not a resident of Qatar Instrument of assignment of the interational application if the applicant has changed after the international filing date Translation of the international application to be furnished in two copies, one on paper and one in electronic form[7]

[Continued on next page]

1 Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1). The applicant may still furnish the translation within six months after the expiration of the applicable time limit.

2 This amount is applicable in case of filing by a company, or an educational or research institution.

3 This amount is applicable in case of filing by an individual.

4 No fee is due in case of filing by a student.

5 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 of six months from the date of the invitation.

6 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

7 Must be furnished within six months from the date of the invitation by the Office.

SUMMARY **Designated (or elected) Office** SUMMARY

QA INTELLECTUAL PROPERTY DEPARTMENT QA (QATAR)

[Continued]

Who can act as agent?	Any attorney or lawyer registered in Qatar
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

QA.01 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is Arabic.

QA.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

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

QA.04 **ANNUAL FEES.** Annual fees are payable for the second and each subsequent year following the international filing date. Payment of annual fees may still be made within 12 months from the due date, subject to the payment of a 10% surcharge. The amounts of the annual fees are indicated in Annex QA.I.

QA.05 **APPOINTMENT OF AN AGENT.** If the applicant is not resident in Qatar, an agent shall be appointed.

Law Art. 7

QA.06 **EXAMINATION.** The Office shall examine patent applications. The applicant may appeal a decision by the Office to refuse grant of the patent within 15 days from the date of notification by the Office. The amount of the fee for examination is indicated in Annex QA.I.

QA.07 **AMENDMENT OF THE APPLICATION.** The applicant may, at any time before the patent is granted, make amendments to his application, provided that the amendment does not go beyond the original disclosure. The amount of the fee for amendment is indicated in Annex QA.I.

QA.08 **FEE FOR GRANT.** A fee for grant and publication must be paid within three months from the notification of grant and publication.

PCT Art. 24(2) 48(2)
PCT Rule 82*bis*

QA.09 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

QA.10 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Rule 49*ter*.2

QA.11 **RESTORATION OF THE RIGHT OF PRIORITY.** Where the international application was filed within two months from the end of the period for claiming priority of an earlier application, a request for restoration of the right of priority may be made to the Office in accordance with the national law (see National Phase, paragraphs 6.006 to 6.011). Such a request will be granted if the Office is satisfied that the failure to file the application within the 12-month priority period occurred in spite of due care required by the circumstances. The time limit for filing the request is one month from the date of entry into the national phase.

FEES

(Currency: Qatari riyal)

Filing fee	2,000[1]	1,000[2]	0[3]
Examination fee	5,000[1]	2,500[2]	100[3]
Annual fees:			
— for the 2nd year	400[1]	200[2]	100[3]
— for the 3rd year	500[1]	250[2]	100[3]
— for the 4th year	600[1]	300[2]	100[3]
— for the 5th year	700[1]	350[2]	100[3]
— for the 6th year	800[1]	400[2]	100[3]
— for the 7th year	900[1]	450[2]	100[3]
— for the 8th year	1,000[1]	500[2]	100[3]
— for the 9th year	1,100[1]	550[2]	100[3]
— for the 10th year	1,200[1]	600[2]	100[3]
— for the 11th year	1,300[1]	650[2]	100[3]
— for the 12th year	1,400[1]	700[2]	100[3]
— for the 13th year	1,500[1]	750[2]	100[3]
— for the 14th year	1,600[1]	800[2]	100[3]
— for the 15th year	1,700[1]	850[2]	100[3]
— for the 16th year	1,800[1]	900[2]	100[3]
— for the 17th year	1,900[1]	950[2]	100[3]
— for the 18th to the 20th years, per year	2,000[1]	1,000[2]	100[3]
Additional fee for late payment of annual fee	10% of the annual fee		
Fee for grant and publication	400[1]	200[2]	50[3]
Fee for amendment	200[1]	100[2]	50[3]

How can payment of fees be effected?

The payment of fees should be effected in Qatari riyal. 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 type of fee being paid.

Payment of fees must be made at the Office.

[1] This amount is applicable in case of filing by a company, or an educational or research institution.

[2] This amount is applicable in case of filing by an individual.

[3] This amount is applicable in case of filing by a student.

STATE OFFICE FOR INVENTIONS AND TRADEMARKS (ROMANIA)

(OFICIUL DE STAT PENTRU INVENTII SI MARCI)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE PROCEDURE IN THE NATIONAL PHASE

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Fees . . . . . Annex RO.I
National processing request form . . . . . Annex RO.II

List of abbreviations:

Office: State Office for Inventions and Trademarks (Romania)

LPI: Law No. 64/1991 on Patents, republished within the meaning of Article IV of the Law No. 28/2007 for amending and completing the Patent Law No. 64/1991, published in the Official Gazette of Romania, Part I, No. 613 of 19 August 2014

RLP: Decision No. 547 of 21 May 2008 for the approval of Regulations Implementing Law No. 64/1991 republished, published in the Official Gazette of Romania, No. 456 of 18 May 2008

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 **Designated (or elected) Office** SUMMARY

RO STATE OFFICE FOR INVENTIONS AND TRADEMARKS (ROMANIA) RO

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:

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Romanian
Required contents of the translation for entry into the national phase:[1]	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:[2]	Currency: Euro (EUR) Filing fee: EUR 30 Fee for priority claims, per priority: EUR 50 Examination fee: EUR 500 Annual fee for the first three years: EUR 150
Exemptions, reductions or refunds of the national fee:	For international applications entering the national phase the search fee is reduced by 50%
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3, 4] Statement justifying the applicant's right to the patent if he is not the inventor[4] Appointment of an agent if the applicant is not resident in Romania

[Continued on next page]

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.

SUMMARY **Designated (or elected) Office** SUMMARY

RO STATE OFFICE FOR INVENTIONS AND TRADEMARKS (ROMANIA) RO

[Continued]

Who can act as agent?	Any industrial property agent resident in Romania whose name appears on the register kept in the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

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

THE PROCEDURE IN THE NATIONAL PHASE

RLP Art. 30(6)

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.

LPI Art. 27
RLP Art. 20(3)

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.

RLP Art. 23(8)

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.

LPI Art. 13(4) 37(1)
RLP Art. 22

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.

OF Art. 11(1)

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.

OF Art. 11(1), (2) and (5)

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.

PCT Art. 28 41
LPI Art. 26

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.

PCT Art. 25
PCT Rule 51
CCP Art. 299
LPI Art. 51-57

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.

PCT Art. 24(2) 48(2)

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

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, Bucuresti, account details: IBAN: RO38RNCB0080005630320005, BIC (SWIFT CODE) RNCBROBU, fiscal code 4266081.

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.

Nr referinţă solicitant/mandatar:	**Registratura OSIM** **(numărul şi data primirii)**
Numărul cererii internaţionale: **Data depozitului internaţional:** **Numărul şi data publicaţiei internaţionale:**	

FORMULAR DE SOLICITARE A DESCHIDERII FAZEI NAŢIONALE CONFORM ART.22 ŞI ART.39 DIN TRATATUL DE COOPERARE ÎN DOMENIUL BREVETELOR

Subsemnatul.....
(denumirea/ numele şi prenumele solicitantului deschiderii fazei naţionale)

din.....
(sediul/domiciliu cu adresa completă) (verso*)
solicit în conformitate cu prevederile Art.30 alin.3 din HG. Nr.547 din 18.06.2008 pentru aprobarea Regulamentului de aplicare a Legii nr.64/1991 deschiderea fazei naţionale ca urmare a desemnării/ desemnării şi alegerii ROMÂNIEI în cererea internaţională, în vederea eliberării unui brevet de invenţie, pentru invenţia
cu titlul: .....
.....
.....
Declar că inventatorii sunt următorii:

1).....
(nume,prenume şi domiciliul inventatorului)
2).....
(nume,prenume şi domiciliul inventatorului) (verso*)
şi revendic prioritatea cererii(lor) 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, ţara) (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.**

Nume, prenume
(în clar)

Semnătura
L.S.

Formular B12

INTELLECTUAL PROPERTY OFFICE (SERBIA)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

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National processing request form . . . . . Annex RS.II

List of abbreviations:

Office: Intellectual Property Office (Serbia)

PL: The Patent Law, 2011

LR: Law Ratifying the PCT, 2004

LAP: Law on Administrative Procedures, 2010

RPL: Regulations under the Patent Law, 2012

SUMMARY Designated (or elected) Office SUMMARY

RS INTELLECTUAL PROPERTY OFFICE (SERBIA) RS

Summary of requirements for entry into the national phase

If grant of a national patent by the Intellectual Property Office (Serbia) is desired:

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date[1] Under PCT Article 39(1)(a): 30 months from the priority date[1]
Translation of international application required into:[2]	Serbian
Required contents of the translation for entry into the national phase:[2]	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?	Applicant should only send a copy of the international application if he/she has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee:[2]	Currency: Serbian dinar (RSD) For patent: Filing fee:[3] RSD 8,210 Claim fee for each claim in excess of 10:[3] RSD 800 Additional fee for late entry into the national phase: 50% of the filing fee Examination fee:[3] RSD 8,210 Annual fee for the first three years:[3] RSD 11,510 For petty patent: Filing fee:[3] RSD 8,210 Additional fee for late entry into the national phase: 50% of the filing fee

[Continued on next page]

[1] The time limit may be extended by 30 days, provided the applicant pays the additional fee for late entry into the national phase.
[2] Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
[3] This fee is reduced by 50% where the international application is filed by a natural person.

SUMMARY Designated (or elected) Office SUMMARY

RS INTELLECTUAL PROPERTY OFFICE (SERBIA) RS

[Continued]

Exemptions, reductions or refunds of the national fee:	The examination fee is reduced where an international search report or an international preliminary examination report has been established (see Annex I).
Special requirements of the Office (PCT Rule 51*bis*):[4]	Appointment of an agent if the applicant is not resident in Serbia Instrument of assignment of the international application if the applicant has changed after the international filing date and the change has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Statement justifying the applicant's right to the patent if he is not the inventor[5] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Translation of the international application to be furnished in three copies Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any person registered to practice as a patent agent before the Office, or any attorney-at-law registered in Serbia
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

If a European patent is desired: See European Patent Organisation (EP) in Annex B

[4] 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.

[5] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

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

RS.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).

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

RS.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney.

PL Art. 40

RS.05 **ANNUAL FEES.** The first annual fee is payable for the third year following the international filing date. Payment of the annual fees for subsequent years must be made before the anniversary of the international filing date. If not made within this time limit, payment may still be made, together with a 50% surcharge, within six months after the due date. The amounts of the annual fees are indicated in Annex RS.I.

PL Art. 103

RS.06 **REQUEST FOR EXAMINATION.** A patent will be granted only after substantive examination which must be requested. There is no special form for the request. If the applicant does not file such a request, the application for the grant of the patent shall be rejected.

RS.07 Examination must be requested within six months of the date of receipt of the search report.

RS.08 A request for examination is only effective if the examination fee has been paid. The amount of this fee is indicated in Annex RS.I. The examination fee is reduced where an international search report or an international preliminary examination report has been established. If the examination fee has not been paid within the time limit, payment can be made together with a surcharge for late payment within 30 days from the receipt of the invitation from the Office.

PL Art. 90

RS.09 **PRIORITY DOCUMENT.** The priority document shall be submitted not later than up to the expiration of the period of three months from the date of entry into the national phase or 16 months from the earliest priority date claimed, whichever period expires first.

PCT Art. 28
41
PL Art. 101

RS.10 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend or correct the international application up to the grant of a patent, provided that the scope of the subject matter of the application is not extended. The applicant may not amend the description, claims and drawing(s) before receipt of the search report. After receipt of the search report, the applicant may, of his own volition, amend the description, claims and drawing(s). Amended claims may not relate to unsearched subject-matter which does not, combined with the invention as originally claimed or the group inventions, form the single general inventive concept for which protection had originally been sought.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

RS.11 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

RS.12 The time limits for entry into the national phase, requesting substantive examination and payment of the substantive examination fee may be extended by 30 days on request and payment of a fee (see Annex RS.I).

LAP Art. 93

RS.13 *Restitutio in integrum* may be requested where the applicant has missed a procedural time limit for performing an act in relation to the international application. The request for *restitutio in integrum* must explain the circumstances which caused the failure to comply with the time limit and at least to make them probable. The request shall also be accompanied by the document that was supposed to be submitted within the prescribed time limit when the failure to submit the document on time was the reason for demanding *restitutio in integrum*. The request must be submitted within eight days from the day on which the circumstances which caused the delay ceased to exist, or, where the party learned about its cessation only later, from the day the party learned of it. A request for *restitutio in integrum* is acceptable only up to three months from the day when the delayed document or act was due.

PL.Art. 73

RS.14 *Reestablishment of Rights* may be requested where the applicant has missed any time limit for performing an act in relation to the international application, resulting in the loss of rights arising from the application or granted right as a legal consequence of such omission. The applicant must file a request for the reestablishment of rights stating the reasons for the request, complete all omitted acts, submit evidence in support of the reasons, submit proof of fees payment for the request for the reestablishment of rights arising from the application or granted right. The request for the reestablishment of rights shall be filed within three months from the date on which grounds for the omission ceased to exist or, if the person who requires reestablishment of rights learned about the omission subsequently, from the date on which he found out about the omission, but not later than 12 months from the date of non-observance of the time limit or, if the request relates to the failure to pay the maintenance fee, at least 12 months from the date of expiry of the additional time limit for payment of this fee.

PCT Art. 25
PCT Rule 51
PL Art. 67

RS.15 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. In the case of a negative decision by the Office during the national phase (including a request for review under PCT Article 25), the applicant may appeal to the government within 15 days from the receipt of the decision, except in certain cases, as provided by PL Art. 67. The government's decision is final but administrative dispute proceedings may be instituted against such decision within 30 days from the date of receipt of the government's decision.

PL Art. 163
39
PCT Rules 49*bis*.1(a)
76.5

RS.16 **PETTY PATENT.** Subject to paragraph RS.19, if the applicant wishes to obtain, on the basis of an international application, a petty patent instead of a patent, he shall so indicate to the Office when performing the acts referred to in PCT Article 22 or 39. Petty patents may only be granted in respect of the structure of a product or layout of the components described in the application. The term of protection for a petty patent is 10 years from the international filing date of the application.

PL Art. 164

RS.17 The national requirements for petty patents are basically the same as those for patents. However, petty patents are not examined as to novelty, inventive step and industrial applicability.

PL Art. 163

RS.18 A petty patent may contain only one independent claim and up to four dependent claims.

PL Art. 166

RS.19 **CONVERSION.** An international application for a patent may be converted into an application for a petty patent, and vice versa, at any time before the grant of the patent, by filing a request to that effect and paying the relevant fees (see Annex RS.I).

FEES

(Currency: Serbian Dinar)

Patents

Filing fee[1]	8,210
Claim fee for each claim in excess of 10[1]	800
Additional fee for late entry into the national phase	50% of the filing fee
Search fee (if there is no international search report)[1]	16,470
Examination fee[1]	8,210
Surcharge for late filing of request for examination[1]	4,940
Annual fees:[1, 2]	
— for the 3rd year, counted from the international filing date	11,510
— for the 4th year, counted from the international filing date	13,980
— for the 5th year, counted from the international filing date	16,470
— for the 6th year, counted from the international filing date	19,730
— for the 7th year, counted from the international filing date	23,010
— for the 8th year, counted from the international filing date	26,320
— for the 9th year, counted from the international filing date	29,620
— for the 10th year, counted from the international filing date	32,920
— for the 11th year, counted from the international filing date.	39,530
— for the 12th year, counted from the international filing date.	46,110
— for the 13th year, counted from the international filing date.	52,700
— for the 14th year, counted from the international filing date.	59,260
— for the 15th year, counted from the international filing date.	65,840
— for the 16th year, counted from the international filing date.	72,440
— for the 17th year, counted from the international filing date.	79,020
— for the 18th year, counted from the international filing date.	85,600
— for the 19th year, counted from the international filing date.	92,180
— for the 20th year, counted from the international filing date.	98,760
Fee for restoration of the right of priority[1]	3,300
Fee for re-establishment of rights[1]	4,100

Petty patents

Filing fee[1]	8,210
Additional fee for late entry into the national phase	50% of the filing fee
Annual fees:[1]	
— for the 3rd year, counted from the international filing date	11,510
— for the 4th year, counted from the international filing date	13,980
— for the 5th year, counted from the international filing date	16,470
— for the 6th year, counted from the international filing date	19,730
— for the 7th year to the 10th year, counted from the international filing date, per year	23,010

[1] This fee is reduced by 50% where the international application is filed by a natural person.

[2] Annual fees for the maintenance of patents of addition are reduced by 30% of the indicated fee. The first annual fee is payable for the third year following the international filing date. Payment of the annual fees for subsequent years must be made before the anniversary of the international filing date. If not made within this time limit, payment may still be made, together with a 50% surcharge, within six months after the due date.

Fee for request of conversion of patent application into petty patent application, and vice-versa[3]	3,300
Fee for extension of time limit:[3]	
— for the first request up to 30 days	1,660
— for every subsequent request, for every month	2,470

How can payment of fees be effected?

(i) All fees must be paid to the Office.

(ii) The majority of the national fees must be paid by money order, postal transfer or bank transfer to budget account No. 840-30880845-62 (97 41-601) reference No. 97, then code with control number of the municipality of the Republic of Serbia. All payments should include the complete application number, the name of the applicant and the type of fee being paid.

[3] See footnote 1.

ЗАВОД ЗА ИНТЕЛЕКТУАЛНУ СВОЈИНУ Образац-PCT/RS

З А Х Т Е В З А П Р И З Н А Њ Е П А Т Е Н Т А

Национална фаза поступка по међународној пријави патента - ЗИС као назначени или изабрани Завод (члан 22. или 39. Уговора о сарадњи у области патената - PCT)

Завод за интелектуалну својину
Кнегиње Љубице бр. 5
11000 Београд

Попуњава завод

Број пријаве: П- 21)		Печат Завода и потпис
Датум пријема:	Признати датум подношења: (22)	

Број PCT пријаве (86)	PCT/	Датум подношења PCT пријаве	
Број објаве PCT пријаве (87)	WO	Датум објаве PCT пријаве	

1. Подносилац пријаве: (71)

☐ Подаци о подносиоцу/има наведени су у међународној објави или су регистровани од стране IB WIPO након међународне објаве

☐ Промене података о подносиоцу/има пријаве које нису регистроване од стране IB WIPO налазе се на посебном листу

2. Пуномоћник: Телефон: (74)

Фах:

☐ Појединачно пуномоћје достављено је у прилогу

☐ Генерално пуномоћје достављено је дана под бројем:

☐ Пуномоћје ће бити накнадно достављено

3. Назив проналаска: (54)

- на српском језику:
- на енглеском језику*:

*Уписати само уколико PCT пријава није поднета на енглеском језику

4. Основ за приступање по међународној пријави патента пред ЗИС

4.1. Поступање пред ЗИС као назначеним Заводом (PCT I) засновати на следећим документима:

☐ Међународној пријави патента објављеној од стране IB WIPO (опис, сви патентни захтеви, нацрт) и у одговарајућем случају, измењеним патентним захтевима у смислу члана 19. PCT.

☐ Приложеном опису, патентним захтевима и нацрту

Уколико је потребно. додатно објашњење доставити на посебном листу.

4.2. Поступање пред ЗИС као изабраним Заводом (PCT II) засновати на следећим документима:

☐ Међународној пријави патента на којој је IPER заснован, и у одговарајућем случају, измењеним патентним захтевима, у смислу члана 34. PCT.

☐ Приложеном опису, патентним захтевима и нацрту

Уколико је потребно. додатно објашњење доставити на посебном листу.

Попуњава подносилац пријаве

5. Превод пријаве *(означити одговарајући квадрат)*

5.1. Поступање пред ЗИС као назначеним / изабраним Заводом (PCT I + II)

☐ Превод међународне пријаве патента (опис, патентни захтеви, текст на нацрту) како је оригинално поднета, апстракт како је објављен од стране IB WIPO и назначења која се односе на биолошки материјал, у смислу Правила 13bis.3 и 13bis.4 PCT, који садржи.

_____ страница описа,

_____ патентних захтева,

_____ слика нацрта

☐ апстракт

5.2. Поступање пред ЗИС као изабраним Заводом (PCT I)

☐ Превод измењених патентних захтева, у смислу члана 19. PCT, уколико су измењени патентни захтеви основ за поступање пред ЗИС, који садржи _____патентних захтева.

5.3. Поступање пред ЗИС као изабраним Заводом (PCT II)

☐ Превод измењених патентних захтева, у смислу члана 34. PCT, уколико су измењени патентни захтеви основ за поступање пред ЗИС, који садржи _____патентних захтева.

6. П р и л о з и:

☐ Извештај о међународном претраживању (ISR)

☐ Извештај о претходном међународном испитивању (IPER)

☐ Објава PCT пријаве *(PCT pamphlet)*

☐ Доказ о депоновању биолошког материјала

☐ Изјава о основу стицања права на подношење пријаве, односно изјаве у смислу Правила 51bis1 PCT

☐ Доказ о плаћеној такси у износу од _____дннара (_____патентних захтева, улазак у националну фазу у _____месецу)

☐ Остало:

Потпис и печат пуномоћника

FEDERAL SERVICE FOR INTELLECTUAL PROPERTY (ROSPATENT) (RUSSIAN FEDERATION)

AS

DESIGNATED (OR ELECTED) OFFICE

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National processing request form for patents . . . . . Annex RU.II
National processing request form for utility models . . . . . Annex RU.III

List of abbreviations:

Office: Federal Service for Intellectual Property (Rospatent) (Russian Federation)

RCC: Civil Code of the Russian Federation[1]

Rules: Rules for the preparation, filing and examination of documents that are the basis for carrying out legally significant actions on the State registration of inventions, and their forms[2]

REQ: Requirements for patent application documents for an invention[2]

SF: Statute on Fees for Patents, Utility Models, Industrial Designs, Trademarks, Service Marks, Appellations of Origin[1]

[1] These texts are available at www.rospatent.gov.ru

[2] These texts are available at https://rospatent.gov.ru/ru/docs/regulations

SUMMARY **Designated (or elected) Office** SUMMARY

RU FEDERAL SERVICE FOR INTELLECTUAL PROPERTY (ROSPATENT) (RUSSIAN FEDERATION) RU

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:[1]	Russian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as originally filed or as amended, if the applicant wishes the amendments to form the basis for the proceedings, together with any statement under PCT Article 19[2]), 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, as originally filed or as amended by the annexes to the international preliminary examination report, if the applicant wishes the amendments to form the basis for the proceedings[2])
Is a copy of the international application required?	No
National fee:	Currency: Russian rouble (RUB) For patent: Filing fee:[3] RUB 3,300 Examination fee:[4] — for one independent claim: RUB 12,500 — for each independent claim in excess of one: RUB 9,200 Annual fee for the third year: RUB 1,700 For utility model: Filing fee:[3] RUB 1,400 Annual fee for the first and the second year, per year: RUB 800

[Continued on next page]

[1] Must be furnished within the time limit applicable under PCT Article 22 or 39(1). If not already complied with within this time limit, the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

[2] In certains circumstances, the Office is entitled to require both the translation of the international application as originally filed and as amended; in such a case, the Office will invite the applicant to supply the missing translation.

[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] Where the request for substantive examination is filed upon entry into the national phase.

SUMMARY Designated (or elected) Office SUMMARY

RU FEDERAL SERVICE FOR INTELLECTUAL PROPERTY (ROSPATENT) (RUSSIAN FEDERATION) RU

[Continued]

Exemptions, reductions or refunds of the national fee:	The examination fee shall be reduced by 50% where the international search report has been established by the Federal Service for Intellectual Property (Rospatent) (Russian Federation), or by 10% where the international search report has been established by any of the other International Searching Authorities. The annual fees shall be reduced by 50% where a notice about an open license is filed with the Office. The reduction shall apply as from the year following the year of publication of information on the notice. The filing fee, the examination fee and the reinstatement fee shall be reduced by 30% where the application and all required documents are filed online.
Special requirements of the Office (PCT Rule 51*bis*):	Appointment of an agent if the applicant is not resident in the Russian Federation
Who can act as agent?	Any patent attorney registered to practice before the Office
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

RU.01 **FORMS FOR ENTERING THE NATIONAL PHASE.** The Office has available two special forms for entering the national phase (see Annexes RU.II and RU.III). These forms should preferably (but need not) be used. If they are used, the translation of the PCT request is not required.

RU.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).

RCC Art. 1247

RU.03 **REPRESENTATION.** Applicants having their residence outside the territory of the Russian Federation must appoint patent agents registered to practice with the Office. A list of registered patent agents is available upon request from the Office.

RCC Art. 1249
SF 1

RU.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex RU.I.

RCC Art. 1386, 1389
Rules Rule 34
SF 1.9

RU.05 **REQUEST FOR EXAMINATION.** A patent is 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. Examination must be requested within three years from the international filing date. The time limit may be extended for not more than two months on filing a request prior to the expiration of three years from the international filing date. The request for examination is only effective if a fee for requesting examination has been paid. The expired time limit for the request for examination may be reinstated within 12 months on payment of the reinstatement fee accompanied by a statement on the valid excuse for expiration. The amount of the said fee is indicated in Annex RU.I. It is reduced where an international search report has been established.

RCC Art. 1393
SF 1.18, 1.19

RU.06 **FEE FOR GRANT.** A fee for grant must be paid within four months after dispatch to the applicant of the decision to grant the patent. Where the applicant fails to pay the fee within that time limit, he can make this payment, together with a 50% surcharge for late payment, within six months from the date of expiration of the above-mentioned time limit.

PCT Art. 28, 41
PCT Rule 78.1
RCC Art. 1378

RU.07 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Within a month after entry into the national phase the applicant has the right to amend any element of his application, including claims, without paying any fee for that purpose, provided that the amendments do not modify the subject matter of the application beyond the original disclosure. After the expiration of the said time limit claims may be amended on the applicant's own initiative after the receipt of the search report and the payment of the prescribed fees (see Annex RU.I) or when specifically required by the examiner. All amendments shall be made prior to the final decision on a patent application.

SF 1.21

RU.08 **ANNUAL FEES.** After a patent has been granted, annual fees must be paid for maintaining the patent in force. They are payable for the third and each subsequent year following the international filing date for patents and for the first and each subsequent year for utility models. For the due date of the payment of the first annual fees, see the Summary. After that, annual fees become due every year on the anniversary of the international filing date. Payment can still be made, upon payment of a 50% surcharge for late payment, within six months from the date of expiration of the prescribed time limit. If the patent lapses following failure to pay the annual fee within the prescribed time limit, the reinstatement of rights is permitted within three years from the date of the expiry of this time limit if the applicant makes a written request for the reinstatement of rights and pays the reinstatement fee. The amount of the reinstatement fee is 2.5 times greater than the amount of the annual fee for the year of the submission of the request. The amounts of annual fees are indicated in Annex RU.I.

PCT Art. 25
PCT Rule 51

RU.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 omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged with the Office.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*
RCC Art. 1382
1396

RU.10 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where, during the international phase or before the Office, the applicant has missed a time limit for performing any act in relation to the international application, such time limit may be extended by the Office upon request by the applicant and subject to payment of the reinstatement fee (see Annex RU.I).

PCT Rule 49.6

RU.11 Reinstatement may be requested where the applicant failed to comply with the time limit applicable under PCT Article 22 or 39(1) for entering the national phase The application may be reinstated if the Office finds that the failure to meet that time limit occurred in spite of due care required by the circumstances having been taken. A request for reinstatement must be presented within 12 months from the expiry of the time limit and is subject to the payment of a fee (see Annex RU.I).

PCT Rule 49*bis*.1 (a), (b)
76.5
RCC Art. 1390

RU.12 **UTILITY MODEL.** If the applicant wishes to obtain a utility model registration instead of a patent on the basis of an international application, subject to what is said in paragraph 13, the applicant, when performing the acts referred to in PCT Article 22 or 39, shall so indicate to the Office. If the international application is for a utility model instead of a patent, the requirements are basically the same as for an invention except that the applicant is not required to make a request for substantive examination.

SF 1.18, 1.19, 1.21

RU.13 The first annual fee must be paid jointly with the grant fee (see Annex RU.I).

RCC Art. 1379
Rules Rule 3(15)
SF 1.12, 1.13

RU.14 **CONVERSION.** The applicant may, prior to publication of a patent application, but not later than the decision to grant is taken, convert the said application into a utility model application by filing a request to that effect. The utility model application may be converted into a patent application at any time before the decision to grant is taken. The conversion is subject to payment of a fee. The converted application shall have the priority date of the initial application.

REQ Rule 11

RU.15 **NUCLEOTIDE AND AMINO ACID SEQUENCES.** Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, the applicant must furnish a sequence listing presented as a separate part of the description and a sequence listing in electronic form.

FEES

(Currency: Russian rouble)

Patents

Filing fee[1]	3,300
— claims fee for each claim in excess of ten	700
— claims fee for each claim that has not been searched by the International Searching Authority	700
Search fee (where a request for search has been accepted and the fee has been paid, a search report is transmitted within 7 months):	
— for one independent claim:	9,500
— for each independent claim in excess of one	6,200
Examination fee:[1]	
— where the request for substantive examination is filed upon entry into the national phase:[2]	
– for one independent claim:	12,500
– for each independent claim in excess of one	9,200
— where the request for substantive examination is filed after entry into the national phase:[3]	
– for one independent claim	4,700
– for each independent claim in excess of one, but not more than five	2,800
– for each independent claim in excess of five	5,400
— where the request for substantive examination is filed after receipt of a search report and payment of the corresponding search fee has been made:	3,000
Fee for reinstatement of rights of the applicant with respect to an international application where the applicant failed to comply with the requirement of Article 22 or 39(1)	5,000
Reinstatement fee in other cases[1]	2,100
Fee for new claims:	
— for each new claim before the start of substantive examination	700
— for each new claim after the start of substantive examination	4,700
Grant fee	1,500
Annual fees:[4]	
— for the 3rd year	1,700
— for the 4th year	1,700
— for the 5th year	2,500
— for the 6th year	2,500
— for the 7th year	3,300
— for the 8th year	3,300
— for the 9th year	4,900
— for the 10th year	4,900
— for the 11th year	7,300
— for the 12th year	7,300
— for the 13th year	9,800
— for the 14th year	9,800
— for the 15th to the 18th year, each year	12,200
— for the 19th year	16,200
— for the 20th year	16,200
— for the 21st and each subsequent year	24,000

[1] This fee shall be reduced by 30% where the application and all required documents are filed online.

[2] In this case a search report is transmitted within 7 months from the date of the start of substantive examination.

[3] In this case a search report is transmitted within 12 months from the date of the start of substantive examination.

[4] The annual fees shall be reduced by 50% where a notice about an open license is filed with the Office. The reduction shall apply as from the year following the year of publication of information on the notice.

(18 March 2021)

Fee for restoration of the right of priority	1,000

Utility models

Filing fee	1,400
— claim fee for each claim in excess of 10	700
Examination fee	2,500
Grant fee	1,500
Annual fees:[5]	
— for the 1st year	800
— for the 2nd year	800
— for the 3rd year	1,700
— for the 4th year	1,700
— for the 5th year	2,500
— for the 6th year	2,500
— for the 7th and 8th years	3,300
— for the 9th and 10th years	4,900

How can payment of fees be effected?

Fees

The payment of fees must be effected in Russian roubles. 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. Fees may be paid to the following bank account:

Beneficiary Name:	Interregional Operation Office of the Federal Treasury (Federal Service for Intellectual Property)
Beneficiary's Bank Account Number:	03100643000000019500
Name of the beneficiary's bank at the Central Bank of Russia:	Operational Department of the Russian Bank / Interregional Operation Office of the Federal Treasury, Moscow
BIC (Bank Identifier Code):	024501901
Beneficiary's Bank Correspondent Account:	40102810045370000002
VO Code:	VO70010
Beneficiary Taxpayer identification Number (INN):	7730176088
Beneficiary Tax Registration Reason Code (KPP):	773001001
UIP:	0

For further details on the payment of fees, see the Rospatent website at https://rospatent.gov.ru/

Charges

The payment of charges must be effected in Russian roubles. 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.

For further details on the payment of charges, see the Rospatent website at https://rospatent.gov.ru/ru/activities/inter/coop/wipo/pct/phase/duties

[5] See footnote 4.

ДАТА ПОСТУПЛЕНИЯ (дата регистрации) оригиналов документов заявки	(21) **РЕГИСТРАЦИОННЫЙ №**	**ВХОДЯЩИЙ №**
	(85) **ДАТА ПЕРЕВОДА** международной заявки на национальную фазу	

☐ (86) *(регистрационный номер международной заявки и дата международной подачи, установленные получающим ведомством)* ☐(87) *(номер и дата международной публикации международной заявки)* ☐(96) *(номер евразийской заявки и дата ее подачи)* ☐ (97) *(номер и дата публикации евразийской заявки)*	**АДРЕС ДЛЯ ПЕРЕПИСКИ** *(почтовый адрес, фамилия и инициалы или наименование адресата)* Телефон: Факс: Адрес электронной почты: **АДРЕС ДЛЯ СЕКРЕТНОЙ ПЕРЕПИСКИ** *(заполняется при подаче заявки на секретное изобретение)*
З А Я В Л Е Н И Е о выдаче патента Российской Федерации на изобретение	**В Федеральную службу по интеллектуальной собственности Бережковская наб., д. 30, корп. 1, г. Москва, Г-59, ГСП-3, 125993, Российская Федерация**

(54) **НАЗВАНИЕ ИЗОБРЕТЕНИЯ**

(71) **ЗАЯВИТЕЛЬ***(фамилия, имя, отчество (последнее – при наличии) физического лица или наименование юридического лица (согласно учредительному документу), место жительства или место нахождения, название страны и почтовый индекс)* ☐изобретение создано за счет средств федерального бюджета Заявитель является: ☐ государственным заказчиком ☐ муниципальным заказчиком исполнитель работ *(указать наименование)* ☐ исполнителем работ по: ☐ государственному контракту ☐ муниципальному контракту заказчик работ *(указать наименование)* Контракт от №	**ИДЕНТИФИКАТОРЫ ЗАЯВИТЕЛЯ** **ОГРН** **КПП** **ИНН** **СНИЛС** **ДОКУМЕНТ***(серия, номер)* **КОД СТРАНЫ** *(если он установлен)*
(74) **ПРЕДСТАВИТЕЛЬ(И) ЗАЯВИТЕЛЯ** *(указываются фамилия, имя, отчество (последнее – при наличии) лица, назначенного заявителем своим представителем для ведения дел по получению патента от его имени в Федеральной службе по интеллектуальной собственности или являющееся таковым в силу закона)*	☐ патентный поверенный ☐ представитель по доверенности ☐ представитель по закону
Фамилия, имя, отчество (последнее – при наличии) Адрес Срок представительства *(если к заявлению приложена доверенность представителя заявителя, срок может не указываться)*	Телефон: Факс: Адрес электронной почты: Регистрационный номер патентного поверенного

(72) **АВТОР** *Фамилия, имя, отчество (последнее – при наличии)*	Адрес места жительства, включающий официальное наименование страны и ее код

☐ Я (мы) _____
(фамилия, имя, отчество (последнее – при наличии)
Прошу (просим) не упоминать меня (нас) как автора(ов) при публикации сведений
☐***о заявке*** ☐ ***о выдаче патента***
Подпись(и) автора(ов)

☐ Просьба автора(ов) не упоминать его (их) при публикации прилагается
(отмечается при подаче заявки в электронном виде)

ПЕРЕЧЕНЬ ПРИЛАГАЕМЫХ ДОКУМЕНТОВ	Количество листов в 1 экз.	Количество экземпляров
☐ описание изобретения		
☐ перечень последовательностей		
☐ формула изобретения (количество пунктов формулы _____) *(указать)*		
☐ чертеж(и) и иные материалы фигуры чертежей, предлагаемые для публикации с рефератом _____ *(указать)*		
☐ реферат		
☐ копия документа, подтверждающего уплату патентной пошлины (пошлин), (*представляется по собственной инициативе заявителя)*		
☐ ходатайство о предоставлении права на освобождение от уплаты патентной пошлины или на уплату этой пошлины в уменьшенном размере		
☐ копия первой заявки *(при испрашивании конвенционного приоритета)*		
☐ перевод заявки на русский язык		
☐ доверенность		
☐ согласие представителя заявителя на обработку его персональных данных		
☐ просьба автора(ов) не упоминать его (их) при публикации		
☐ другой документ _____ *(указать наименование документа)*		
☐ дополнительные листы к настоящему заявлению		
☐ копия документов заявки (описание, формула изобретения, чертежи (если имеются) и реферат) на машиночитаемом носителе _____ *(указать вид носителя)* ***Подтверждаю, что копия документов заявки на машиночитаемом носителе является точной копией документов, представленных на бумажном носителе.***		
☐ копия перечня последовательностей на машиночитаемом носителе _____ *(указать вид носителя)* ***Подтверждаю, что копия перечня последовательностей на машиночитаемом носителе является точной копией перечня последовательностей, представленного на бумажном носителе.***		

ЗАЯВЛЕНИЕ НА ПРИОРИТЕТ

(заполняется только при испрашивании приоритета более раннего, чем дата подачи заявки)

Прошу установить приоритет изобретения по дате

1 ☐ подачи первой заявки в государстве - участнике Парижской конвенции по охране промышленной собственности (пункт 1 статьи 1382 Кодекса)

2 ☐ поступления дополнительных материалов к более ранней заявке (пункт 2 статьи 1381 Кодекса)

3 ☐ подачи более ранней заявки (пункт 3 статьи 1381 Кодекса)

4 ☐ подачи/приоритета первоначальной заявки (пункт 4 статьи 1381 Кодекса), из которой выделена настоящая заявка

№ заявки	Дата испрашиваемого приоритета на основании указанной заявки	Код страны подачи *(при испрашивании конвенционного приоритета)*

☐ Ссылка на вышеуказанную заявку № _____ приведена в качестве замены представления ☐ описания ☐ чертежей изобретения для установления даты подачи заявки

ХОДАТАЙСТВО ЗАЯВИТЕЛЯ

Прошу:

☐ осуществить публикацию сведений о заявке ранее установленного срока (пункт 1 статьи 1385 Кодекса)

☐начать рассмотрение международной заявки ранее установленного срока (пункт 1 статьи 1396 Кодекса)

☐провести экспертизу заявки на изобретение по существу (пункт 1 статьи 1386 Кодекса)

☐ Уплачена пошлина ☐ по пункту _____ приложения к Положению о пошлинах.
☐ по пункту _____ приложения к Положению о пошлинах.

Сведения о плательщике *(фамилия, имя, отчество (последнее – при наличии) или наименование юридического лица)*

Идентификаторы плательщика, указываемые в документе, подтверждающем уплату пошлины:

☐ Для физического лица:
ИНН
СНИЛС
Серия, номер документа, удостоверяющего личность плательщика

☐ Для юридических лиц:
ИНН
КПП
КИО

(заполняется, если копия документа, подтверждающего уплату патентной пошлины, не прилагается к настоящему ходатайству)

Заявителю известно о том, что в соответствии с подпунктом 4 пункта 1 статьи 6 Федерального закона от 27 июля 2006 г. № 152-ФЗ «О персональных данных» (Собрание законодательства Российской Федерации, 2006, № 31, ст. 3451; 2009, № 48, ст. 5716; № 52, ст. 6439; 2010, № 27, ст. 3407; № 31, ст. 4173, 4196; № 49, ст. 6409; № 52, ст. 6974; 2011, № 23, ст. 3263; № 31, ст. 4701; 2013, № 14, ст. 1651; № 30, ст. 4038; № 51, ст. 6683; 2014, № 23, ст. 2927; № 30, ст. 4217, 4243) (далее – Федеральный закон от 27 июля № 152-ФЗ), Федеральная служба по интеллектуальной собственности осуществляет обработку персональных данных субъектов персональных данных, указанных в заявлении, в целях и объеме, необходимых для предоставления государственной услуги.

Настоящим подтверждаю, что у заявителя имеются согласия авторов и других субъектов персональных данных, указанных в заявлении, на обработку их персональных данных, приведенных в настоящем заявлении, в Федеральной службе по интеллектуальной собственности в связи с предоставлением государственной услуги. Согласия оформлены в соответствии со статьей 9 Федерального закона от 27 июля 2006 г. № 152-ФЗ.

(заполняется только заявителями по российским заявкам)

Заявителю известно, что с информацией о состоянии делопроизводства, в том числе о направленных заявителю документах, можно ознакомиться на сайтах Роспатента (www.rupto.ru) и ФИПС (www1.fips.ru) в информационно-телекоммуникационной сети «Интернет».

Подтверждаю достоверность информации, приведенной в настоящем заявлении.

Подпись

***(подпись**, фамилия, имя, отчество (последнее – при наличии) заявителя или представителя заявителя, или иного уполномоченного лица, дата подписи (при подписании от имени юридического лица подпись руководителя или иного уполномоченного на это лица удостоверяется печатью при ее наличии).*

ДАТА ПОСТУПЛЕНИЯ (дата регистрации) оригиналов документов заявки	(21) **РЕГИСТРАЦИОННЫЙ №**	**ВХОДЯЩИЙ №**
	(85) **ДАТА ПЕРЕВОДА** международной заявки на национальную фазу	

☐ (86) *(регистрационный номер международной заявки и дата международной подачи, установленные получающим ведомством)* ☐ (87) *(номер и дата международной публикации международной заявки)*	**АДРЕС ДЛЯ ПЕРЕПИСКИ** *(почтовый адрес, фамилия и инициалы или наименование адресата)* Телефон: Факс: E-mail:
З А Я В Л Е Н И Е **о выдаче патента Российской Федерации** **на полезную модель**	**В Федеральную службу по интеллектуальной собственности** **Бережковская наб., 30, корп.1, Москва, Г-59, ГСП-3, 125993** **Российская Федерация**

(54) **НАЗВАНИЕ ПОЛЕЗНОЙ МОДЕЛИ**

(71) **ЗАЯВИТЕЛЬ** *(фамилия, имя, отчество (последнее – при наличии) физического лица или наименование юридического лица (согласно учредительному документу), место жительства или место нахождения, название страны и почтовый индекс)*	**ИДЕНТИФИКАТОРЫ ЗАЯВИТЕЛЯ** **ОГРН**_____ **КПП**_____ **ИНН**_____ **СНИЛС**_____ **ДОКУМЕНТ** *(серия, номер)* _____ **КОД** страны по стандарту **ВОИС ST. 3**
☐ полезная модель создана за счет средств федерального бюджета Заявитель является: ☐ государственным заказчиком ☐ муниципальным заказчиком, исполнитель работ_____ *(указать наименование)* ☐ исполнителем работ по: ☐ государственному контракту ☐ муниципальному контракту заказчик работ _____ *(указать наименование)* Контракт от _____ № _____	

(74) **ПРЕДСТАВИТЕЛЬ (И) ЗАЯВИТЕЛЯ** *(указываются фамилия, имя, отчество (последнее – при наличии) лица, назначенного заявителем своим представителем для ведения дел по получению патента от его имени в Федеральной службе по интеллектуальной собственности или являющегося таковым в силу закона)*	☐ патентный поверенный ☐ представитель по доверенности ☐ представитель по закону
Фамилия, имя, отчество (последнее – при наличии)	Телефон: Факс: E-mail:
Адрес	

Срок представительства *(если к заявлению приложена доверенность представителя заявителя, срок может не указываться)*	Регистрационный номер патентного поверенного _____
(72) Автор *(фамилия, имя, отчество (последнее – при наличии)*	Адрес места жительства, включающий официальное наименование страны и ее код по стандарту **ВОИС ST. 3**

☐ Я (мы) _____
(фамилия, имя, отчество (последнее – при наличии)

Прошу (просим) не упоминать меня (нас) как автора (ов) при публикации сведений о выдаче патента

Подпись (и) автора (ов)

☐ Просьба автора (ов) не упоминать его (их) при публикации прилагается
(отмечается при подаче заявки в электронном виде)

ПЕРЕЧЕНЬ ПРИЛАГАЕМЫХ ДОКУМЕНТОВ	Количество листов в экз.	Количество экз.
☐ описание полезной модели		
☐ формула полезной модели		
☐ чертеж (и) и иные материалы фигуры чертежей, предлагаемые для публикации с рефератом _____ *(указать)*		
☐ реферат		
☐ копия документа, подтверждающего уплату патентной пошлины (пошлин) (*представляется по собственной инициативе заявителя)*		
☐ ходатайство о предоставлении права на уплату патентной пошлины в уменьшенном размере		
☐ копия первой заявки *(при испрашивании конвенционного приоритета)*		
☐ перевод заявки на русский язык		
☐ доверенность		
☐ согласие представителя заявителя на обработку его персональных данных		
☐ просьба автора(ов) не упоминать его(их) при публикации		
☐ другой документ (указать наименование документа)		
☐ дополнительные листы к настоящему заявлению		
☐ копия документов заявки (описание, формула полезной модели, чертежи (если имеются) и реферат) на машиночитаемом носителе _____ *(указать вид носителя)* ***Подтверждаю, что копия документов заявки на машиночитаемом носителе является точной копией документов, представленных на бумажном носителе.***		

ЗАЯВЛЕНИЕ НА ПРИОРИТЕТ *(заполняется только при испрашивании приоритета более раннего, чем дата подачи заявки)*

Прошу установить приоритет полезной модели по дате

1 ☐ подачи первой заявки в государстве-участнике Парижской конвенции по охране промышленной собственности (п.1 ст.1382 Кодекса)

2 ☐ поступления дополнительных материалов к более ранней заявке (п.2 ст. 1381 Кодекса)

3 ☐ подачи более ранней заявки (п.3 ст.1381 Кодекса)

4 ☐ подачи/приоритета первоначальной заявки (п. 4 ст. 1381 Кодекса), из которой выделена настоящая заявка

№ заявки	Дата испрашиваемого приоритета на основании указанной заявки	Код страны подачи *(при испрашивании конвенционного приоритета)*

ХОДАТАЙСТВО ЗАЯВИТЕЛЯ

☐ начать рассмотрение международной заявки ранее установленного срока (п.1 ст. 1396 Кодекса)

☐ Уплачена пошлина ☐ по п. ___ приложения к Положению о пошлинах.
☐ по п. ___ приложения к Положению о пошлинах.

Сведения о плательщике *(фамилия, имя, отчество (последнее – при наличии) физического лица или наименование юридического лица)*

Идентификаторы плательщика, указываемые в документе, подтверждающем уплату пошлины:

☐ Для физического лица:
ИНН
СНИЛС

☐ Для юридических лиц:
ИНН
КПП
КИО

Серия, номер документа, удостоверяющего личность плательщика_____

(заполняется, если копия документа, подтверждающего уплату патентной пошлины, не прилагается к настоящему заявлению)

Заявителю известно о том, что в соответствии с подпунктом 4 пункта 1 статьи 6 Федерального закона от 27 июля 2006 г. № 152-ФЗ «О персональных данных» Федеральная служба по интеллектуальной собственности осуществляет обработку персональных данных субъектов персональных данных, указанных в заявлении, в целях и объеме, необходимых для предоставления государственной услуги.

Настоящим подтверждаю, что у заявителя имеются согласия авторов и других субъектов персональных данных, указанных в заявлении, на обработку их персональных данных, приведенных в настоящем заявлении, в Федеральной службе по интеллектуальной собственности в связи с предоставлением государственной услуги. Согласия оформлены в соответствии со статьей 9 Федерального закона от 27 июля 2006 г. № 152-ФЗ «О персональных данных».

(Заполняется только заявителями по российским заявкам).

Заявителю известно, что с информацией о состоянии делопроизводства, в том числе о направленных заявителю документах, можно ознакомиться на сайтах Роспатента (www.rupto.ru) и ФИПС (www.fips.ru) в сети Интернет.

Подтверждаю достоверность информации, приведенной в настоящем заявлении.

Подпись

Подпись, фамилия, имя, отчество (последнее – при наличии) заявителя или представителя заявителя, или иного уполномоченного лица, дата подписи (при подписании от имени юридического лица подпись руководителя или иного уполномоченного на это лица удостоверяется печатью при ее наличии).

RWANDA DEVELOPMENT BOARD (RDB)

AS

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Information not yet available

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List of abbreviations:

Office:	Saudi Authority for Intellectual Property (SAIP)
Law:	Law of July 16, 2004 on Patents, Layout Designs of Integrated Circuits, Plant Varieties, and Industrial Designs
Regulations:	Implementing Regulations of the Law of July 16, 2004

SUMMARY Designated (or elected) Office SUMMARY

SA SAUDI AUTHORITY FOR INTELLECTUAL PROPERTY (SAIP) SA

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Arabic
Required contents of the translation for entry into the national phase:[1]	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?	A copy is required only if the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) or 40(2).
National fee:	Currency: Saudi riyal (SAR) Filing fee:[1] SAR 800 (400)[2]
Exemptions, reductions or refunds of the national fee:	Reductions of the national fee are indicated under "National fee" above.
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if not indicated in the "Request" part of the international application[3, 4] Declaration as to the applicant's entitlement to apply for and be granted a patent[4, 4] Declaration as to the applicant's entitlement to claim priority of the earlier application[4, 4] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)[3] Representation by an agent if the applicant is not resident in Saudi Arabia[3] Instrument appointing the agent (authorization or power of attorney)[3] Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any attorney or lawyer registered in Saudi Arabia
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

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

2 The amount in parentheses is applicable in case of filing by individuals.

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 of three months from the date of receipt of the invitation.

4 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

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SA.01 **FORM FOR ENTERING THE NATIONAL PHASE.** There is no special form for entry into the national phase. It is strongly recommended that the national phase application be filed through the Office's electronic filing system at https://epatentsso.saip.gov.sa/

SA.02 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is Arabic.

SA.03 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

Regulations Art. 12

SA.04 **TRANSLATION (CONTENTS).** Any scientific terms should be expressed in the original language of the international application together with the Arabic translation when used for the first time. Subsequently, the Arabic only should be included, except for the claims, where the term shall be indicated in both languages.

For abbreviations in foreign languages, the full name, in both Arabic and English, shall be indicated when used for the first time in the text. Subsequently, the abbreviation only shall be used.

The same Arabic term for a Latin word shall be used when the Latin term recurs in the text.

Symbols, units, names and basic physical constants approved by the International Union for Pure and Applied Physics (IUPAP), the SUNAMCO Commission, published in the Union Document No. 25 shall be used.

Latin letters shall be used in accordance with the International Union for Pure and Applied Chemistry (IUPAC) System for writing structural figures and chemical formulae, symbols of chemical elements, compounds and names. If a chemical name appears in the title it shall be written in both Arabic and Latin.

References, research papers, articles and scientific books shall be written in their original language.

SA.05 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex SA.I.

Law Art. 18

SA.06 **ANNUAL FEES.** Annual fees are payable at the beginning of each year starting from the year following the filing date. In case of failure to pay a fee within the required time limit, the payment may be made within an additional time limit of three months, in which case, however, the fee is doubled. If the fee is not paid within the additional time limit of three months, the application or the patent will cease to have effect and this will be published in the Gazette. The amounts of the annual fees are indicated in Annex SA.I.

SA.07 **APPOINTMENT OF AN AGENT.** If the applicant is not resident in Saudi Arabia, an agent shall be appointed by filing a power of attorney, signed by the applicant.

Regulations Art. 35(2)

SA.08 **EXAMINATION.** Substantive examination must be requested and fees must be paid within three months.

Law Art. 9

SA.09 **AMENDMENT OF THE APPLICATION.** The applicant may, at any time before the patent is granted, make amendments to his application, provided that the amendment does not go beyond the original disclosure. The amount of the fee for amendment is indicated in Annex SA.I.

PCT Art. 24(2) 48(2)
PCT Rule 82*bis*

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

SA.11 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Rule 49.6

SA.12 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant, in spite of due care required by the circumstances having been taken, failed to perform the acts referred to in Article 22 within the applicable time limit. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit or 12 months from the date of expiration of the applicable time limit, whichever time limit expires earlier. Within the said two months, the omitted action must be completed.

FEES

(Currency: Saudi riyal)

Filing fee	800	(400)[1]
Examination fee		Please refer to the Office
Fee for amendment	200	(100)[1]
Grant and publication fee	1,000	(500)[1]
Fee for reinstatement of rights	2,000	(1,000)[1]
Fee for restoration of the right of priority	2,000	(1,000)[1]
Annual fees:		
— for the 1st year	500	(250)[1]
— for the 2nd year	1,000	(500)[1]
— for the 3rd year	1,500	(750)[1]
— for the 4th year	2,000	(1,000)[1]
— for the 5th year	2,500	(1,250)[1]
— for the 6th year	3,000	(1,500)[1]
— for the 7th year	3,500	(1,750)[1]
— for the 8th year	4,000	(2,000)[1]
— for the 9th year	4,500	(2,250)[1]
— for the 10th year	5,000	(2,500)[1]
— for the 11th year	5,500	(2,750)[1]
— for the 12th year	6,000	(3,000)[1]
— for the 13th year	6,500	(3,250)[1]
— for the 14th year	7,000	(3,500)[1]
— for the 15th year	7,500	(3,750)[1]
— for the 16th year	8,000	(4,000)[1]
— for the 17th year	8,500	(4,250)[1]
— for the 18th year	9,000	(4,500)[1]
— for the 19th year	9,500	(4,750)[1]
— for the 20th year	10,000	(5,000)[1]

How can payment of fees be effected?

The payment of fees should be effected in Saudi riyal. 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 type of fee being paid.

Payments should be made by bank transfer to the following bank:

ALINMA BANK
Riyadh, Saudi Arabia
IBAN: SA8105000068224248888000

[1] The amount in parentheses is applicable in case of filing by individuals.

REGISTRATION DIVISION, DEPARTMENT OF LEGAL AFFAIRS (SEYCHELLES)

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List of abbreviations:

Office: Registration Division, Department of Legal Affairs (Seychelles)

PA: Patents Act (Chapter 156)

SUMMARY **Designated (or elected) Office** SUMMARY

SC REGISTRATION DIVISION, DEPARTMENT OF LEGAL AFFAIRS (SEYCHELLES) SC

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:[1]	English
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), 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: Seychelles rupee (SCR) National application fee[1]: SCR 3,000
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

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

SUMMARY **Designated (or elected) Office** SUMMARY

SC REGISTRATION DIVISION, DEPARTMENT OF LEGAL AFFAIRS (SEYCHELLES) SC

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[2, 3] Declaration concerning the applicant's right to apply for and be granted a patent where the applicant is not the inventor[2, 3] Evidence of entitlement to claim priority where the applicant is not the applicant who filed the earlier application[2, 3] Document evidencing a change of name or person of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)[2] Appointment of an agent if the applicant is not a resident of Seychelles[4] Translation of the international application to be furnished in two copies[2]
Who can act as agent?	Any attorney or lawyer registered in Seychelles
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[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 two months from the date of the invitation.

[3] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[4] 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.

THE PROCEDURE IN THE NATIONAL PHASE

SC.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).

PA Sec. 28

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

PA Sec. 20, 21, 28

SC.03 **ANNUAL FEES.** The prescribed annual fees shall be payable for the fifth and every subsequent year, counting from the date of the patent. The annual fee may be paid until six months after the date on which it became due provided that an additional fee as prescribed is also paid.

PCT Art. 28, 41
PA Sec. 22, 25

SC.04 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant or the patentee may, from time to time, make amendments to his specification, including drawings forming part thereof, provided that the amendment does not go beyond the disclosure in the initial specification. Every amendment of the application shall be advertised in the *Gazette*.

PCT Art. 25
PCT Rule 51

SC.05 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 24(2), 48(2)
PCT Rule 49.6, 82*bis*

SC.06 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

FEES

(Currency: Seychelles rupee)

Patents

National application fee	3,000
Annual fees:	
— for the 2nd to the 4th year, per year	1,000
— for the 5th year	1,500
— for the 6th year	2,000
— for the 7th year	3,000
— for the 8th year	4,000
— for the 9th year	5,000
— for the 10th to the 19th year, per year	10,000
— for the 20th year	12,000
Surcharge for late payment of annual fees	10% of the applicable annual fee

How can payment of fees be effected?

Fees must be paid in Seychelles rupees to the Office by cheque, money order, bank draft or in cash.

REGISTRAR GENERAL OF INTELLECTUAL PROPERTY DEPARTMENT (SUDAN)

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List of abbreviations:

Office: Registrar General of Intellectual Property Department (Sudan)

PA: Patents Act 1971

PR: Patent Regulations 1981

SUMMARY **Designated (or elected) Office** SUMMARY

SD REGISTRAR GENERAL OF INTELLECTUAL PROPERTY DEPARTMENT (SUDAN) SD

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Arabic or English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, together with any statement under PCT Article 19), any text matter of drawings Under PCT Article 39(1): Description, claims, any text matter of drawings (if any of those parts has been amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee: [1]	Currency: Sudanese pound (SDG) Filing fee: SDG 50
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2, 3]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4] Address for service in the Sudan (but no representation by an agent is required)
Who can act as agent?	Lawyers authorized to work in the Sudan under the Legal Profession Act 1983, or any other substitute Act Chartered accountants authorized to work in the Sudan Nationals of the Sudan graduated from a Sudanese university or in possession of an equivalent degree Any Sudanese national with at least five years' experience in the field of patents
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[1] Must be furnished or 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] The list of special requirements is still subject to confirmation by the Office.

[4] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

SD.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).

PR Rule 9

SD.02 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is one of the official languages (Arabic or English). Where necessary, the Office may authorize the applicant to use a foreign language. If the foreign language is not comprehensible to the Office, the latter may request that the applicant furnishes a translation into Arabic or English.

PA Sec. 16

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

PA Sec. 12(3)

SD.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model is given in Annex SD.II.

PA Sec. 25
PR Rule 6(2)

SD.05 **ANNUAL FEES.** After a patent has been granted a fee must be paid for maintaining the patent in force. The fee is due by the anniversary of the date of grant of the patent. Where the applicant failed to pay by that date, payment can still be made, together with a surcharge for late payment, within the six months following the due date. Payment must be made together with an application for renewal on Form No. 6, which appears in Annex SD.III. The amount of the annual fees is indicated in Annex SD.I.

PR Rule 7

SD.06 **PUBLICATION FEE.** A fee for publication in the Official Gazette must be paid after receipt by the applicant of the notification to grant the patent within a time limit fixed in the notification. The amount of the said fee is indicated in Annex SD.I.

PCT Art. 28
41
PR Rule 15

SD.07 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The following modifications to the application may be made during the national phase, provided that the scope of the subject matter of the application is not broadened thereby:

(i) up to the decision to grant a patent: amendments to any part of the application;

PR Rule 15

(ii) at any time (even after the grant of the patent): correction of written errors; if the applicant is responsible for such an error, the correction is subject to the payment of a fee (see Annex SD.I).

PCT Art. 25
PCT Rule 51

SD.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, an appeal against this decision may be lodged within 15 days from the date of receipt of the decision. An extension of the 15-day time limit may be requested. The Province Court of Khartoum will then decide on the appeal.

PCT Art. 24(2)
48(2)

SD.09 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Where the applicant failed to comply with a time limit during the international phase or before the Office and non-observance of the time limit is detrimental to his rights, he may request restoration of his rights or request the Office to waive the requirement which was not observed. Such a request must be presented to the Office in writing, indicate the reasons for missing the time limit and be accompanied by evidence in support of the statements made.

FEES

(Currency: Sudanese Pound)

National (filing) fee	50
Publication fee	15
Annual fee per year	10
Surcharge for late payment of annual fee	20
Fee for correction of errors	20

How can payment of fees be effected?

Fees must be paid in Sudanese Pounds to the Central Bank of Sudan, account of Registrar General of Intellectual Property Department (Sudan).

POWER OF ATTORNEY

I (We)

(Name and address)

do hereby authorize

to represent me(us) as applicant(s)
in all proceedings related to the processing

☐ of all my(our) patent applications

☐ of international application No.

(check the applicable box)

before the Attorney General's Chambers, Commercial Registrar General's Office and to make or receive payments on my(our) behalf.

Place: Date:

Signature:

FORM No. 6 (PATENTS)

ATTORNEY GENERAL'S CHAMBERS
COMMERCIAL REGISTRAR GENERAL'S OFFICE
P.O. Box 744
Khartoum
Sudan

THE PATENTS ACT, 1971

Application for the Annual Renewal of a Patent
under Section 25(1) of the Act

To the Patents Registrar,

With reference to the patent No. . . . . ., I have the pleasure to enclose the sum of . . . . . ., representing the annual fee prescribed for the renewal of the patent under Section 25(1) of the Act.

Signature

The number of the granted patent shall be indicated.

SWEDISH INTELLECTUAL PROPERTY OFFICE (PRV)

(PATENT- OCH REGISTRERINGSVERKET)

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National processing request form . . . . . Annex SE.II
Power of attorney . . . . . Annex SE.III
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List of abbreviations:

Office: Swedish Intellectual Property Office (PRV)

SPL: Patents Act (Sweden)

SPD: Patents Decree (Sweden)

SUMMARY **Designated (or elected) Office** SUMMARY

SE SWEDISH INTELLECTUAL PROPERTY OFFICE (PRV) SE

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:[1]	Swedish or English[2]
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as originally filed or as amended, at applicant's option), 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, as originally filed or as amended by the annexes to the international preliminary examination report, at applicant's option)
Is a copy of the international application required?	The applicant should only send a copy of the international application if he/she has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee:	Currency: Swedish krona (SEK) Filing fee:[3]

Entry fee:	SEK	500
Search fee:	SEK	2,500
Claim fee for each claim in excess of 10:	SEK	150
Additional fee for late furnishing of translation or copy:[1]	SEK	500
Annual fee for the first three years:[4]	SEK	1,400

[Continued on next page]

[1] Where the filing fee has been paid within the time limit applicable under PCT Article 22 or 39(1), the translation of the international application may be filed within two months from the expiration of that time limit, provided that the additional fee for late furnishing of the translation has been paid within those two months.

[2] For further details, see paragraph SE.02.

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

[4] These fees are due on the last day of the month containing the second anniversary (24 months) of the international filing date; where PCT Article 22 or 39(1) applies, they are payable within two months after performing the acts for entering the national phase, unless the 24-month time limit has not yet expired.

SUMMARY Designated (or elected) Office SUMMARY

SE SWEDISH INTELLECTUAL PROPERTY OFFICE (PRV) SE

[Continued]

Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[5]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[6]
Who can act as agent?	Any natural or legal person
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

[5] 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.

[6] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

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

SPD Sec. 3

SE.02 **LANGUAGE OF PROCEEDINGS.** The description, the claims, any text matter of drawings and the abstract of the international application must be in Swedish or English.[1] Other documents and correspondence may be in Swedish, Danish, Norwegian or English. However, the Office may abstain from requiring a translation or may accept a translation into a language other than Swedish, Danish, Norwegian or English of all documents which do not belong to the documents making up the international application (for instance, if the document is in French or German).

SPL Sec. 31(3)

SE.03 **TRANSLATION (LATE FURNISHING OF).** If the translation of the international application has not been furnished by the applicant within the time limit applicable under PCT Article 22 or 39(1) but the national fee indicated in the Summary has been paid within that time limit, the translation can still be furnished within a further period of two months, provided that the additional fee for late furnishing of the translation, indicated in the Summary, has been paid within those two months.

SE.04 **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).

SE.05 **TRANSLATION (IN CASE OF LACK OF UNITY OF INVENTION).** Where a part of the international application was not subjected to an international search for reason of lack of unity of the invention, a translation is required only of those parts of the international application which were subjected to the international search. However, where the applicant wants to maintain the part which was not searched, a translation of this part must also be furnished. See also paragraph SE.08.

SE.06 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex SE.I.

SPL Sec. 12
33

SE.07 **POWER OF ATTORNEY.** An agent may be appointed either by filing a separate power of attorney or in the special form referred to in paragraph SE.01 (see Annex SE.II). A model of a separate power of attorney is given in Annex SE.III.

PCT Art. 17(3)(b)
34(3)(c)
SPL Sec. 36
37

SE.08 **ADDITIONAL SWEDISH SEARCH OR EXAMINATION REPORT (IN CASE OF LACK OF UNITY OF INVENTION).** Where a part of the international application was not subjected to international search or preliminary examination because the international application did not comply with the requirement of unity of invention and the applicant did not pay the additional search or preliminary examination fee to the International Searching or Preliminary Examining Authority, the Office will decide whether the said finding as regards the application translated into Swedish was correct. If this is found to be the case, the Office will invite the applicant to pay an additional fee within two months after mailing the notification of this decision. The amount of the said fee is indicated in Annex SE.I. Where the applicant does not pay the additional fee, that part of the international application which was not subjected to international search or preliminary examination will be considered withdrawn.

SPL Sec. 19
20

SE.09 **GRANT FEE.** A grant fee must be paid within two months after the date of the notification that a patent can be granted. The amount of the fee is indicated in Annex SE.I.

[1] A patent can also be granted in English. All patent documents may be furnished in Swedish or in English. However, a translation of the claims into Swedish is required where a patent in English is sought. The claims in English are considered to be the original claims.

SPL Sec. 8(5) 40 to 42

SE.10 **ANNUAL FEES.** Annual fees must be paid for each year following the international filing date. For the due date of annual fees for the first three years, see the Summary. Payment of the subsequent annual fees must be made before the expiration of the month containing the anniversary of the international filing date. Payment can still be made, together with a 20% surcharge for late payment, before the expiration of the sixth month after the month containing the anniversary of the international filing date. The amounts of the annual fees are indicated in Annex SE.I. It is to be noted that, where the 31-month time limit under PCT Article 39(1)(b) applies, annual fees can be paid without surcharge within two months after performing the acts for entering the national phase.

PCT Art. 28 41
SPL Sec. 13

SE.11 **AMENDMENT OF THE APPLICATION; TIME LIMIT.** The applicant may make the following modifications before the Office, provided that the scope of the subject matter of the application is not broadened thereby:

SPL Sec. 34
SPD Sec. 58

(i) within 31 months from the priority date: corrections of defects and voluntary amendments;

SPL Sec. 20
SPD Sec. 19 to 24

(ii) up to the notification that a patent can be granted: amendments or additions to the description and drawing(s) if they are necessary to comply with general requirements under PCT Articles 5 and 7; amendments or additions to the claims, which, unless the Office allows otherwise, must be made by filing a new document comprising all of the claims in sequence; where additions are made to the claims, the applicant must at the same time file a statement indicating the reference basis for these additions.

PCT Art. 25
PCT Rule 51
SPL Sec. 38 75
SPD Sec. 58b

SE.12 **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, an appeal against this decision may be lodged, within two months from the date of the decision, with the Court of Patent Appeals.

PCT Art. 24(2) 48(2)

SE.13 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

SPL Sec. 72 73

SE.14 Reestablishment of rights may be requested where the applicant, in spite of all due care required by the circumstances, was unable to observe a time limit before the Office, default of which is prejudicial to his rights. A request for reestablishment must be presented in writing within two months after the removal of the cause of the failure to perform the action but not later than one year from the expiration of the time limit which has not been observed. Within the said two months, the omitted action must be completed, the fee for reestablishment of rights (see Annex SE.I) must be paid and the request must state the grounds on which it is based and set out the facts on which it relies.

SPL Sec. 15

SE.15 Resumption of proceedings concerning the application may be requested from the Office where the applicant missed a time limit which has been fixed for a certain action by the Office. Resumption of proceedings may not be requested where the missed time limit is fixed in the PCT and the PCT Regulations. A request for resumption of proceedings has the effect that the proceedings for grant will be resumed, provided that, within four months from the expiration of the missed time limit, the said request is presented in writing, the resumption fee (see Annex SE.I) is paid and the omitted act has been completed.

FEES

(Currency: Swedish krona)

Filing fee:	
— Entry fee	500
— Search fee	2,500
— Claim fee for each claim in excess of 10	150
Additional fee for late furnishing of translation or copy of the international application	500
Additional fee (see paragraph SE.08)	1,000
Special additional fee insofar as the application relates to an invention which has not been searched or, in the case of Chapter II of the PCT, not examined during the international phase	3,000
Grant fee:	
— basic fee	2,500
— additional fee for each claim added after the filing of the application, if the number of claims then exceeds the number for which a filing fee has been paid	150
Resumption fee	500
Fee for reestablishment of rights	1,000
Fee for restoration of the right of priority	1,000
Annual fees:	
— for the 1st year to the 3rd year	1,400[1]
— for the 4th year	1,500
— for the 5th year	1,700
— for the 6th year	1,900
— for the 7th year	2,100
— for the 8th year	2,400
— for the 9th year	2,700
— for the 10th year	3,000
— for the 11th year	3,400
— for the 12th year	3,800
— for the 13th year	4,200
— for the 14th year	4,600
— for the 15th year	5,000
— for the 16th year	5,400
— for the 17th year	5,800
— for the 18th year	6,200
— for the 19th year	6,600
— for the 20th year	7,000
Supplement for late payment	20% of the applicable annual fee

[1] Annual fees for the second and third years are due at the same time as the annual fee for the first year (see Summary).

(4 April 2019)

How can payment of fees be effected?

The payment of fees has to be effected in Swedish kronor. All payments must indicate the national application number (however, if that number is not yet known, the international application number may be used), the name of the applicant and the category of fee being paid.

Payment may be effected:

(i) by e-service for electronic payments at www.prv.se,
(ii) by deposit account at the Office,
(iii) by Bankgiro to 5050-0248

Payments made outside Sweden should be effected by transfer to:

Danske Bank Sverige
Norrmalmstorg 1
Box 7523
103 92 Stockholm

IBAN: SE 6912 000 0000 1281 011 1758
BIC/Swift: DABASESX

PRV
PATENT- OCH REGISTRERINGSVERKET

Ansökan om svenskt patent

1. Sökande

Namn/företagets registrerade firma	Organisationsnummer (ej personnr)
Adress	Telefon dagtid
Postadress	Mobiltelefon

Grund för sökandens rätt till uppfinningen (anges endast om sökanden inte även är uppfinnare):

☐ Anställningsavtal ☐ Köp ☐ Arv ☐ Lag (1949:345) om rätten till arbetstagares uppfinningar

☐ Kollektivavtal ☐ Gåva ☐ Annat (specificera) .....

☐ Flera sökande finns angivna på medföljande bilaga (sida fyra av blanketten)

2. Uppfinnare

Namn
Adress
Postadress

☐ Flera uppfinnare finns angivna på medföljande bilaga (sida fem av blanketten)

3. Ombud

Namn/företagets registrerade firma	
Adress	Telefon dagtid
Postadress	Referensnummer

☐ Jag/Vi som undertecknat denna ansökan ger fullmakt till ovanstående ombud att företräda mig/oss i allt som rör denna patentansökan och i allt som rör det eventuellt beviljade patentet.	☐ Separat fullmakt bifogas denna ansökan. ☐ Generalfullmakt finns hos PRV nr .....

4. Uppfinningens benämning

5. Ansökan är tidigare faxad

Datum

6. Språkval

Jag vill att patent ska meddelas i:

☐ Svensk lydelse. (PRV använder då svenska i förelägganden och beslut.)

☐ Engelsk lydelse och jag önskar att PRV skriver förelägganden och beslut på: ☐ Svenska ☐ Engelska

PRV7002 Patent 2017-11-15

PRV, Box 5055, 102 42 Stockholm (besökare: Valhallavägen 136, Stockholm)
Tfn: 08-782 28 00, Fax: 08-666 02 86, kundsupport@prv.se, www.prv.se

7. Fullföljd internationell patentansökan

Internationell ingivningsdag	Ansökningsnummer

8. Begäran om prioritet

Datum	Land/ Myndighet	Ansökningsnummer	Prioritetsdokument ska hämtas via DAS. Lösenord:	Prioritetsdokument har tidigare lämnats in till PRV i patentansökan med nummer:

9. Avdelad eller utbruten ansökan

Ursprungliga ansökans nummer

10. Deposition av mikroorganismer

Depositionsmyndighet	
Depositionsdatum	Depositionsnummer

11. Avgifter (SEK)

Ansökningsavgift

☒ Anmälningsavgift och granskningsavgift. Obligatorisk avgift.	3 000
☐ .....st patentkrav utöver 10 à 150 kr. Obligatorisk avgift.	0

Övriga avgifter

☐ Granskningsavgift, internationellt slag (ITS). 5 450 kr	0
☐ Två månaders frist för översättning, fullföljd internationell ansökan. 500 kr	0
☐ Diariebevis. 100 kr	0
Summa avgifter:	3.000

12. Betalningssätt

☐ Bankgiro 5050-0248 ☐ Elektronisk betalning

☐ Depositionskonto nummer .....

13. Övriga tjänster

☐ Jag begär att PRV laddar upp ett prioritetsdokument av denna ansökan till DAS (WIPO) för 250 kr.

Betalningssätt för överföringen av dokumentet: ☐ Faktura ☐ Depositionskonto nummer ……..

Lösenordet ska skickas till följande e-postadress:

☐ Jag vill underrättas i samband med att den tekniska granskningen påbörjas.

Namn	E-post	Telefon

14. Underskrift

Samtliga sökande måste underteckna blanketten om den inte undertecknas av ett gemensamt befullmäktigat ombud.

Ort	Datum
Firma	
Namnteckning	Namnförtydligande
Namnteckning	Namnförtydligande
Namnteckning	Namnförtydligande
Namnteckning	Namnförtydligande
Namnteckning	Namnförtydligande

15. Bilagor

☐ Flera sökande	☐ st. ritningsblad
☐ Flera uppfinnare	☐ Fullmakt
☐ Beskrivning	☐ Sekvenslista i elektroniskt format som uppfyller WIPO standard ST.25
☐ Patentkrav	☐ Prioritetsbevis
☐ Sammandrag	☐ Övrigt

PRV
PATENT- OCH REGISTRERINGSVERKET

Flera sökande

Bilaga till ansökan om svenskt patent

Uppfinningens benämning

Sökande

Namn/företagets registrerade firma	Organisationsnummer
Adress	Telefon dagtid
Postadress	

Namn/företagets registrerade firma	Organisationsnummer
Adress	Telefon dagtid
Postadress	

Namn/företagets registrerade firma	Organisationsnummer
Adress	Telefon dagtid
Postadress	

Namn/företagets registrerade firma	Organisationsnummer
Adress	Telefon dagtid
Postadress	

Namn/företagets registrerade firma	Organisationsnummer
Adress	Telefon dagtid
Postadress	

Namn/företagets registrerade firma	Organisationsnummer
Adress	Telefon dagtid
Postadress	

Namn/företagets registrerade firma	Organisationsnummer
Adress	Telefon dagtid
Postadress	

PRV
PATENT- OCH REGISTRERINGSVERKET

Flera uppfinnare

Bilaga till ansökan om svenskt patent

Uppfinningens benämning

Uppfinnare

Namn	
Adress	Postadress

Namn	
Adress	Postadress

Namn	
Adress	Postadress

Namn	
Adress	Postadress

Namn	
Adress	Postadress

Namn	
Adress	Postadress

Namn	
Adress	Postadress

Namn	
Adress	Postadress

Namn	
Adress	Postadress

PRV
PATENT- OCH REGISTRERINGSVERKET

Anvisningar till ansökan om svenskt patent

1. Sökande

Här fyller du i ditt namn eller företagets registrerade firma, adress och telefon. Om flera söker patent tillsammans, fyll i samtligas namn och adresser på sidan fyra av blanketten. Företag kan också ange sitt organisationsnummer.

Om du inte själv är uppfinnare måste du ange hur du förvärvat rätten till uppfinningen, exempelvis genom köp, arv eller gåva.

Rätten kan även ha förvärvats genom tillämpning av kollektivavtal eller Lag (1949:345) om rätten till arbetstagares uppfinningar.

2. Uppfinnare

Här fyller du i den eller de som är uppfinnare till det som du söker patent på. Om det finns fler uppfinnare så kryssar du i avsedd ruta och anger namn och adress på dessa i bilagan på sidan fem av blanketten.

3. Ombud

Har du anlitat ett ombud som ska företräda dig i kontakterna med oss på PRV fyller du i ombudets namn, adress och telefonnummer här. Kryssa även i den ruta som överensstämmer med den typ av fullmakt du lämnat in.

4. Uppfinningens benämning

Här fyller du i en benämning på din uppfinning. Benämningen ska vara en kort och saklig titel på uppfinningen, till exempel ”avfallsanläggning” eller ”tandkrämsautomat”.

5. Ansökan är tidigare faxad

Faxar du din ansökan anses den inkommen den dag faxet inkom till oss på PRV. Du måste komplettera den faxade ansökan med en ansökan i original som är undertecknad. Fyll i det datum som du faxade in din ansökan.

6. Språkval

Här ska du välja om du avser att patentet ska meddelas på svenska eller engelska språket. Om du väljer engelska ska du även lämna in beskrivning, patentkrav och sammandrag på engelska och kan välja om PRV ska skriva förelägganden och beslut på svenska eller engelska. Alla handlingar som ska utgöra del av din ansökan måste vara skrivna på ett och samma språk. Om patent avses meddelas på engelska måste du också senast i samband med att meddelandeavgiften ska betalas ge in patentkraven översatta till svenska. Patentets skyddsomfång bestäms dock alltid efter dess lydelse på det språk på vilket patentet meddelats.

I det fall du valt att patentet avses meddelas på engelska och samtidigt vill ha så kallat provisoriskt skydd under ansökningstiden måste en översättning av patentkraven ske till svenska och finnas hos PRV innan ansökan kungörs så som offentlig. Har inte sådan översättning lämnats in då ansökan offentliggörs, går det dock att mot fastställd avgift få översättningen publicerad och kungjord senare under ansökningsstadiet, för att då få det provisoriska skyddet.

7. Fullföljd internationell ansökan

Gäller din ansökan en fullföljd internationell ansökan fyller du i den internationella ingivningsdagen och ansökningsnumret här.

8. Begäran om prioritet

Denna ruta fyller du i bara om du vill åberopa prioritet, vilket du kan göra om du tidigare har sökt patent på motsvarande uppfinning i Sverige eller i ett annat land och vill begära prioritet från den tidigare ansökan.

Prioritet betyder att din nya ansökan räknas som inlämnad samma dag som din tidigare ansökan när vi bedömer nyhetsvärdet av uppfinningen. Begäran om prioritet måste göras senast inom sexton månader från den prioritetsgrundande ansökans ingivningsdag eller, om den tidpunkten infaller senare, inom fyra månader från den nya ansökans ingivningsdag. Det kan vara viktigt om någon annan lämnar in en motsvarande ansökan som du, ungefär samtidigt. Fyll i datum för den första ansökan, vilket land den är inlämnad i och ansökningsnumret.

Själva prioritetsdokumentet ska lämnas in inom 16 månader från den dag från vilken prioritet begärs. I det fall du tidigare har använt dig av tjänsten **Digital Access Service** (se under punkt 13) och via en annan patentmyndighet laddat upp prioritetsdokument, så kan du här ange det lösenord som du fått dig tillskickat från Internationella Byrån vid WIPO. PRV kommer då via det angivna lösenordet elektroniskt få tillgång till de prioritetshandlingar som du åberopar i din ansökan och du slipper alltså skicka de aktuella handlingarna till oss.

Om du redan gett in prioritetsdokument och prioritetsbevis till PRV behöver du inte ge in dessa igen. Istället måste du här ange i vilken patentansökan dokumentet och beviset gavs in, så att PRV kan hämta handlingarna därifrån.

9. Avdelad eller utbruten ansökan

Varje patentansökan får bara innehålla en uppfinning. Om du i en patentansökan beskrivit flera uppfinningar och blivit uppmanad av oss att dela av eller bryta ut någon av uppfinningarna i en ny ansökan så ska du här ange den ursprungliga ansökans nummer.

En avdelad ansökan får alltid samma ingivningsdag som den ursprungliga ansökan (stamansökan), medan ingivningsdagen för en utbruten ansökan fastställs till den dag då den nya uppfinningen tillförts den ursprungliga ansökan.

10. Deposition av mikroorganismer

Innehåller eller utgör din uppfinning levande kultur av mikroorganism anger du här depositionsmyndighet, depositionsdatum och depositionsnumret.

11. Avgifter

Ansökningsavgift
Anmälningsavgift och granskningsavgift är obligatoriska avgifter som du måste betala för att vi ska behandla din ansökan, så dessa är redan markerade på blanketten. Har du dessutom fler än tio patentkrav måste du betala ytterligare en avgift för varje patentkrav utöver tio.

Övriga avgifter
Granskningsavgift av internationellt slag (ITS) ska du betala om du vill begära en granskning i enlighet med Patent Cooperation Treaty. En sådan granskning ger dig möjlighet till rabatt vid till exempel inlämning av en PCT-ansökan. Notera dock att sedan den 1 november 2016 bifogar PRV utan extra kostnad ett dokument till det tekniska föreläggandet som kallas svensk sökrapport. I sökrapporten redovisar vi, utöver de dokument som redan uppmärksammats i det tekniska föreläggandet, ytterligare dokument som vi har hittat i samband med granskningen. Sökrapporten motsvarar det innehåll som erhålls vid en ITS-granskning, men den ger inte möjlighet till samma rabatter när du lämnar in en PCT-ansökan.

Om du fullföljer en internationell patentansökan och vill ha ytterligare två månaders frist att lämna in svensk eller engelsk översättning eller kopia av den ansökan, måste du betala en tilläggsavgift.

Diariebevis får du betala för om du av någon anledning behöver ha ett intyg på att du lämnat in en patentansökan.

12. Betalningssätt

Betala via vår e-tjänst "Elektronisk betalning" på www.prv.se, efter att din ansökan grundregistrerats. Du kan också betala via vårt bankgiro.

Vi kan tyvärr inte fakturera dig.

Har du ett ansökningsnummer eller ett publiceringsnummer räcker det att du anger det som referens. Om du inte har tillgång till detta ska du ange uppfinningens benämning, ditt namn och vilken typ av betalning det gäller.

Tänk på att vi inte granskar en ansökan som är obetald. Vi kan heller inte återbetala en ansökningsavgift efter det att handläggningen av ansökan har påbörjats.

13. Övriga tjänster

Digital Access Service (DAS) är en frivillig tjänst utarbetad och administrerad av Internationella Byrån vid WIPO.

I det fall du senare önskar åberopa prioritet från denna ansökan i något annat land kan PRV nu distribuera prioritetsdokumentet elektroniskt via DAS, så att du själv slipper skicka detta till varje enskilt patentverk.

Om du använder dig av DAS kommer du att få ett lösenord från Internationella Byrån som skickas till endast en e-postadress. Du måste alltså ange vilken e-postadress lösenordet ska skickas till för att kunna utnyttja tjänsten. PRV kommer därför att vidarebefordra den e-postadress du anger till Internationella Byrån.

Om du önskar att den handläggare som utför den tekniska granskningen tar kontakt med dig i samband med att granskningen påbörjas så kan du ange detta här genom att kryssa för avsedd ruta och fylla i kontaktuppgifter.

14. Underskrift

Underteckna och datera ansökan, eventuell överlåtelse och fullmakt. Om ni är flera som söker patent tillsammans måste alla underteckna ansökan och fullmakten. Om det är ett företag som är sökande ska undertecknandet ske av företagets firmatecknare.

15. Bilagor

Bilagorna beskrivning, patentkrav och sammandrag är obligatoriska. Behöver du skicka in någon annan bilaga, markerar du vid respektive bilaga.

Flera sökande (Se punkt 1)

Flera uppfinnare (Se punkt 2)

Beskrivningen ska innehålla två delar:

1. En allmän del där du beskriver det problem uppfinningen ska lösa. Du bör också ange teknikens ståndpunkt, det vill säga vilka lösningar som redan finns.
2. En speciell del, där du ger en detaljerad beskrivning med konkreta exempel på hur uppfinningen kan utföras. Om du behöver ritningar för att förklara uppfinningen ska de finnas med här. Beskrivningen ska vara så fullständig att en fackman kan tillämpa och förstå uppfinningen.

Observera att all nödvändig information måste finnas med i beskrivningen eftersom du inte kan komplettera ansökan med dessa uppgifter i efterhand.

Patentkraven bestämmer vilken omfattning ditt skydd får. Därför är det viktigt att du är noggrann när du utformar dina krav. Du kan ha ett eller flera självständiga krav med olika underkrav. Varje självständigt krav ska innehålla benämning på uppfinningen, teknikens ståndpunkt (det vill säga det som din uppfinning har gemensamt med tidigare teknik och som den bygger på) samt vad som är nytt och säreget med din uppfinning.

Sammandraget ska vara kort, inte mer än 150 ord, och sammanfatta det tekniska innehållet i patentansökan, så att den som är intresserad snabbt kan få en uppfattning om vad den handlar om.

Ritning kanske behövs för att förklara uppfinningen och då ska förklaringen till ritningsfigurerna vara med i den speciella delen av beskrivningen. Ritningsfigurerna ska vara på separat vitt A4-papper med svarta linjer och får inte innehålla någon förklarande text.

Fullmakt måste du bifoga om du anlitat ett ombud att företräda dig i kontakterna med oss på PRV. En fullmakt ska alltid vara i original och innehålla uppgifter om vilket eller vilka patent som omfattas av fullmakten.

Sekvenslista i elektroniskt format med aminosyra- eller DNA-sekvenser är obligatorisk för uppfinningar inom bioteknik för att exakt kunna definiera det så kallade skyddsomfånget för uppfinningen, det vill säga själva patentet. Sekvenslistan ska uppfylla WIPO Standard ST.25.

Prioritetsbevis (Se punkt 8).

Vill du kontakta PRV?

Har du frågor? Ring eller skicka e-post till PRV:s kundsupport.
Tfn: 08-782 28 00, e-post: kundsupport@prv.se.
Besök gärna vår webbplats, www.prv.se för mer information.

PRV:s kundsupport är bemannad mån-fre 08.00-16.40
(08.00-16.00 sommartid 15 maj - 14 september).

Viss begränsning kan gälla dag före helgdag.

Skicka ansökan till: PRV, Box 5055, 102 42 Stockholm

PRV
SWEDISH PATENT AND REGISTRATION OFFICE

Swedish Patent Application

1. Applicant

Name/Company name	Registration No, not personal id. No
Address	Phone number (daytime)
Postcode/City/Country	Cell phone number

The applicants' entitlement to the invention (only to be stated if the applicant is not also inventor)

☐ Employment agreement ☐ Purchase ☐ Inheritance ☐ The Act on the Right to Employee's Inventions

☐ Collective agreement ☐ Gift ☐ Other (specificy) ……

☐ Additional applicants' information is given in an appendix (page four of this form)

2. Inventor

Name
Address
Postcode/City/Country

☐ Additional inventors' information is given in an appendix (page five of this form)

3. Representative

Name/Company name	
Address	Phone number (daytime)
Postcode/City/Country	Reference number

☐ The signer/-s of this application authorize the above mentioned representative to act on my/our behalf in everything concerning this patent application and a granted patent deriving therefrom.

☐ Separate power of attorney is attached to this application.

☐ Power of attorney is deposited at the PRV, no.....

4. Title of the invention

5. This application has been filed by fax

Date

6. Choice of language

The language of a granted patent shall be:

☐ Swedish. (PRV's office actions and decisions will be in Swedish.)

☐ English, and I choose to receive PRV's office actions and decisions in: ☐ Swedish ☐ English

PRV7002en Patent 2017-11-15

PRV, Box 5055, 102 42 Stockholm (visitors: Valhallavägen 136, Stockholm)
Phone: 08-782 28 00, Fax: 08-666 02 86, www.prv.se

7. International patent application entering national phase

International filing date	Application number

8. Request for priority

Date	Country/ Office	Application number	Please retrieve the priority document from the DAS. Access code:	Priority document has previously been submitted to the PRV in the application with number:

9. Divisional or separated application

Original application number

10. Deposit of biological materials

Depositary institution	
Date of deposit	Number of deposit

11. Fees (SEK)

Application fee

☒ Filing fee and search fee. Compulsory fees. 3 000

☐ ..... Number of patent claims exceeding 10, à 150 SEK. Compulsory fee. 0

Additional fees

☐ Search fee: international type (ITS). 5 450 SEK 0

☐ 2 months extended time limit for the translation (PCT entering national phase). 500 SEK 0

☐ Certificate of registry in the diary. 100 SEK 0

Total amount: 3.000

12. Method of payment

☐ Bank Giro 5050-0248 ☐ Electronic payment

☐ Deposit account, number .....

13. Additional services

☐ I/we request the PRV to upload a priority document from this application to the DAS at a cost of 250 SEK.

Payment method for priority document: ☐ Invoice ☐ Deposit account, number ……..

The access code shall be sent to the following email address:

☐ I would like to be notified when the examination starts and by whom.

Name	Email	Phone number

14. Signature

All applicants must sign this form unless it is signed by a common representative with power of attorney.

Place	Date
Company name	
Signature	Clarification of signature
Signature	Clarification of signature
Signature	Clarification of signature
Signature	Clarification of signature
Signature	Clarification of signature

15. Appendices

☐ Additional applicants	☐ Number of drawing sheets
☐ Additional inventors	☐ Power of attorney
☐ Description	☐ Sequence listings in electronic form (WIPO Standard ST.25 format)
☐ Patent claims	☐ Priority document and certificate
☐ Abstract	☐ Other

PRV
SWEDISH PATENT AND REGISTRATION OFFICE

Additional applicants

Appendix to Swedish Patent Application

Title of the invention

Applicant

Name/Company name	Registration number
Address	Phone number (daytime)
Postcode/City/Country	

Name/Company name	Registration number
Address	Phone number (daytime)
Postcode/City/Country	

Name/Company name	Registration number
Address	Phone number (daytime)
Postcode/City/Country	

Name/Company name	Registration number
Address	Phone number (daytime)
Postcode/City/Country	

Name/Company name	Registration number
Address	Phone number (daytime)
Postcode/City/Country	

Name/Company name	Registration number
Address	Phone number (daytime)
Postcode/City/Country	

Name/Company name	Registration number
Address	Phone number (daytime)
Postcode/City/Country	

PRV
SWEDISH PATENT AND REGISTRATION OFFICE

Additional inventors

Appendix to Swedish Patent Application

Title of the invention

Inventor

Name	
Address	Postcode/City/Country

Name	
Address	Postcode/City/Country

Name	
Address	Postcode/City/Country

Name	
Address	Postcode/City/Country

Name	
Address	Postcode/City/Country

Name	
Address	Postcode/City/Country

Name	
Address	Postcode/City/Country

Name	
Address	Postcode/City/Country

PRV
SWEDISH PATENT AND REGISTRATION OFFICE

Instructions to Swedish Patent Application

1. Applicant

State your name or the company's name, address and phone number. If there are multiple applicants, you must state everyone's name and address. Please use the appendix "Additional applicants". Companies should state their registration number, but individuals should not state their personal identity number.

Unless the applicant is also the inventor, you must make a statement on how you acquired the right to the invention, for example via purchase, inheritance or as a gift.

The right to the invention can also be acquired by applying a collective agreement or the Act on the Right to Employee's Inventions, No 349 of 1949.

2. Inventor

State the name of the inventor. If there are multiple inventors please tic the box intended for this and use the appendix "Additional inventors".

3. Representative

If you have appointed an agent to represent you before the PRV, state the representative's name, address and phone number here. Also, tick the appropriate box regarding what kind of power of attorney you have granted.

4. Title of the invention

State the title of the invention. The title must be short and based on facts, for example "toothpaste dispenser" or "fire-extinguisher".

5. Application has been previously faxed

If you fax your patent application, it is considered to be filed on the day the fax reached PRV. However, you must also file the application with your signature in original writing. When you do so, state the date you faxed the application.

6. Choice of language

Choose if you intend the language of the granted patent to be Swedish or English. If you choose English, you should also choose in which language you wish to receive PRV's office actions and decisions. All documents forming part of your application must be in the same language. If the patent shall be granted in English, you are required to translate the patent claims into Swedish and submit them no later than when you pay the grant fee. The scope of the patent is, however, always decided from the wording in the language of grant.

If you have chosen the patent to be granted in English, and wish to obtain a provisional protection before grant, you must submit a Swedish translation of the patent claims before the application is published. If you fail to submit a Swedish translation of the patent claims before the application is made available to the public, you may obtain provisional protection at a later time – subject to a fee – by submitting such translation for publication.

7. International application entering national phase

If your patent application regards the national stage of a PCT application, state the international filing date and international application number here.

8. Request for priority

If you want to claim priority from an earlier patent application regarding the same invention, filed in Sweden or in another country party to the Paris convention or to the WTO, you should state the application number and filing date of the priority application as well as the Patent Office where it was filed.

Priority means that your new patent application is considered to be filed on the same day as your earlier application when the Patent Office examines the novelty of your invention. The request for priority must be made within sixteen months from the filing date of the priority application, or, if that point in time is later, within four months from your new application's filing date. Priority can be important if someone files a corresponding patent application before you do.

The priority document must be submitted within 16 months from the priority date.

If you previously have used the **Digital Access Service** (DAS, cf. under item 13) and another Patent Office has uploaded your priority document to the DAS, you may submit the access code given by the International Bureau of WIPO here. PRV will then use the access code to electronically retrieve the priority document you claim in your application, and you don't have to send the priority document to us.

If you previously have filed the priority document and certificate with PRV, you don't have to file these again. However, you must state in which patent application the document and certificate were filed, so that PRV can retrieve the documents from that application.

9. Divisional or separated application

A single patent application can only contain one invention. If you have described more than one invention in an application, and been encouraged to divide or separate the application, you must indicate the original application number here.

A divisional application will always obtain the same filing day as the original application, whereas the filing day of a separated application will be set to the day when the new invention actually is submitted.

10. Deposit of biological materials

If your invention contains or regards a living culture of microorganisms, you must state the depositary authority, the date of deposit and the accession number.

11. Fees

Application fees
Filing fee and search fee are compulsory fees which you must pay before PRV examines your application. Therefore, these boxes are already ticked on the form. If your application contains more than ten patent claims, you must pay an additional fee for each claim exceeding ten.

Additional fees
An International Type Search (ITS) gives you a wider and deeper search result. The ITS report gives you a good basis for assessing the possibilities of applying for a patent in other countries. The ITS is subject to a fee.

If your application is a pursued international application and you want an additional two month time limit to file the Swedish or English translation of the application, you must pay an additional fee.

If you want a certificate to prove that you have filed a patent application, you must pay an additional fee.

12. Method of payment

Pay using our e-service "Electronic payment" at www.prv.se after your application has been registered. You can also make payments using our BankGiro account.

Unfortunately, we can't send you an invoice.

When making payments, please state the application or publication number if you know it. If not, state the title of the invention, your name and what your payment regards.

Please note that we will not examine an application before payment of the application fee has been registered.

13. Additional services

Digital Access Service is a voluntary service established and administered by the International Bureau of WIPO. It enables a patent applicant claiming priority from an earlier application to rely on a copy of the priority document held in, or accessible via, the service, rather than having to provide a certified copy separately to each patent office with which a patent application claiming priority is filed.

PRV will create a priority document and electronically transfer it to WIPO via a secure data exchange. The document will be held by WIPO in a secure database. WIPO will acknowledge receipt of the document by supplying a unique access code. This allows you to authorize, via a web portal, participating patent offices to have access to the priority document(s) deposited. The access code will be sent to only one e-mail address, namely the one you specify here. PRV will forward this e-mail address to WIPO.

If you want the examiner to contact you on the day the technical examination begins, please tick the box intended and state your name, telephone number or e-mail address.

14. Signature

Sign and date the application and any legal documents enclosed with the application, such as power of attorney or deed of transfer. If there are multiple patent applicants, you must all sign the application and the power of attorney. If a company is the applicant, the application must be signed by a person authorized to sign for the company.

15. Appendices

Description, patent claims and abstract are compulsory appendices. These boxes are therefore already ticked on the application form. If you need to enclose any other appendices, please tick the appropriate box.

The appendices may be filed in another language than Swedish or English. However, you must translate these documents, as filed, into Swedish or English before the examination procedure starts.

Additional applicant(s) (see item 1)

Additional inventor(s) (see item 2)

The description shall be in two parts:

1. A general part where you describe the problem your invention is the solution to. You should also specify the state of the art, i.e. already known solutions to the problem.
2. A specific part where you describe the invention in detail, using specific examples on how to carry out the invention. The description must be clear – a person skilled in the art should be able to understand and carry out the invention by reading the description.

Please note that all necessary information must be enclosed in the description on the filing date, since you are not allowed to add material at a later time.

The patent claims determine the scope of patent protection. It is therefore important that you are careful and precise when you write your patent claims. You may have one or more independent claims with different dependent claims. Every independent claim shall include the title of the invention, the state of the art (i.e. what your invention has in common with previously known technique) and what is new and characterizing with your invention.

The abstract shall be short, no more than 150 words, and summarize the technical content of the application in order for the interested person to quickly get an idea of its content.

Drawings may be necessary to explain the invention. The explanation to the drawings must be included in the specific part of the description. The drawings shall be submitted on separate, white, A4-size paper, drawn in black, and may not contain any explanatory text.

Power of attorney must be enclosed if you want to be represented by someone else before the PRV. A power of attorney must always be submitted in original and specify the application/s or patent/s in which the representative is empowered.

Sequence listings in electronic format which meet WIPO Standard ST.25. Inventions regarding biotechnology must contain listings of amino acid or DNA sequences to precisely define the scope of the invention – i.e. the patent.

Priority document and certificate (see item 8).

Do you wish to contact the PRV?

Do you have any questions? Call or send an e-mail to the PRV's Customer Service.

Phone: +46 8 782 28 00, e-mail: kundsupport@prv.se.
For more information, please visit our website, www.prv.se.

Customer Service is open Monday-Friday 08.00-16.40 (08.00-16.00 during May 15 – September 14).

Some restrictions may apply on day before holiday.

Send your application to PRV, P.O. Box 5055, SE-102 42 Stockholm, Sweden.

PRV
SWEDISH PATENT AND REGISTRATION OFFICE

Power of attorney regarding patent matter

Authorization for

Person or legal entity	Company registration number (if relevant)
Address	
Postal address	

To act on my/our behalf in everything concerning the patent/patent application/PCT application

with number	(or) with the title
☐ (or) see enclosed list of application/patent numbers	
☐ The agent is authorized to put others in his/her place (full power of substitution) This power of attorney includes the right to receive documents in related matters.	

Issued by

Person or legal entity	Company registration number (if relevant)
Address	
Postal address	

Signature by authorized signatory for the legal entity or applicant/proprietor

Place and date
Signature
Clarification of signature

Information regarding Power of Attorney

To represent a patent holder or applicant, a written Power of Attorney must often be submitted. You will find rules on Power of Attorneys in chapter 2 of the Swedish Contracts Act (SFS 1915:218).

The Power of Attorney supplied by PRV, is limited to patent related matters. Please note that this Power of Attorney is very basic. If you have a more complex situation or need, you must consider what effects the Power of Attorney will have on your business.

Note that the Power of Attorney is valid until it is revoked. Revocation is executed by destruction of the Power of Attorney document, or by a notice of revocation to the recipient of the Power of Attorney (for example the PRV if the Power of Attorney is used before the Swedish Patent and Registration Office).

Full power of substitution means that whoever is given the Power of Attorney may delegate that power by putting another person in his or her place. The advantage of full power of substitution is that the agent can be flexible in handling your matter, but the person/entity giving Power of Attorney loses control over who is handling the matter in their place.

PRV 7051 Patent 2012-06-19

PRV, Box 5055, 102 42 Stockholm (visitors: Valhallavägen 136, Stockholm)
Phone: 08-782 28 00, Fax: 08-666 02 86, Bank Giro 5050-0248
www.prv.se

PRV
SWEDISH PATENT AND REGISTRATION OFFICE

Transfer of patent

1. The signer/-s have transferred the patent to

Name/Company name
Address
Postcode/City/Country

2. All my/our right to this patent (state number) has been transferred.

3. Date of transfer (YYYYMMDD)

4. Transferor/-s signature (If the transferor is a company, state the company name)

Signature (of authorized person)	Signature (of authorized person)
Clarification of signature, with company name if applicable	Clarification of signature, with company name if applicable
Signature (of authorized person)	Signature (of authorized person)
Clarification of signature, with company name if applicable	Clarification of signature, with company name if applicable

5. The transfer is hereby confirmed by the transferee (YYYYMMDD)

6. Signature of the new patent holder (If the transferee is a company, state the company name.)

Signature (of authorized person)	Signature (of authorized person)
Clarification of signature, with company name if applicable	Clarification of signature, with company name if applicable

PRV7027en Patent 2012-05-16

PRV, Box 5055, 102 42 Stockholm (visitors: Valhallavägen 136, Stockholm)
Phone: 08-782 28 00, Fax: 08-666 02 86, Bank Giro 5050-0248
www.prv.se

INTELLECTUAL PROPERTY OFFICE OF SINGAPORE

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations :

Office: Intellectual Property Office of Singapore
PA: Patents Act
PR: Patents Rules

SUMMARY **Designated (or elected) Office** SUMMARY

SG INTELLECTUAL PROPERTY OFFICE OF SINGAPORE SG

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date[1] Under PCT Article 39(1)(a): 30 months from the priority date[1]
Translation of international application required into:[2]	English
Required contents of the translation for entry into the national phase:[2]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19[3]), 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[3])
Is a copy of the international application required?	No
National fee:	Currency: Singapore dollar (SGD) National (filing) fee:[2] SGD 200
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Verification of translation of international application[4] Name and address of the inventor if they have not been furnished in the "Request" part of the international application[4, 5] Address for service in Singapore (but no representation by an agent is required)[6]

[Continued on next page]

1 The time limit may be extended by up to 18 months, provided the applicant pays the prescribed fee (see Annex SG.I). Certain other time limits may also be extended for periods of 6 or 18 months or longer, but only at the discretion of the Registrar (see paragraphs SG.17-18).

2 Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1), or at the time of any earlier express request by the applicant to proceed earlier with the national phase.

3 Where the translation of the international application furnished by the applicant consists only in the translation of the international application as amended, the Office will invite the applicant to furnish the missing translation of the international application as originally filed; if the missing translation of the international application as originally filed is still not furnished, the international application will be considered to be withdrawn. Where the translation of the international application furnished by the applicant consists only in the translation of the international application as originally filed, the Office will invite the applicant to furnish the missing translation of the amendments; if the missing translation of the amendments is still not furnished, the amendments will be disregarded.

4 Must be furnished within two months from the time limit for entering the national phase.

5 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

6 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.

SUMMARY Designated (or elected) Office SUMMARY

SG INTELLECTUAL PROPERTY OFFICE OF SINGAPORE SG

[Continued]

Who can act as agent?	Any individual, partnership or body corporate entitled to practice before the Registry of Patents[7] of the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

[7] As to who would be entitled to practice before the Registry, reference is made to Part XIX of the Patents Act and the Patents (Patent Agents) Rules 2001.

THE PROCEDURE IN THE NATIONAL PHASE

PR Rule 86(1)

SG.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form, Patents Form 37 (see Annex SG.IX), for payment of the national fee (see Annex SG.I) upon entering the national phase. This form should preferably (but need not) be used.

PR Rule 86(4)(d)
PR Rule 112

SG.02 **TRANSLATION (VERIFICATION).** The required verification of the translation of the international application and of any other document consists of a simple statement by the person who made the translation. The wording could be the following: "Re Patent Application No. ....., I [*insert name of translator*] of [*insert address of translator*][1], hereby declare that I am conversant with the [*insert language being translated*] and the English languages and that I am the translator of the documents attached and certify that to the best of my knowledge and belief the following is a true and correct translation of [*insert identification of the document being translated, e.g. the specification which accompanied German patent application No. ..... in the name of .....*] as originally filed on [*insert date*]."

PR Rule 91(1)

SG.03 **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). A request for correction must be made on Form CM4 (see Annex SG.XIV). This form should enclose:

(a) a clean copy incorporating the proposed corrections and

(b) a copy of the proposed corrections clearly indicated therein in the following manner:

(i) by striking through any text, figure or other matter to be replaced or deleted; and

(ii) by underlining any replacement text, figure or other matter.

The request for correction shall be filed, together with the payment of the prescribed fee (see Annex SG.I).

SG.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex SG.I.

PR Rule 31
PR Rule 90(4)

SG.05 **ADDRESS FOR SERVICE.** An applicant, irrespective of whether or not he is a national of or a resident in Singapore, is not required to be represented by an agent, but he is required to have an address for service (of notices and other communications) in Singapore. If an agent in Singapore is appointed to represent the applicant for entry into the national phase, or one agent is substituted for another, written authorization should be filed on Patents Form 37 (see Annex SG.IX), together with the payment of the prescribed fee (see Annex SG.I).

PR Rule 18

SG.06 **DESIGNATION OF THE INVENTOR.** Any statement of the name of the inventor under the Treaty is treated as a statement filed under the national law. Otherwise details should be given on Patents Form 8 shown in Annex SG.II. Legalization is not required. Refer to the Summary for the relevant time limits.

PA Sec. 29
PR Rules 42 and 43

SG.07 **REQUEST FOR AN EXAMINATION REPORT.**[2] A request for an examination report must be filed on Patents Form 12 (see Annex SG.IV) together with the payment of the prescribed fee (see Annex SG.I) within 36 months from the declared priority date or, where there is no declared priority date, from the date of filing the application. This request must be accompanied by a copy of the international search report together with each of the documents referred to in that report.

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1 Address of translator is an optional field to be provided.

2 Other options are available to applicants to satisfy the search and examination requirements in Singapore. For details, please refer to the Office's web site.

PA Sec. 86(7)
PA Sec. 87(3)
PR Rule 86(7)

SG.08 **REQUEST FOR PUBLICATION OF TRANSLATION.** If the international application has not been published by the International Bureau in English, the English translation furnished by the applicant will be published by the Office after the applicant files a request for publication of the translation on Patents Form 38 (see Annex SG.X) and pays the prescribed fee (see Annex SG.I). That request can be filed at any time after the start of the national phase. However, if the applicant wants to secure the rights conferred by that publication (see International Phase, Annex B(SG)—Provisional protection) it is advisable to request publication as soon as possible when entering the national phase.

PR Rule 42

SG.09 **TRANSLATION OF REFERENCES CITED IN THE INTERNATIONAL SEARCH REPORT.** Upon the express demand of the Office, addressed to the applicant, the latter has to furnish to the extent specified in the demand, and within such period as the Registrar may specify, an English translation (see paragraph SG.02) of any document or part thereof referred to in the international search report as well as a copy of a verification document verifying the said translation.

PCT Art. 28
PCT Art. 41
PR Rule 49

SG.10 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may, of his own volition, amend the description, claims, drawings and abstract at any time before payment of the fee for the grant of a patent, subject to the conditions specified under Rule 49(3) of the Patents Rules.

PR Rule 48

Applications for amendments must be made on Patents Form 13 (see Annex SG.VI) accompanied by :

(a) a clean copy incorporating the proposed amendment, and

(b) a copy of the proposed amendment clearly indicated therein in the following manner:

(i) by striking through any text, figure or other matter to be replaced or deleted; and

(ii) by underlining any replacement text, figure or other matter.

PA Sec. 107
PR Rule 91(1)
PR Rule 56(3)

SG.11 The applicant may request the correction of an error of translation or transcription or a clerical error or mistake in the application or any document filed in connection therewith at any time. The request must be made on Form CM4 (see Annex SG.XIV). This form should enclose:

(a) a clean copy incorporating the proposed corrections, and

(b) a copy of the proposed corrections clearly indicated therein in the following manner:

(i) by striking through any text, figure or other matter to be replaced or deleted; and

(ii) by underlining any replacement text, figure or other matter.

The request for correction shall be filed, together with the payment of the prescribed fee (see Annex SG.I).

PR Rule 42A
PR Rule 43(4)
PA Sec. 29

SG.12 **NOTICE OF INTENTION TO RELY ON INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (IPRP).**[3] If the applicant chooses to rely on their IPRP (Chap. I) or IPRP (Chap. II) that was established during the international phase to satisfy the grant requirements for search and examination, they must file Patents Form 12A (see Annex SG.V) to request a supplementary examination report. This request must be accompanied by a copy of the IPRP and a table setting out how each claim in the application is related to at least one claim in the international application. To strengthen the Singapore patent regime and improve the quality of the patents granted in Singapore, applicants will no longer be able to request supplementary examination for (a) regular national applications and PCT applications with a filing date on or after 1 January 2020 and (b) divisional applications with a date of lodgement on or after 1 January 2020.

PA Sec. 30
PR Rule 47

SG. 13 **PERIOD FOR PUTTING THE APPLICATION IN ORDER. GRANT OF PATENT.** The prescribed period for paying the fee for the grant of the patent is 2 months from the date of the issuance of the notice of eligibility to proceed to the grant of a patent under Section 29A(1).

[3] See footnote 2.

If the specification of the application for a patent has been amended or corrected since the filing of the application, the applicant must file a specification incorporating every such amendment and correction at the time the prescribed fee for the grant of a patent is paid and Patents Form 14 (see Annex SG.VII) is completed and filed by the applicant.

PA Sec. 36(3) and (4)
PR Rule 51

SG.14 **RENEWAL FEES.** After a patent has been granted, a fee must be paid for maintaining the patent in force, starting with the fifth year counted from the international filing date. Payment must be made in the three months ending with the fourth and each subsequent anniversary of the international filing date. Payment can still be made, together with an additional fee, before the expiration of the last day of the sixth month from the anniversary of the international filing date. Where a patent is granted after 45 months from the date of filing, the renewal fee may be paid without an additional fee up to three months after the date of grant or, with an additional fee, within six months from the end of these three months. The amounts of the renewal fees and of the additional fee are indicated in Annex SG.I. An application for the renewal of a patent must be filed on Patents Form 15 (see Annex SG.VIII) (see also paragraph SG.18).

PCT Art. 25
PCT Rule 51
PA Sec. 85(3)
PR Rule 86(9) to (12)
PA Sec. 91
93
PR Rules 87
88
Rules of Court 0.87A, r 2

SG.15 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. The review must be requested in a letter and be accompanied by the prescribed fee indicated in Annex SG.I. If upon review under PCT Article 25, the Registry denies an error or omission on the part of the receiving Office or the International Bureau, the applicant may ask for a hearing by lodging Form HC4 (see Annex SG.XV) together with the prescribed fee (see Annex SG.I). The request must be filed within one month from the date of notification by the Registry. If at the hearing, the hearing Officer maintains the Registry's view, the applicant may appeal to the Courts; notice of appeal shall be lodged with the Court in the case of a decision on a matter of procedure within 14 days after the date of the decision; and in any other case, within six weeks after the date of the decision.

PCT Art. 24(2)
PCT Art. 48(2)

SG.16 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PR Rules 108
109

SG.17 Patents Form 45 (see Annex SG.XI) is to be used to request an extension of time or period. Certain time limits, including the time limit for entry into the national phase, can be extended as of right by a period not exceeding 6 or 18 months. The request for such an extension may be filed even after the date of expiry of the extension of time or period sought. Any further request for an extension of time or period, when the period of 6 or 18 months has been extended, will be subjected to the Registrar's discretion. Such a request must be filed before the end of the period not exceeding 6 or 18 months.

SG.18 The other time limits specifically referred to in the Summary may be extended on request if the Registry thinks fit and upon such terms as it may direct. There is no special form for such a request. Any request for such an extension shall be made in writing to the Registrar.

PA Sec. 39
PR Rule 53

SG.19 Provisions concerning reinstatement of rights or the like do not exist in Singapore except if a patent ceases through non-payment of renewal fees, where restoration may be requested under Section 39 of the Patents Act and Rule 53 of the Patents Rules.

PA Sec. 17
PR Rules 9A
86(3A)

SG.20 **REQUEST FOR RESTORATION OF RIGHT OF PRIORITY.** A request for restoration of the right of priority in accordance with PCT Rule 49*ter*.2 may be made under Rule 9A(2) of the Patents Rules for permission to make a late declaration of priority under Section 17(2B) of the Patents Act for all international applications filed with an international filing date on or after 1 April 2007. The Office applies both the "unintentional" and "due care" criteria to such requests which should be filed on Patents Form 57 (see Annex SG.XII) together with the prescribed fee (see Annex SG.I).

FEES

(Currency: Singapore dollar)

Patents Form No.	Item	Amount
Patents Form 37	Entry into national phase	200
Patents Form 11	Request for search and examination report	1,950[1] plus 40 for each claim in excess of 20 claims
Patents Form 12	Request for an examination report	1,350 plus 40 for each claim in excess of 20 claims
Patents Form 12A	Request for supplementary examination report	—
Patents Form 14	Payment of fee for grant of patent:	
	(a) Where the application for a patent is lodged before 14 February 2014 and has a date of filing before 1 July 2004	170
	(b) Where the application for a patent is lodged on or after 14 February 2014 and has a date of filing before 1 July 2004	200
Plus	(i) for each claim in excess of 20, where a supplementary examination report is relied upon for the issuance of the certificate of grant	40
	(ii) in any other case, for each claim in excess of 20 or of the number of claims in the patent specification for which the search and examination report or examination report (as the case may be), relied upon for the issuance of the certificate of grant, was requested	40
Patents Form 15	Payment of renewal fee:	
	(a) for each year in respect of the 5th, 6th or 7th year of the patent	140
	(b) for each year in respect of the 8th, 9th or 10th year of the patent	370
	(c) for each year in respect of the 11th, 12th or 13th year of the patent	520
	(d) for each year in respect of the 14th, 15th or 16th year of the patent	670
	(e) for each year in respect of the 17th, 18th or 19th year of the patent	820
	(f) for the 20th year of the patent	970
	(g) for each year after the 20th year of a patent.	1,200
	Payment of additional fee:	
	(a) for late payment of renewal fee not exceeding one month	50
	(b) for late payment of renewal fee for each succeeding month (but not exceeding 6 months)	100
Patents Form 38	Payment of fee for publication of translation of international application and/or any amendment to international application	70
Patents Form 45/ 46/47	Request for extension of time or period	
	For an application for a patent lodged before 14 February 2014:	
	(a) Request under Rule 108(3), for each time or period, and each month or part of a month	200

[1] In case of an international application for a patent that has entered the national phase, where, before the filing of the request for a search and examination report, an international search report or an international preliminary report on patentability was established by the Office under the PCT, the amount will be SGD 1,650 plus SGD 40 for each claim in excess of 20.

	(b) Request under Rule 108(4) or (4A)	200
	(c) Payment of additional fee under Rule 108(6), for each time or period, and each month or part of a month	200
	For an application for a patent lodged on or after 14 February 2014:	
	(a) Request under Rule 108(3), for each time or period, and each month or part of a month	200
	(b) Request under Rule 108(5)	200
	plus, for each time or period, and each month or part of a month	200
Patents Form 57	Addition, correction or late declaration of priority:	
	(a) For declaration under rule 9(2) or request under rule 9(3)	120
	(b) For declaration under rule 9A(2)	250
Form CM1	Request to appoint, change or remove agent, per application	—
Form CM4	Request for correction of error	
	(a) For the correction of form, correction of Register of Patents, or correction of documents other than form or specification of a patent or of an application for a patent	50
	(b) For the correction of specification of a patent or an application for a patent.	120
Form HC4	Request for ex parte hearing	100
	Application to Registrar for an international application to be treated as an application under the Act	160

Submission of Patents Forms via the Electronic Online Service (EOS)

For the purposes of Singapore national phase, applicants must use the EOS for the submission of patents forms (https://ip2sg.ipos.gov.sg/) which include:

(a) Optional form for entering the national phase, Patents Form 37

(b) Request for an examination report, Patents Form 12

(c) Payment of fee for grant, Patents Form 14

(d) Payment of renewal fee, Patents Form 15

How can payment of fees be effected?

The payment of fees has to be effected in Singapore dollars. All payments, except for the fee for entering the national phase, must be made together with the filing of the form related to the fee to be paid, and should be accompanied by Fee Payment Forms which are available from the Registry of Patents. All payments should indicate the payer's name and address, the application number (national, if already known; international, if the national number is not yet known), the name and the address of the applicant and the number of the Patents Form related to the fee being paid.

Payments may be made by one of the following means: Internet banking, GIRO and Visa/MasterCard credit and debit cards.

SINGAPORE PATENTS ACT (CHAPTER 221)
PATENTS RULES

PATENTS FORM 8 *2003*	**Statement of Inventorship and of Right to Grant of Patent**

Estimated Time:
This form may take approximately 9 - 13 minutes to complete.

General:
*a. * denotes mandatory fields.*
b. Attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.

PART 1 Reference

Applicant/ Agent Reference	

PART 2 Application No.*

Application No.*	

PART 3 Title of Invention*

Title of Invention*	

PART 4 Name of Applicant*

Note: If there is insufficient space, please use the continuation sheet CS 4.

UEN/ Company Code *(if applicable)*	
Name	
Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 5 Details of Inventor*

Note: If there is insufficient space, please use the continuation sheet CS 5.

Name	
Address	Singapore Address ☐ This Singapore address is to be used as the address for service for the purposes of this form. *(Note: If this is crossed, it is not necessary to fill up the address for service in Singapore in part 7.)*

	Block/ House No. ☐☐☐☐☐☐ Street Name ☐ Level - Unit ☐☐☐☐ - ☐☐☐☐☐☐ Building Name ☐ Postal Code ☐☐☐☐☐☐
	Foreign Address Line 1 ☐ Line 2 ☐ Line 3 ☐
Nationality*	☐
State of Residency *(mandatory for USA)*	☐
Country of Permanent Residence* *(mandatory for individuals)*	☐
The Above Inventor was Resident in Singapore at Any Time during the Period of Invention?	☐ Yes ☐ No
PART 6 Derivation of Right*	
The Applicants Derived the Right from the Inventor to be Granted the Said Application* (*Note: Only one checkbox may be crossed)*	☐ By Contract of Employment ☐ By Assignment of Invention ☐ Others *(Please specify below)* ☐

PART 7 Contact Details*	
Note: *a. Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.* *b. The address for service in Singapore need not be filled up if the person's address in Part 5 is to be used as an address for service in Singapore.* *c. The official correspondence will be sent to the address for service in Singapore as indicated in this box, and must be the same as the one on our record.* *d. Please file Form CM1 if you are a different agent or Form CM2 if you have changed your address for service in Singapore.*	
Agent UEN/ Company Code	
Agent Name	
Representative or C/O Name	
	Address for Service in Singapore Block/ House No. Street Name Level - Unit Building Name Postal Code
Contact Person *(if applicable)*	
Direct Telephone No. *(if applicable)*	
Email Address *(if applicable)*	
PART 8 Statement	
Statement	I/ We believe that the person(s) stated in part 5 is/ are the inventor(s) of the invention in respect of which the patent application is made. I/ We also consent to the publication of the details contained herein to each of the inventors as stated in part 5.

PART 9 Declaration*	
Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent** I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name	
Signature	
Date *(DD/MM/YYYY)*	
No. of Extra Sheets Attached to this Form	sheet(s)

SINGAPORE PATENTS ACT (CHAPTER 221)
PATENTS RULES

PATENTS FORM 11	**Request for Search and Examination Report**
2006	

Pre-requisites:

a. *If you are making a request under the ASEAN Patent Examination Co-operation (ASPEC) programme or a request under the Patent Prosecution Highway (PPH), please refer to the ASPEC or PPH Notice and Procedures available on IPOS's website at http://www.ipos.gov.sg for the documents to be filed together with this form.*

Estimated Time:

This form may take approximately 3 - 5 minutes to complete.

General:

a. ** denotes mandatory fields.*
b. *Attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.*

PART 1 Reference

Applicant/ Agent Reference	

PART 2 Application No.*

Application No.*	

PART 3 Name of Applicant*

Note: If there is insufficient space, please use the continuation sheet CS 4.

UEN/ Company Code *(if applicable)*	
Name	
Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 4 International Search Report (ISR)/ International Preliminary Report on Patentability (IPRP)

ISR / IPRP *(Note: Please cross if applicable)*	☐ International Search Report (ISR) / International Preliminary Report on Patentability (IPRP) is established by IPOS

PART 5 Additional Information Required for Patents Form 11 filed on or after 01 Apr 2017

Number of Claims	claim(s)

PART 6 Grace Period

Grace Period *(Note: Please cross if applicable)*	☐ There has been a disclosure of matter of the invention 12 months prior to the date of filing this application

PART 7 ASEAN Patent Examination Co-operation (ASPEC) / Patent Prosecution Highway (PPH)	
ASPEC / PPH *(Note: Please cross if applicable)*	☐ ASPEC / PPH requested and required documents are attached

PART 8 Contact Details*

Note:

a. *Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.*

b. *The official correspondence will be sent to the address for service in Singapore as indicated in this box, and must be the same as the one on our record.*

c. *Please file Form CM1 if you are a different agent or Form CM2 if you have changed your address for service in Singapore.*

Agent UEN/ Company Code	
Agent Name	
Representative or C/O Name	
	Address for Service in Singapore
	Block/ House No.
	Street Name
	Level - Unit -
	Building Name
	Postal Code
Contact Person *(if applicable)*	
Direct Telephone No. *(if applicable)*	
Email Address *(if applicable)*	

PART 9 Declaration*

Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent**

	I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name	
Signature	
Date *(DD/MM/YYYY)*	
No. of Extra Sheets Attached to this Form	sheet(s)

GST	GST INFORMATION
Tax Invoice*	
Note: *Tax invoice will be issued to the entity/individual as indicated. Goods and Services Tax (GST)-registered businesses may claim input tax with Inland Revenue Authority of Singapore (IRAS), subject to meeting the requirements under the GST Act.*	
Name (Tax invoice to be issued to)	*The name of the Applicant (as in PART 3 of this form) is to be indicated in this field.*

SINGAPORE PATENTS ACT (CHAPTER 221)
PATENTS RULES

PATENTS FORM 12	**Request for Examination Report**
2010	

Pre-requisites:

a. *If you are relying on an International Search Report or a Search Report of a corresponding application, corresponding international application or related national phase application, this form is to be accompanied by:*
   - *A copy of the search report and if this report is not in English, a verified English translation of the report.*
   - *Each cited document referred to in the search report.*
   - *If one or more cited document referred to the search report is not in English, a list of references to the patent family members of these cited documents and where this list is not in English, a verified English translation of this list.*

b. *If you are making a request under the ASEAN Patent Examination Co-operation (ASPEC) programme or a request under the Patent Prosecution Highway (PPH), please refer to the ASPEC or PPH Notice and Procedures available on IPOS's website at http://www.ipos.gov.sg for the documents to be filed together with this form.*

Estimated Time:
This form may take approximately 8 - 12 minutes to complete.

General:

a. ** denotes mandatory fields.*
b. *Attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.*

PART 1 Reference

Applicant/ Agent Reference	

PART 2 Application No.*

Application No.*	

PART 3 Name of Applicant*

Note: If there is insufficient space, please use the continuation sheet CS 4.

UEN/ Company Code *(if applicable)*	
Name	
Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 4 Request Type*

Request Type* *(Note: Cross only one checkbox)*	☐ Request for an examination report relying on a search report issued by the Registrar ☐ Request for an examination report relying on an international search report

	☐ Request for an examination report relying on the search report of a corresponding application, corresponding international application or related national phase application Application/ Patent No. ____ Prescribed Patent Office/ PCT ____
PART 5 Additional Information Required for Patents Form 12 filed on or after 01 Apr 2017	
Number of Claims	____ claim(s)
PART 6 Grace Period	
Grace Period *(Note: Please cross if applicable)*	☐ There has been a disclosure of matter of the invention 12 months prior to the date of filing this application
PART 7 ASEAN Patent Examination Co-operation (ASPEC) / Patent Prosecution Highway (PPH)	
ASPEC / PPH *(Note: Please cross if applicable)*	☐ ASPEC / PPH requested and required documents are attached
PART 8 Contact Details*	
Note: *a. Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.* *b. The official correspondence will be sent to the address for service in Singapore as indicated in this box, and must be the same as the one on our record.* *c. Please file Form CM1 if you are a different agent or Form CM2 if you have changed your address for service in Singapore.*	
Agent UEN/ Company Code	☐☐☐☐☐☐☐☐☐☐
Agent Name	____
Representative or C/O Name	____
	Address for Service in Singapore Block/ House No. ☐☐☐☐☐☐ Street Name ____ Level - Unit ☐☐☐☐ - ☐☐☐☐☐☐ Building Name ____ Postal Code ☐☐☐☐☐☐

Contact Person *(if applicable)*	
Direct Telephone No. *(if applicable)*	
Email Address *(if applicable)*	
PART 9 Declaration*	
Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent** I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name	
Signature	
Date *(DD/MM/YYYY)*	
No. of Extra Sheets Attached to this Form	sheet(s)

GST	GST INFORMATION
Tax Invoice*	
Note: *Tax invoice will be issued to the entity/individual as indicated. Goods and Services Tax (GST)-registered businesses may claim input tax with Inland Revenue Authority of Singapore (IRAS), subject to meeting the requirements under the GST Act.*	
Name (Tax invoice to be issued to)	*The name of the Applicant (as in PART 3 of this form) is to be indicated in this field.*

SINGAPORE PATENTS ACT (CHAPTER 221)
PATENTS RULES

PATENTS FORM 12A	Request for Supplementary Examination Report

Estimated Time:
This form may take approximately 8 - 12 minutes to complete.

General:
a. ** denotes mandatory fields.*
b. *Attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.*

PART 1 Reference

Applicant/ Agent Reference	

PART 2 Application No.*

Application No.*	

PART 3 Name of Applicant*

Note: If there is insufficient space, please use the continuation sheet CS 4.

UEN/ Company Code *(if applicable)*	
Name	
Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 4 Prescribed Document Furnished*

Prescribed Document Furnished
(Note: Cross only one option and any supporting options where required. A claim correspondence table must be furnished.)

☐ You are relying on the final results of a corresponding application, corresponding international application or related national phase application *(details to be provided below)*

☐ A certified copy of granted patent or a copy thereof: or

☐ Document(s) setting out the final results of the search and examination as to substance with a copy of claims referred to in the final results.

(i) Application/ patent no. of the corresponding application or the corresponding international application

(ii) Filed in or under *(Prescribed patent office/ Patent Co-operation Treaty)*

PCT Article 19 and/or 34 amendments were made (to indicate for corresponding international application only) ☐ Yes ☐ No

☐ You are relying on the final results of any search and examination as to the substance of the application in suit during its international phase (details to be provided below)

☐ You are relying on an International Preliminary report on Patentability (Chap 1)

PCT Article 19 amendments were made ☐ Yes ☐ No

☐ You are relying on an International Preliminary Report on Patentability (Chap 2)

PCT Article 19 and/or 34 amendments were made ☐ Yes ☐ No

PART 5 International Patent Classification (IPC)*	
Note: If there is insufficient space, please use the continuation sheet in CS 6.	
International Patent Classification (IPC) for the Application*	

PART 6 Contact Details*	
Note: *a. Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.* *b. The official correspondence will be sent to the address for service in Singapore as indicated in this box, and must be the same as the one on our record.* *c. Please file Form CM1 if you are a different agent or Form CM2 if you have changed your address for service in Singapore.*	
Agent UEN/ Company Code	
Agent Name	
Representative or C/O Name	
	Address for Service in Singapore Block/ House No. Street Name Level - Unit Building Name Postal Code
Contact Person *(if applicable)* Direct Telephone No. *(if applicable)* Email Address *(if applicable)*	

PART 7 Declaration*	
Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent** I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name	
Signature	
Date *(DD/MM/YYYY)*	
No. of Extra Sheets Attached to this Form	sheet(s)

SINGAPORE PATENTS ACT (CHAPTER 221)
PATENTS RULES

PATENTS FORM 13 *2013*	**Request to Amend Application Before Grant**

Pre-requisites:

a. *This form should be filed only if you are amending an application for a patent before grant. If you wish to amend the specification of a patent that has been granted, please file Patents Form 17 instead.*
b. *If you are making an amendment of the description, claims, drawings or abstract, this form is to be accompanied by a copy of the amended sheet(s), with the proposed amendment clearly indicated in the following manner:*
   - *Any text, figure or other matter that are to be replaced or deleted to be struck through; and*
   - *Any replacement text, figure or other matter to be underlined.*
c. *If you are filing a response to written opinion, and intend to make written submissions and amend the specification of the application, they have to be filed at the same time.*
d. *If you are making a request under the ASEAN Patent Examination Co-operation (ASPEC) programme, please refer to the ASPEC Notice and Procedures available on IPOS's website at http://www.ipos.gov.sg for the documents that need to be filed together with this form.*

Estimated Time:
This form may take approximately 8 - 12 minutes to complete.

General:

a. ** denotes mandatory fields.*
b. *Attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.*

PART 1 Reference

Applicant/ Agent Reference	
IPOS Reference *(if applicable)*	

PART 2 Application No.*

Application No.*	
Title of Invention	

PART 3 Name of Applicant*

Note: If there is insufficient space, please use the continuation sheet CS 4.

UEN/ Company Code *(if applicable)*	
Name	
Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 4 Reason for Making the Amendment*	
Reason for Making the Amendment* *(Note:Cross only one checkbox)*	☐ In response to the Registrar's formalities examination adverse report ☐ In response to the Registrar's notification under section 30(6) of the Patent Act and in force immediately before 14 February 2014 or objections to Section 13 (2)/(3) of the Patent Act ☐ Voluntary amendment ☐ In response to a written opinion issued for an application with a date of filing before 1 July 2004 ☐ Related to Rule 47 (6) with the date of filing on or after 14 February 2014

PART 5 Amendments to be Made*	
Note: A summary explanation of the amendments sought should be indicated in the box provided below, including the page number of the page(s) of the document you are proposing to amend. If you are making an amendment to file a Patents Form 1, this form is to be accompanied by a copy of the Patents Form 1.	
Summary Explanation of the Amendments Sought	
Amendment of Patents Form 1	☐
Amendment of Title of Invention	☐
Amendment of Description with Claim(s)	☐ sheet(s)
Amendment of Description without Claim(s)	☐ sheet(s)
Amendment of Claim(s) only	☐ sheet(s)
Amendment of Drawing(s)	☐ sheet(s)
Amendment of Abstract	☐ sheet(s)

PART 6 ASEAN Patent Examination Co-operation (ASPEC)	
ASPEC *(Note: Please cross if applicable)*	☐ ASPEC requested

PART 7 Contact Details*	
Note: *a. Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.* *b. The official correspondence will be sent to the address for service in Singapore as indicated in this box, and must be the same as the one on our record.* *c. Please file Form CM1 if you are a different agent or Form CM2 if you have changed your address for service in Singapore.*	
Agent UEN/ Company Code	
Agent Name	
Representative or C/O Name	
	Address for Service in Singapore Block/ House No. Street Name Level - Unit Building Name Postal Code
Contact Person *(if applicable)*	
Direct Telephone No. *(if applicable)*	
Email Address *(if applicable)*	

PART 8 Declaration*	
Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent** I, the undersigned, do hereby declare that: i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name	
Signature	
Date *(DD/MM/YYYY)*	
No. of Extra Sheets Attached to this Form	sheet(s)

SINGAPORE PATENTS ACT (CHAPTER 221)
PATENTS RULES

PATENTS FORM 14	Payment of Fee for Grant of Patent
2015	

Pre-requisites:

a. *In general, where the specification of the application has been amended or corrected since the filing of the application, a specification incorporating every such amendment or correction is to accompany this form.*

Estimated Time:

This form may take approximately 8 - 12 minutes to complete.

General:

a. ** denotes mandatory fields.*
b. *An additional fee of $20 for each patent claim in excess of 25 patent claims is payable for patent applications having:*
   - *a date of filing on or after 01/07/2004; or*
   - *a date of filing before 01/07/2004 but the application was lodged on or after 14/02/2014*
c. *Attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.*

PART 1 Reference

Applicant/ Agent Reference	

PART 2 Application No.*

Application No.*	
Title of Invention	Select Preferred Title of Invention(Applicable for PF37 Applications) ☐ Title on Record ☐ Title on Consolidated Specification

PART 3 Name of Applicant*

Note: If there is insufficient space, please use the continuation sheet CS 4.

UEN/ Company Code *(if applicable)*	
Name	
Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 4 Indication for applications having a date of filing on or after 1 July 2004

No. of Claims	No. of claims contained in the specification of this patent application at the time of compliance with rule 47(3) of the Patents Rules

PART 5	**Declaration for applications lodged before 14 Feb 2014 and having a date of filing on or after 1 Jul 2004**
Declaration	I/ We declare that the application has satisfied the conditions referred to in sections 30(3)(b) or (c) (whichever is applicable) and 30(3)(e) of the Patents Act.

PART 6 Contact Details*

Note:

a. *Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.*

b. *The official correspondence will be sent to the address for service in Singapore as indicated in this box, and must be the same as the one on our record.*

c. *Please file Form CM1 if you are a different agent or Form CM2 if you have changed your address for service in Singapore.*

Agent UEN/ Company Code	
Agent Name	
Representative or C/O Name	
	Address for Service in Singapore
	Block/ House No.
	Street Name
	Level - Unit -
	Building Name
	Postal Code
Contact Person *(if applicable)*	
Direct Telephone No. *(if applicable)*	
Email Address *(if applicable)*	

PART 7 Declaration*

Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent**

	I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name	
Signature	
Date *(DD/MM/YYYY)*	/ /
No. of Extra Sheets Attached to this Form	sheet(s)

GST	GST INFORMATION
Tax Invoice*	
Note: *Tax invoice will be issued to the entity/individual as indicated. Goods and Services Tax (GST)-registered businesses may claim input tax with Inland Revenue Authority of Singapore (IRAS), subject to meeting the requirements under the GST Act.*	
Name (Tax invoice to be issued to)	*The name of the Applicant (as in PART 3 of this form) is to be indicated in this field.*

SINGAPORE PATENTS ACT (CHAPTER 221)
PATENTS RULES

PATENTS FORM 15 *2016*	**Payment of Renewal Fee and Any Additional Fee**

Pre-requisites:
a. *Renewal fees are payable only after a patent has been granted.*
b. *This form should be filed only if you are renewing a patent that has not endorsed with licence as of right. If you wish to renew a patent which has been endorsed with licence as of right, please file Patents Form 53 instead.*

Estimated Time:
This form may take approximately 9 - 13 minutes to complete.

General:
a. ** denotes mandatory fields.*
b. *Please note that you will not be receiving any acknowledgement from the Registry upon the lodgement of this form. Kindly check the renewal application status at IP2SG portal within 2 weeks.*
c. *Attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.*

PART 1 Reference

Applicant/ Agent Reference	

PART 2 Application No.*

Application No.*	
Title of Invention	

PART 3 Name of Proprietor*

Note: If there is insufficient space, please use the continuation sheet CS 4.

UEN/ Company Code *(if applicable)*	
Name	
Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 4 Details of Person Seeking to Renew the Patent

Note: If the person(s) filing this request is/are the proprietor(s) mentioned in part 3 above, this part is to be left empty. *If there is insufficient space, please use the continuation sheet CS 1.*

UEN/ Company Code *(if applicable)*	
Name	
Address	Singapore Address ☐ This Singapore address is to be used as the address for

	service for the purposes of this form. *(Note: If this is crossed, it is not necessary to fill up the address for service in Singapore in part 6.)*
	Block/ House No. ☐☐☐☐☐☐ Street Name ☐ Level - Unit ☐☐☐☐ - ☐☐☐☐☐☐ Building Name ☐ Postal Code ☐☐☐☐☐☐
	Foreign Address Line 1 ☐ Line 2 ☐ Line 3 ☐
Nationality or Country of Incorporation*	☐
State of Incorporation *(mandatory for USA corporations)*	☐
Country of Residency *(mandatory for individuals)*	☐
Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	☐

PART 5 Details of Renewal*

Note:

a. *Please cross the first checkbox if the patent is granted after the expiry of 45 months from the date of filing of the patent and this is the first time you are making payment of renewal fee for your patent.*
b. *Please indicate the anniversary of the patent for which renewal is sought, e.g. 11th.*
c. *If this form is filed after the relevant deadline for making payment of renewal fees but within 6 months of this deadline, an additional fee is payable on top of renewal fees. Please indicate the number of months that this form is filed late in the box provided.*

Details of Renewal	☐ Payment of renewal for preceding years from ☐ year to ☐ year with ☐ month(s) payment of additional fee

	☐ Payment of renewal for succeeding year for ☐ year with ☐ month(s) payment of additional fee
	☐ Payment of balance of all renewal fees payable due to cancellation of licence of rights *(via PF28)* from ☐ year to ☐ year

PART 6 Contact Details*

Note:

a. *Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.*

b. *The address for service in Singapore need not be filled up if the person's address in Part 4 is to be used as an address for service in Singapore.*

c. *For the purpose of renewal and/or restoration, the official correspondence will be sent to the address for service in Singapore as indicated in this box.*

Agent UEN/ Company Code	☐☐☐☐☐☐☐☐☐☐
Agent Name	
Representative or C/O Name	
	Address for Service in Singapore Block/ House No. ☐☐☐☐☐☐ Street Name Level - Unit ☐☐☐☐ - ☐☐☐☐☐☐ Building Name Postal Code ☐☐☐☐☐☐
Contact Person *(if applicable)*	
Direct Telephone No. *(if applicable)*	☐☐☐☐☐☐☐☐☐☐

Email Address *(if applicable)*	
PART 7 Declaration*	
Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent** I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name	
Signature	
Date *(DD/MM/YYYY)*	
No. of Extra Sheets Attached to this Form	sheet(s)

GST	GST INFORMATION
Tax Invoice*	
Note: *Tax invoice will be issued to the entity/individual as indicated. Goods and Services Tax (GST)-registered businesses may claim input tax with Inland Revenue Authority of Singapore (IRAS), subject to meeting the requirements under the GST Act.*	
Name (Tax invoice to be issued to)	*The name of the Proprietor (as in Part 3 of this form) should be inserted in this field.*

SINGAPORE PATENTS ACT (CHAPTER 221)
PATENTS RULES

PATENTS FORM 37	**Entry into National Phase**
2024	

Pre-requisites:

a. *If the international application was published under the PCT in a language other than English, an English translation of the application is to accompany this form.*
b. *If you wish for the Registrar to proceed earlier with national phase, please make a request in Part 8. Where such a request is made and the PCT application has yet to be published at WIPO, a copy of the PCT application is to accompany this form.*

Estimated Time:

This form may take approximately 8 - 12 minutes to complete.

General:

a. ** denotes mandatory fields.*
b. *Attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.*

PART 1 Reference

Applicant/ Agent Reference	

PART 2 Application No.*

International Application No.*	P C T / /
Singapore Application No. *(if applicable)*	

PART 3 Title of Invention*

Title of Invention* ***(Fill in title of invention as published by WIPO Or Fill in the title of invention from the specification you wish to adopt; only for foreign language or yet to be published PCT applications)***	☐ Please check this box if you wish to adopt the title in the specification. This check box should only be checked if the PCT application is published in foreign language or the PCT application is yet to be published.

PART 4 Details of Applicant*

Note: The applicant's name and address should tally with that on WIPO's records at the time of filing this form. If different, please provide supporting documents. If there is insufficient space, please use the continuation sheet in CS 1.

UEN/ Company Code *(if applicable)*	
Name*	
Address*	Singapore Address

	☐ This Singapore address is to be used as the address for service for the purposes of this form. *(Note: If this is crossed, it is not necessary to fill up the address for service in Singapore in part 9.)* Block/ House No. Street Name Level – Unit No. # (If applicable) -
	Building Name (If applicable) Postal Code
	Foreign Address Line 1 Line 2 Line 3
Nationality* (***for individuals)*** or Country of Incorporation* (***for corporations***) State of Incorporation* (***mandatory only for USA corporations***) Country of Residency* (***mandatory only for individuals***) Sole Proprietor or Partners' Name *(If applicable)* Company Profile *(for Singapore incorporated businesses only.Please cross if applicable)*	☐ Small and Medium Enterprise[1] *[1] Small and medium-sized enterprises in Singapore will be defined as businesses with annual sales turnover of not more than $100 million or employing no more than 200 staff.*
PART 5 International Filing Date*	
International Filing Date* *(DD/MM/YYYY)*	☐☐/☐☐/☐☐☐☐
PART 6 Earliest Declared Priority Date	
Earliest Declared Priority Date *(DD/MM/YYYY)*	☐☐/☐☐/☐☐☐☐

PART 7 International Publication No.	
International Publication No.	W O / /
PART 8 Request for Early National Phase Entry	
Request for Early National Phase Entry *(Note: Please cross if applicable)*	☐ I/We expressly requests the Registrar to proceed earlier with the national phase of the application.

PART 9 Contact Details*

Note:

a. Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.

b. The address for service in Singapore need not be filled up if the person's address in Part 4 is to be used as an address for service in Singapore.

c. The official correspondence will be sent to the address for service in Singapore as indicated in this box.

d. The agent has to be a Singapore registered patent agent, or an advocate and solicitor, who has in force a practising certificate. Please refer to Singapore Patents Act Section 105 for details.

Agent UEN/ Company Code (*If applicable*)	
Agent Name (*If applicable*)	
Representative or C/O Name (*If applicable*)	
	Address for Service in Singapore (***mandatory if box in Part 4 is not crossed***)
	Block/ House No.
	Street Name
	Level – Unit No. # (If applicable) -
	Building Name (If applicable)
	Postal Code
Name of Contact Person *(if applicable)*	
Direct Telephone No. *(if applicable)*	

Email Address *(if applicable)*	
PART 10 Declaration*	
Declaration	**By Person Filing the Application** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent** I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent, for the purposes of this application, on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name of Declarant*	
Signature*	
Date* *(DD/MM/YYYY)*	
No. of Extra Sheets Attached to this Form	sheet(s)

GST	GST INFORMATION
Tax Invoice*	
Note: *Tax invoice will be issued to the entity/individual as indicated. Goods and Services Tax (GST)-registered businesses may claim input tax with Inland Revenue Authority of Singapore (IRAS), subject to meeting the requirements under the GST Act.*	
Name (Tax invoice to be issued to)	*The name of the Applicant (as in PART 4 of this form) is to be indicated in this field.*

SINGAPORE PATENTS ACT (CHAPTER 221)
PATENTS RULES

PATENTS FORM 38	**Payment of Fee for Publication of Translation of International Application and/ or any Amendment to International Application**

Pre-requisites:

a. *This form should be filed only if an English translation of the international application or of an amendment to the international application has been filed with the Registry*

Estimated Time:

This form may take approximately 3 - 5 minutes to complete.

General:

a. ** denotes mandatory fields.*
b. *Attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.*

PART 1 Reference

Applicant/ Agent Reference	

PART 2 Application No.*

Application No.*	

PART 3 Name of Applicant*

Note: If there is insufficient space, please use the continuation sheet CS 4.

UEN/ Company Code *(if applicable)*	
Name	
Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 4 Contact Details*

Note:

a. *Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.*
b. *The official correspondence will be sent to the address for service in Singapore as indicated in this box, and must be the same as the one on our record.*
c. *Please file Form CM1 if you are a different agent or Form CM2 if you have changed your address for service in Singapore.*

Agent UEN/ Company Code	
Agent Name	
Representative or C/O Name	

	Address for Service in Singapore Block/ House No. Street Name Level - Unit - Building Name Postal Code
Contact Person *(if applicable)* Direct Telephone No. *(if applicable)* Email Address *(if applicable)*	
PART 5 Declaration*	
Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent** I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name Signature Date *(DD/MM/YYYY)*	
No. of Extra Sheets Attached to this Form	sheet(s)

GST	GST INFORMATION
Tax Invoice*	
Note: *Tax invoice will be issued to the entity/individual as indicated. Goods and Services Tax (GST)-registered businesses may claim input tax with Inland Revenue Authority of Singapore (IRAS), subject to meeting the requirements under the GST Act.*	
Name (Tax invoice to be issued to)	*The name of the Applicant (as in PART 3 of this form) is to be indicated in this field.*

SINGAPORE PATENTS ACT (CHAPTER 221)
PATENTS RULES

PATENTS FORM 45 **PATENTS FORM 46** **PATENTS FORM 47** *2028*	**Request for Extension of Time or Period**

Pre-requisites:

If a request is made under rule 108(4) in Part 5A, or rule 108(5) in Part 5B, this form is to be accompanied by a statutory declaration or affidavit setting out the grounds for the request for extension of time.

Estimated Time:

This form may take approximately 8 - 12 minutes to complete.

General:

a. ** denotes mandatory fields.*
b. *Attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.*

PART 1 Reference

Applicant/ Agent Reference	
IPOS Reference *(if applicable)*	

PART 2 Application No.*

Application No.*	

PART 3 Name of Applicant/ Proprietor*

Note: If there is insufficient space, please use the continuation sheet CS 4.

UEN/ Company Code *(if applicable)*	
Name	
Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 4 Details of Person Filing the Request

Note: If the person(s) filing this request is/are the applicant(s) mentioned in part 3 above, this part is to be left empty. If there is insufficient space, please use the continuation sheet CS 1.

UEN/ Company Code *(if applicable)*	
Name	

Address	Singapore Address ☐ This Singapore address is to be used as the address for service for the purposes of this form. *(Note: If this is crossed, it is not necessary to fill up the address for service in Singapore in part 6.)* Block/ House No. ☐☐☐☐☐☐ Street Name ☐ Level - Unit ☐☐☐☐ - ☐☐☐☐☐☐ Building Name ☐ Postal Code ☐☐☐☐☐☐
	Foreign Address Line 1 ☐ Line 2 ☐ Line 3 ☐
Nationality or Country of Incorporation* ☐ State of Incorporation *(mandatory for USA corporations)* ☐ Country of Residency *(mandatory for individuals)* ☐ Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)* ☐	
PART 5 Details of Request*	
A. Please complete this section if the patent application was lodged before 14/02/2014	
Note: *a. If rule 108(3) or 108(6) is selected, the fee payable is $200 X the total number of months of extension requested.* *b. If rule 108(4) is selected, a flat fee of $200 is payable.*	
Request Type* *(Note:Cross only one checkbox)*	☐ Request under rule 108(3) ☐ Request under rule 108(4) or (4A) ☐ Payment of additional fee under rule 108(6)

	Description	No. of Months
Extension of Time or Period Prescribed in*	☐ Rule 18(1), 28(f), 86(8) or 86(8A) - Mention of Inventors	
	☐ Rule 38 - Filing a request for search report	
	☐ Rule 43 - Filing a request for examination report or a request for search and examination report	
	☐ Rule 43 - Furnishing prescribed information or filing a notice of intention to rely on international preliminary report on patentability	
	☐ Rule 47(1) or (2) - Filing a request for issuance of the certificate of grant	
	☐ Rule 86(1) - PCT National Phase entry	
	☐ Rule 86(6) - Filing an English translation of the PCT application or of an amendment to the PCT application	
	☐ Others – Please complete Annex A	

B. Please complete this section if the patent application was lodged on or after 14/02/2014

Note:
a. If rule 108(3)/(4) is selected, the fee payable is $200 X the number of months of extension requested..
b. If rule 108(5) is selected, the fee payable is $200 + [$200 X the total number of months of extension requested].

Request Type* *(Note:Cross only one checkbox)*	☐ Request under rule 108(3) or (4)
	☐ Request under rule 108(5)

	Description	No. of Months
Extension of Time or Period Prescribed in* *(Note: Only one checkbox may be crossed if a request is made under rule 108(3) or (4))*	☐ Rule 18(1), 28(f), 86(8) or 86(8A) - Mention of Inventors	
	☐ Rule 34(1A) - Responding to the Registrar's notification on non-compliance of formal requirements	
	☐ Rule 38 - Filing a request for search report	
	☐ Rule 43 - Filing a request for examination report or a request for search and examination report	
	☐ Rule 43 - Filing a request for supplementary examination report	
	☐ Rule 47(1) or (2) - Filing a request for issuance of the certificate of grant	

	☐ Rule 86(1) - PCT National Phase entry ☐ ☐ Rule 86(6) - Filing an English translation of the PCT application or of an amendment to the PCT application ☐ ☐ Others - Please complete Annex B

PART 6 Contact Details*

Note:

a. *Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.*

b. *The address for service in Singapore need not be filled up if the person's address in Part 4 is to be used as an address for service in Singapore.*

c. *The official correspondence will be sent to the address for service in Singapore as indicated in this box, and must be the same as the one on our record.*

d. *Please file Form CM1 if you are a different agent or Form CM2 if you have changed your address for service in Singapore.*

Agent UEN/ Company Code	
Agent Name	
Representative or C/O Name	
	Address for Service in Singapore Block/ House No. Street Name Level - Unit -
	Building Name Postal Code
Contact Person *(if applicable)*	
Direct Telephone No. *(if applicable)*	
Email Address *(if applicable)*	

PART 7 Declaration*	
Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent** I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name	
Signature	
Date *(DD/MM/YYYY)*	/ /
No. of Extra Sheets Attached to this Form	sheet(s)

ANNEX A

PART 5A Extension of Time or Period Prescribed in*

Note: Please complete this part if "Others" is selected under Part 5 Section A.

		Description	No. of Months
Extension of Time or Period Prescribed in*	☐	Rule 9A(5) - Making observations or filing evidence in relation to a request for permission to make late declaration of priority	
	☐	Rule 9B(1) or 28(e) - Furnishing the application number of a priority application	
	☐	Rule 9B(4) - Furnishing priority documents	
	☐	Rule 9C(1) - Furnishing translation of priority documents	
	☐	Rule 19(11) - Filing an English translation of a document which is or appears to be a description of the invention	
	☐	Rule 26(2) - Making observations and/or filing documents to comply with date of filing requirements	
	☐	Rule 26(3) - Filing a copy of the priority application and/or its English translation	
	☐	Rule 26A(4) - Furnishing the application number of a priority application, or filing a copy of the priority application and/or its English translation	
	☐	Rule 28(g) or Paragraph 1(3) of the Fourth Schedule - Disclosure of details of deposit of culture of micro-organism	
	☐	Rule 34(5) - Furnishing the application number of a priority application, or filing a copy of the priority application and/or its English translation	
	☐	Rule 53(4) - Paying of prescribed addition fee and any unpaid renewal fee for restoration of patent	
	☐	Rule 112(4) - Filing an English translation	
	☐	Rule 112(5)(b) - Filing the original verification document of an English translation	

ANNEX B

PART 5B Extension of Time or Period Prescribed in*

Note: Please complete this part if "Others" is selected under Part 5 Section B.

		Description	No. of Months
Extension of Time or Period Prescribed in*	☐	Rule 8(2) or 86(4)(b)- Filing of certificate of international exhibition	
	☐	Rule 9A(5) - Making observations or filing evidence in relation to a request for permission to make late declaration of priority	
	☐	Rule 9B(1) or 28(e) - Furnishing the application number of a priority application	
	☐	Rule 9B(4) - Furnishing priority documents	
	☐	Rule 9C(1) - Furnishing translation of priority documents	
	☐	Rule 17(3) - Filing of counter-statement to oppose mention of inventor	
	☐	Rule 19(11) - Filing an English translation of a document which is or appears to be a description of the invention	
	☐	Rule 26(2) - Making observations and/or filing documents to comply with date of filing requirements	
	☐	Rule 26(3) - Filing a copy of the priority application and/or its English translation	
	☐	Rule 26A(4) - Furnishing the application number of a priority application, or filing a copy of the priority application and/or its English translation	
	☐	Rule 28(g) or Paragraph 1(3) of the Fourth Schedule - Disclosure of details of deposit of culture of micro-organism	
	☐	Rule 34(5) - Furnishing the application number of a priority application, or filing a copy of the priority application and/or its English translation to comply with section 28(9)(b)	
	☐	Rule 42(3) - Furnishing an English translation of a document referred to a search and international search report	
	☐	Rule 45(2) - Filing a request for supplementary search report	
	☐	Rule 46A(2) – Filing a request for review of examination report, search and examination report or supplementary examination report	

	☐	Rule 46A(5) - Notice of refusal of application for patent	
	☐	Rule 51A(3) - Furnishing of additional evidence in support of application for patent term extension	
	☐	Rule 53(4) - Paying of prescribed addition fee and any unpaid renewal fee for restoration of patent	
	☐	Rule 67 - Making new application in response to Registrar's order	
	☐	Rule 68 – Filing a request for grant of a licence to continue working new patent	
	☐	Rule 84(1) - Making observations and amendments in response to Registrar's notification	
	☐	Rule 88(1) – Filing a request for the exercise of the Registrar's discretionary powers	
	☐	Rule 112(4) - Filing an English translation	
	☐	Rule 112(5)(b) - Filing the original verification document of an English translation	

GST	GST INFORMATION
Tax Invoice*	
Note: *Tax invoice will be issued to the entity/individual as indicated. Goods and Services Tax (GST)-registered businesses may claim input tax with Inland Revenue Authority of Singapore (IRAS), subject to meeting the requirements under the GST Act.*	
Name (Tax invoice to be issued to)	*The name of the requestor (as in Part 4 of this form) should be inserted in this field. If Part 4 is left empty, please insert the name of the applicant/proprietor (as in Part 3 of this form).*

SINGAPORE PATENTS ACT (CHAPTER 221)
PATENTS RULES

PATENTS FORM 57 *2039*	**Addition, Correction or Late Declaration of Priority**

Pre-requisites:
a. *If you are requesting for permission to make a late declaration of priority under rule 9A(2) together with a request for a priority declaration to be added under rule 9(2) or a request for a correction of previously made priority declaration under rule 9(3), the fee for each request type is payable.*

Estimated Time:
This form may take approximately 8 - 12 minutes to complete.

General:
a. ** denotes mandatory fields.*
b. *Attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.*

PART 1 Reference

Applicant/ Agent Reference	
IPOS Reference *(if applicable)*	

PART 2 Application No.*

Application No.*	

PART 3 Name of Applicant*

Note: If there is insufficient space, please use the continuation sheet CS 4.

UEN/ Company Code *(if applicable)*	
Name	
Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 4 Priority Details*

Indicate below the details of the priority application relevant to this declaration/request.

Country	
Application No. *(if applicable)*	
Filing Date *(DD/MM/YYYY)*	/ /

PART 5 Type of Declaration or Request*	
Type of Declaration or Request* *(Note:Cross only one checkbox)*	☐ A priority declaration under Rule 9(2) ☐ A request under Rule 9(3) to correct a mistake in a priority declaration ☐ A request under Rule 9A(2) for permission to make a late priority declaration ☐ A priority declaration under Rule 9(2) and a request under Rule 9A(2) for permission to make a late priority declaration ☐ A request under Rule 9(3) to correct a mistake in a priority declaration and a request under Rule 9A(2) for permission to make a late priority declaration
PART 6 Reason for the Failure to File the Application in Suit Within the Period Referred to in Section 17(2A)(a)	
Note: This Part is to be completed if in Part 5 a request is made under rule 9A(2) for permission to make a late priority declaration.	
Reason *(Note:Cross only one checkbox)*	☐ Occurred in spite of due care required by the circumstances having been taken ☐ Unintentional
Detailed Explanation of the Reason is Indicated in this Box or in the Copy of the Evidence Filed with this Form.	
PART 7 Contact Details*	
Note: *a. Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.* *b. The official correspondence will be sent to the address for service in Singapore as indicated in this box, and must be the same as the one on our record.* *c. Please file Form CM1 if you are a different agent or Form CM2 if you have changed your address for service in Singapore.*	
Agent UEN/ Company Code	☐☐☐☐☐☐☐☐☐☐
Agent Name	
Representative or C/O Name	

	Address for Service in Singapore Block/ House No. Street Name Level - Unit - Building Name Postal Code
Contact Person *(if applicable)* Direct Telephone No. *(if applicable)* Email Address *(if applicable)*	
PART 8 Declaration*	
Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent** I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name Signature Date *(DD/MM/YYYY)*	
No. of Extra Sheets Attached to this Form	sheet(s)

GST	GST INFORMATION
Tax Invoice*	
Note: *Tax invoice will be issued to the entity/individual as indicated. Goods and Services Tax (GST)-registered businesses may claim input tax with Inland Revenue Authority of Singapore (IRAS), subject to meeting the requirements under the GST Act.*	
Name (Tax invoice to be issued to)	*The name of the Applicant (as in PART 3 of this form) is to be indicated in this field.*

SINGAPORE TRADE MARKS ACT / PATENTS ACT / REGISTERED DESIGNS ACT
(CHAPTER 332 / 221 / 266)
TRADE MARKS RULES / PATENT RULES / REGISTERED DESIGNS RULES

FORM CM1 *1001*	**Request to Appoint, Change or Remove Agent**

Estimated Time:
This form may take approximately 2 - 7 minutes to complete.

General:
a. * denotes mandatory fields.
b. Where the request is made to appoint, change or discharge an agent, the fees payable is based on per IP application number.
c. Please file one form for each IP type (i.e. only Trade Marks, Designs or Patents).
d. For Patents, attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.
e. Please e-file CM 2 if you are amending the name and/or Singapore Address for Service of Agent

PART 1 Reference

Applicant/ Agent Reference	
IPOS Reference *(if applicable)*	

PART 2 Application No.*

Note:
a. Application number refers to Designs Number / Patent Application Number/ Trade Marks Number.
b. International Registration No. and International Application No. are applicable to Trade Marks only.
c. All the numbers listed below must belong to the same applicant/proprietor indicated in Part 3 and of the same IP type (i.e. Trade Marks, Designs or Patents only). Please use a separate form if otherwise.
d. If there is insufficient space, please use the continuation sheet CS 3.

Application No./ International Registration No./ International Application No.*	

PART 3 Person for whom an Agent is to be Appointed, Changed or Removed*

Note: If there is insufficient space, please use the continuation sheet in CS 4.

(Note:Cross only one checkbox)	☐ Applicant/ Proprietor ☐ Others
UEN/ Company Code *(if applicable)*	
Name	

Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 4 Type of Request*

Please cross the relevant box to indicate the type of request. Note that separate forms should be used for different requests

Type of Request* *(Note:Cross only one checkbox)*	☐ Request to appoint or change an agent. *(Please fill up Part 5, 8-10)* ☐ Request to remove an agent on record. *(Please fill up Part 5-10)*

PART 5 Matter on which the Agent is Authorised for

Note:
(i)For all matters on behalf of the Respondent for revocation, invalidation, rectification or opposition, please select <Others>
*(ii)** If registration/grant has been renewed at least once, this selection will not update the address for service on renewal matters. To update the address for service on renewal matters as well as the Master address for service, please select <Renewal and all matters relating to registration/ grant> option.*

Matter on which the Agent is Authorised for *(Note:Cross only one checkbox)*	☐ For all matters relating to the application, registration/ grant**, except those matters expressly excluded ☐ Renewal and all matters relating to registration/ grant ☐ Renewal ☐ For all matters relating to the licence *(Specify Licence Reference No.)* ☐ For all matters relating to the security interest *(Specify Security Interest Reference No.)* ☐ For all matters on behalf of the Initiator for revocation, invalidation or rectification or opposition *(Specify Case No.)* ☐ Form MM2(E) *(for Trade Marks)* ☐ Other MM Forms except MM1, MM2, MM3, MM16, MM17 and MM18 *(for Trade Marks)* ☐ Others *(Please state the specific transaction)*

PART 6 Details of Agent on Record to be Removed

Note:
For removal of agent authorised for all matters, please complete Part 6A. For removal of agent authorised for other matters, please complete Part 6B.

PART 6A Agent Authorised for All Matters

UEN/ Company Code *(if applicable)*	
Name	

PART 6B Agent Authorised for Other Matters

UEN/ Company Code *(if applicable)*	
Name	

PART 7 New Address for Service*

Note: Fill this part if "Request to remove agent on record" is indicated in Part 4 of the Form.
a. The official correspondence will be sent to the address for service in Singapore as indicated in this box.

Representative or C/O Name	
	Address for Service in Singapore
	Block/ House No.
	Street Name
	Level - Unit -
	Building Name
	Postal Code
Contact Person *(if applicable)*	
Direct Telephone No. *(if applicable)*	
Email Address *(if applicable)*	

PART 8 Effective Date for Change	
Note: Any effective date entered must not be more than 1 month from the date of request. If no effective date is entered, the above changes will take effect immediately.	
Effective Date for Change *(DD/MM/YYYY)*	☐☐/☐☐/☐☐☐☐

PART 9 Contact Details*	
Note: *a. Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.* *b. The official correspondence will be sent to the address for service in Singapore as indicated in this box.*	
Agent UEN/ Company Code	
Agent Name	
Representative or C/O Name	
	Address for Service in Singapore
	Block/ House No.
	Street Name
	Level - Unit -
	Building Name
	Postal Code
Contact Person *(if applicable)*	
Direct Telephone No. *(if applicable)*	
Email Address *(if applicable)*	

PART 10 Declaration*	
Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. I understand that I may be liable for criminal prosecution for providing any false information in this application. **By Agent** I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge. The person(s) understand that he/she may be liable for criminal prosecution for providing any false information in this application.
Name	
Signature	
Date *(DD/MM/YYYY)*	/ /
No. of Extra Sheets Attached to this Form	sheet(s)

SINGAPORE TRADE MARKS ACT / PATENTS ACT / REGISTERED DESIGNS ACT
(CHAPTER 332 / 221 / 266)
TRADE MARKS RULES / PATENT RULES / REGISTERED DESIGNS RULES

FORM CM4	**Request for Correction of Error**
1004	

Pre-requisites:
a. Where the correction relates to specification of a patent or an application for a patent, the page(s) of specification with proposed correction is to be attached to this form for submission.
b. To provide supporting document to justify the correction.

Estimated Time:
This form may take approximately 2 - 7 minutes to complete.

General:
*a. * denotes mandatory field.*
b. If you are not the agent on record for the form to be corrected, please file CM1.
c. Please file one form for each IP type (i.e. only Trade Marks, Designs or Patents).
d. This form is not applicable to correct errors made in all hearings and mediation related matters and all WIPO forms.
e. The fees payable is based on per form.
f. If the correction relates to more than one application number, the correction must be the same for all the application numbers.
g. For Patents, attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001.
h. For Trade Marks, attention is drawn to rule 83A of the Trade Mark Rules.
i. For Designs, attention is drawn to rules 33 and 65 of the Registered Designs Rules.

PART 1 Reference

Applicant/ Agent Reference	
IPOS Reference *(if applicable)*	

PART 2 Application No.*

Note:
a. Application number refers to Designs Number / Patent Application Number/ Trade Marks Number.
b. International Registration No. and International Application No. are applicable to Trade Marks only.
c. You may indicate more than one application number if the option "Correction of Form" in Part 5 is selected and that form contained more than one application number.
d. All the numbers listed below must belong to the same applicant/ proprietor indicated in Part 3.
e. If there is insufficient space, please use the continuation sheet CS 3.

Application No./ International Application No./ International Registration No.*	

PART 3 Name of Applicant/ Proprietor*

Note: If there is insufficient space, please use the continuation sheet in CS 4.

UEN/ Company Code *(if applicable)*	
Name	

Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 4 Details of Person Filing the Request*

Note: If the person(s) filing this request is/are the proprietor(s) mentioned in part 3 above, this part is to be left empty. If there is insufficient space, please use the continuation sheet CS 1.

UEN/ Company Code *(if applicable)*	
Name	
Address	Singapore Address ☐ This Singapore address is to be used as the address for service for the purposes of this form. *(Note: If this is crossed, it is not necessary to fill up the address for service in Singapore in part 8.)* Block/ House No. Street Name Level - Unit -
	Building Name Postal Code
	Foreign Address Line 1 Line 2 Line 3
Nationality or Country of Incorporation*	
State of Incorporation *(mandatory for USA corporations)*	
Country of Residency *(mandatory for individuals)*	

Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	
PART 5 Correction Type*	
Correction Type* *(Note: Cross one checkbox only)*	☐ Correction of Form Lodged Form No. Form Lodgement Date *(DD/MM/YYYY)*
	☐ Correction of Register of Patents or Designs
	☐ Correction of Specification of a Patent or of an Application for a Patent
	☐ Correction of any other documents filed in connection with the Patent or an Application for a Patent
PART 6 Details of Correction*	
Note: For Trade Marks, please state the affected class if the correction does not apply to all classes in the application. For Patents, where the request for correction relates to a specification, please indicate the page number and the document of the replacement text/figure and the text/figure to be replaced. Please also explain why the correction sought is obvious in the sense that it is immediately evident that nothing else would have been intended than what is offered as the correction.	
Details of Correction*	
For Correction of Specification of a Patent or of an Application for a Patent	
Correction of Description with Claims	sheet(s)
Correction of Description without Claims	sheet(s)
Correction of Claims only	sheet(s)
Correction of Drawings	sheet(s)

PART 7 Reasons for Correction*	
Reasons for Correction* *(please provide supporting documents, if applicable)*	

PART 8 Contact Details*	
Note: *a. Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.* *b. The address for service in Singapore need not be filled up if the person's address in Part 4 is to be used as an address for service in Singapore.* *c. The official correspondence will be sent to the address for service in Singapore as indicated in this box, and must be the same as the one on our record.* *d. Please file Form CM1 if you are a different agent or Form CM2 if you have changed your address for service in Singapore.*	
Agent UEN/ Company Code	
Agent Name	
Representative or C/O Name	
	Address for Service in Singapore Block/ House No. Street Name Level - Unit - Building Name Postal Code

Contact Person *(if applicable)*	
Direct Telephone No. *(if applicable)*	
Email Address *(if applicable)*	
PART 9 Declaration*	
Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent** I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name	
Signature	
Date *(DD/MM/YYYY)*	
No. of Extra Sheets Attached to this Form	sheet(s)

GST	GST INFORMATION
Tax Invoice*	
Note: *Tax invoice will be issued to the entity/individual as indicated. Goods and Services Tax (GST)-registered businesses may claim input tax with Inland Revenue Authority of Singapore (IRAS), subject to meeting the requirements under the GST Act.*	
Name (Tax invoice to be issued to)	*The name of the proprietor/applicant (as in Part 3 of the form) should be inserted in this field if it pertains to a request for Correction of Error in Specification for Patents. Otherwise, please insert the name of the requestor (as in Part 4 of the form).*

SINGAPORE TRADE MARKS ACT / PATENTS ACT / REGISTERED DESIGNS ACT
(CHAPTER 332 / 221 / 266)
TRADE MARKS RULES / PATENT RULES / REGISTERED DESIGNS RULES

FORM HC4 *5104*	**Request for Ex Parte Hearing**

Pre-requisites:
a. If you intend to attach any documents to this application, please have a copy of the said documents ready.

Estimated Time:
This form may take approximately 1 - 5 minutes to complete.

General
*a. * denotes mandatory field.*
b. For Patents, attention is drawn to sections 104 and 105 of the Patents Act, rules 90 and 105 of the Patents Rules, and the Patents (Patent Agents) Rules 2001

PART 1 Reference	
Applicant/ Agent Reference	
IPOS Reference *(if applicable)*	

PART 2 Application No.*	
Application No.*	
International Registration No. *(for Trade Marks only)*	

PART 3 Name of Applicant/ Proprietor*	
Note: If there is insufficient space, please use the continuation sheet in CS 4.	
UEN/ Company Code *(if applicable)*	
Name	
Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)*	

PART 4 Details of Person filing this Request for Hearing*	
Note: If the person(s) filing this request is/are the proprietor(s) mentioned in part 3 above, this part is to be left empty. If there is insufficient space, please use the continuation sheet CS 1.	
UEN/ Company Code *(if applicable)*	
Name	

Address	Singapore Address ☐ This Singapore address is to be used as the address for service for the purposes of this application. *(Note: If this is crossed, it is not necessary to fill up the address for service in Singapore in part 6.)* Block/ House No. ☐☐☐☐☐☐ Street Name ☐ Level - Unit ☐☐☐☐ - ☐☐☐☐☐☐ Building Name ☐ Postal Code ☐☐☐☐☐☐
	Foreign Address Line 1 ☐ Line 2 ☐ Line 3 ☐
Nationality or Country of Incorporation* ☐ State of Incorporation *(mandatory for USA corporations)* ☐ Country of Residency *(mandatory for individuals)* ☐ Sole Proprietor or Partners' Name *(if sole proprietorship or partnership)* ☐	

PART 5 Request Details*	
Note : Please briefly describe the subject matter and/ or issues to be brought before the Registrar.	
I/ We Hereby Request a Hearing Before the Registrar in Relation to the Above Application in Respect of*:	

PART 6 Contact Details*	
Note: *a. Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.* *b. The address for service in Singapore need not be filled up if the person's address in Part 4 is to be used as an address for service in Singapore.* *c. For the purpose of this proceeding, official correspondence will be sent to the address for service in Singapore as indicated in this box, and must be the same as the one on our record.* *d. Please file Form CM1 if you are a different agent or Form CM2 if you have changed your address for service in Singapore.*	
Agent UEN/ Company Code	
Agent Name	
Representative or C/O Name	
	Address for Service in Singapore Block/ House No. Street Name Level - Unit - Building Name Postal Code
Contact Person *(if applicable)*	
Direct Telephone No. *(if applicable)*	

Email Address *(if applicable)*	
PART 7 Attachments	
Please attach any supporting documents.	
PART 8 Declaration*	
Declaration	**By Person Filing the Form** I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. **By Agent** I, the undersigned, do hereby declare that : i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge.
Name	
Signature	
Date *(DD/MM/YYYY)*	/ /
No. of Extra Sheets Attached to this Form	sheet(s)

GST	GST INFORMATION
Tax Invoice*	
Note: *Tax invoice will be issued to the entity/individual as indicated. Goods and Services Tax (GST)-registered businesses may claim input tax with Inland Revenue Authority of Singapore (IRAS), subject to meeting the requirements under the GST Act.*	
Name (Tax invoice to be issued to)	*The name of the requestor (as in Part 4 of this form) should be inserted in this field. If Part 4 is left empty, please insert the name of the applicant/proprietor (as in Part 3 of this form).*

INDUSTRIAL PROPERTY OFFICE OF THE SLOVAK REPUBLIC

(ÚRAD PRIEMYSELNÉHO VLASTNÍCTVA)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE – SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex SK.I

Power of attorney . . . . . Annex SK.II

List of abbreviations:

Office:	Industrial Property Office of the Slovak Republic
PA:	Act No. 435/2001 Coll. on Patents, Supplementary Protection Certificates and on Amendments of Other Acts (The Patent Act), as amended[1]
UM:	Act No. 517/2007 Coll. on Utility Models and on Amendments of Some Acts, as amended[1]
AF:	Act No. 145/1995, Coll. on Administrative Fees, as amended[1]
AP:	Act No. 71/1967 Coll. on Administrative Procedures, as amended[1]
MF:	Act No. 495/2008 Coll. on Maintenance Fees for the Patent, Maintenance Fee for the European Patent with Effects for the Slovak Republic and the Maintenance Fee for the Supplementary Protection Certificate for Medicinal and Plant Protection Products and on Amendments of Some Acts, as amended[1]

[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 OF THE SLOVAK REPUBLIC 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) For patents: Filing fee:[1] - where the application is filed by an inventor or co-inventors: EUR 30 - where the application is filed by an applicant other than the inventor or by applicants other than the co-inventors: EUR 60 For utility models: Filing fee:[1] - where the application is filed by an inventor or co-inventors: EUR 34 - where the application is filed by an applicant other than the inventor or by applicants other than the co-inventors: EUR 68
Exemptions, reductions or refunds of the national fee:	The filing fee is reduced by 50% where the application is filed by electronic means.

[Continued on next page]

[1] Must be paid within the time limit applicable under PCT Article 22 or 39(1) or, if not paid within that time limit, within 15 days from the receipt of the invitation to pay the filing fee.

SUMMARY Designated (or elected) Office SUMMARY

SK INDUSTRIAL PROPERTY OFFICE OF THE SLOVAK REPUBLIC SK

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[2]	Document(s) relating to the applicant's entitlement to apply for and be granted a patent if the applicant is not an inventor[3] Translation of the international application for a patent in three copies Translation of the international application for a utility model in three copies Where the validity of the priority claim is relevant to the determination of whether the invention concerned is patentable, the Office may invite the applicant to furnish a translation of the priority document into the Slovak language or one of the official languages of the EPO, at the option of the applicant Applicants who are not citizens of a Contracting State to the Agreement on the EEA, or who have neither a residence nor a place of business in a Contracting State to the Agreement on the EEA, must be represented by an attorney-at-law or a patent attorney registered in the Slovak Republic
Who can act as agent?	Applicants who are citizens of a Contracting State to the Agreement on the EEA, or who have a residence or place of business in a Contracting State to the Agreement on the EEA, may appoint any person to act as such. Applicants who are not citizens of a Contracting State to the Agreement on the EEA, or who have neither a residence nor a place of business in a Contracting State to the Agreement on the EEA, must be represented by an attorney-at-law or a patent attorney registered in the Slovak Republic.
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

[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.

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.

AP Art. 17(3)

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

MF Art. 5, 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). The first maintenance fee for the patent is payable upon invitation, within three months from the date of the decision on patent grant, for the period from the filing of the patent application including the year of the decision on grant; for each subsequent year of validity of the patent, the fees are due, without invitation, 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.

PA 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.

PA 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
PA 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)
PA 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).

PA 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 (see Annex SK.I).

PA 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
49*bis*.1 (a), (b)
76.5
UM. Art. 57

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 make a request for examination and

(ii) to pay annual 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 (which is four years from the filing date) may be extended twice, for a period of three years (up to a total term of protection of ten years from the filing date).

PA. Art. 58(3)
UM Art. 57(1)

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) furnish the international application (one copy for a patent, one copy for a utility model)

(ii) furnish the translation of international application in three copies for the patent and in three copies for the utility model.

The requirement (ii) 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.

The applicant must pay two filing fees for both the patent and the utility model. The filing fee must be paid when filing the application or within 15 days from the receipt of the invitation to pay the filing fee.

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.

UM. Art. 35

SK.16 Where an applicant has filed a national or a European patent application for a European patent valid in the Slovak Republic, and subsequently files a utility model application concerning the same subject matter as the earlier patent application, he/she may claim the filing date of that earlier patent application provided the utility model application is filed within two months from the date on which the decision on the patent application becomes final, 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:[1]

— where the application is filed by an inventor or co-inventors 30
— where the application is filed by an applicant other than the inventor or by applicants other than the co-inventors 60

Fee for registration of the assignment of an application to another applicant 30

Fee for requesting examination:
— basic fee 116
— additional fee for each claim in excess of 10 20

Fee for the second and subsequent extensions of the time limit 20

Fee for further processing 66

Fee for *restitutio in integrum* 166

Fee for issue of patent specification not exceeding 10 pages 66
— for each additional page 10

Annual fees:
— for the 3rd year 66
— for the 4th year 82.50
— for the 5th year 99.50
— for the 6th year 116
— for the 7th year 132.50
— for the 8th year 149
— for the 9th year 165.50
— for the 10th year 199
— for the 11th year 232
— for the 12th year 265.50
— for the 13th year 298.50
— for the 14th year 331.50
— for the 15th year 365
— for the 16th year 398
— for the 17th year 464.50
— for the 18th year 531
— for the 19th year 597
— for the 20th year 663.50

Utility models

Filing fee:[1]

— where the application is filed by an inventor or co-inventors 34
— where the application is filed by an applicant other than the inventor or by applicants other than the co-inventors 68

[1] The filing fee is reduced by 50% where the application is filed by electronic means.

Extension of validity of a utility model registration[2]
- — for the first time for three years 150
- — for the first time for three years within six months after the expiration of the validity of a utility model . 300
- — for the second time for three years 300
- — for the second time for three years within six months after the expiration of the validity of a utility model 600

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 of the Slovak Republic:

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

[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.

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)

ADMINISTRATOR AND REGISTRAR GENERAL'S DEPARTMENT (SIERRA LEONE)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

SL ADMINISTRATOR AND REGISTRAR GENERAL'S DEPARTMENT (SIERRA LEONE) SL

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:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, together with any statement under PCT Article 19), any text matter of drawings Under PCT Article 39(1): Description, claims, any text matter of drawings (if any of those parts has been amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[1]	Currency: Sierra Leonean leone (SLL) For patent: National fee: SLL[2] … For utility model: National fee: SLL[2] …
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[3]	Appointment of an agent if the applicant is not resident in Sierra Leone
Who can act as agent?	Any natural or legal person resident in Sierra Leone
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

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

[2] The amounts of the fees are not yet known. They will be fixed in the near future. The Office should be consulted for the applicable amounts of fees.

[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.

INDUSTRIAL PROPERTY OFFICE (SAO TOME AND PRINCIPE)

AS

DESIGNATED (OR ELECTED) OFFICE

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SUMMARY **Designated (or elected) Office** SUMMARY

ST INDUSTRIAL PROPERTY OFFICE (SAO TOME AND PRINCIPE) ST

Summary of requirements for entry into the national phase

Information not yet available

NATIONAL CENTER OF REGISTRIES (CNR) (EL SALVADOR)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

SV NATIONAL CENTER OF REGISTRIES (CNR) (EL SALVADOR) SV

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Spanish
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), 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: US dollar (USD) Filing fee:[1] USD 57.14
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[2, 3] Document evidencing a change of name of the applicant[3] Translation of the international application to be furnished in three copies[3] Appointment of an agent if the applicant is not resident in El Salvador Power of attorney if an agent is appointed Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any attorney registered in El Salvador
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria.

1 Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
2 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.
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 of two months from the date of receipt of the invitation.

MINISTRY OF INTERNAL TRADE AND CONSUMER PROTECTION, DIRECTORATE OF INDUSTRIAL AND COMMERCIAL PROPERTY PROTECTION (SYRIAN ARAB REPUBLIC)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

SY MINISTRY OF INTERNAL TRADE AND CONSUMER PROTECTION, DIRECTORATE OF INDUSTRIAL AND COMMERCIAL PROPERTY PROTECTION (SYRIAN ARAB REPUBLIC) SY

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:[1]	Arabic
Required contents of the translation for entry into the national phase:[1]	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?	Applicant should only send a copy of the international application if he/she has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).

[Continued on next page]

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

SUMMARY **Designated (or elected) Office** SUMMARY

SY MINISTRY OF INTERNAL TRADE AND CONSUMER PROTECTION, DIRECTORATE OF INDUSTRIAL AND COMMERCIAL PROPERTY PROTECTION (SYRIAN ARAB REPUBLIC) SY

[Continued]

National fee:	Currency: Syrian pound (SYP)		
	For patent:		
	Filing fee:[2]	SYP 5,000	(250)[3]
	Annual fees:[4, 5]		
	— for the second year:	SYP 5,500	(300)[3]
	— for the third year:	SYP 6,000	(350)[3]
	Examination fee:	SYP 20,000	(2,000)[3]
	Re-examination fee:	SYP 10,000	(1,000)[3]
	Additional fee for each page in excess of 30:	SYP 50	(10)[3]
	Additional fee for claims in excess of 10; the 11th and each subsequent claim:	SYP 500	(250)[3]
	For utility models:		
	Filing fee:[2]	SYP 4,000	(200)[3]
	Annual fee for the second year:	SYP 4,500	(250)[3]
	Annual fee for the third year:	SYP 5,000	(300)[3]
	Examination fee:	SYP 10,000	(1,000)[3]
	Re-examination fee:	SYP 5,000	(500)[3]
	Additional fee for each page in excess of 30:	SYP 50	(10)[3]
Exemptions, reductions or refunds of the national fee:	None		
Special requirements of the Office (PCT Rule 51*bis*):[6]	Appointment of an agent if the applicant is not resident in the Syrian Arab Republic Instrument of assignment of the international application if the applicant has changed after the international filing date Translation of the international application to be furnished in one copy		
Who can act as agent?	Any patent attorney or patent agent registered before the Office or any attorney or lawyer registered in the Syrian Arab Republic		
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests		

2 See footnote 1.
3 The amount in parentheses is applicable in case of filing by a natural person.
4 This amount is reduced by 90% for students and microenterprises.
5 This amount is reduced by 50% for small enterprises.
6 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.

DEPARTMENT OF INTELLECTUAL PROPERTY (DIP) (THAILAND)

AS

DESIGNATED (OR ELECTED) OFFICE

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Model of power of attorney . . . . . Annex TH.III
Form for restoration of the right of priority . . . . . Annex TH.IV
Form for the reinstatement of rights . . . . . Annex TH.V
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List of abbreviations:

Office: Department of Intellectual Property (DIP) (Thailand)

SUMMARY **Designated (or elected) Office** SUMMARY

TH DEPARTMENT OF INTELLECTUAL PROPERTY (DIP) (THAILAND) TH

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Thai
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Request, description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19[2]), any text matter of drawings, abstract Under PCT Article 39(1): Request, 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[2])
Is a copy of the international application required?	Yes, a copy is required only if the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) or 40(2).
National fee:	Currency: Baht (THB) For patent: Filing fee: THB 500 For petty patent: Filing fee: THB 250
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3, 4] Document evidencing a change of name of the applicant[4] Statement justifying the applicant's right to the invention[3] Appointment of an agent if the applicant is not resident in Thailand Power of attorney if an agent is appointed[4]

[Continued on next page]

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

2 Where the translation of the international application furnished by the applicant consists only in the translation of the international application either as originally filed or as amended, the Office will invite the applicant to furnish the missing translation of the international application; if the missing translation of the international application is still not furnished within the time limit applicable under Thai Patent Law, the international application will be considered to be withdrawn.

3 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

4 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 and to pay the required fee within a time limit of 90 days from the date of receipt of the invitation.

SUMMARY Designated (or elected) Office SUMMARY

TH DEPARTMENT OF INTELLECTUAL PROPERTY (DIP) (THAILAND) TH

[Continued]

Who can act as agent?	Any patent attorney or patent agent registered before the Office[5]
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

[5] A list of patent agents may be obtained from the Office.

THE PROCEDURE IN THE NATIONAL PHASE

TH.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase (see Annex TH.II). This form should preferably be used.

TH.02 **TRANSLATION.** If the translation furnished to the Office is not complete, the Office will invite the applicant to furnish the missing translation within the time limit fixed in the invitation. If the missing translation is not furnished within this time limit, the international application will be considered withdrawn (see National Phase, paragraphs 6.002 and 6.003).

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

TH.04 **APPOINTMENT OF AN AGENT.** If the applicant is not resident in Thailand, an agent shall be appointed by submitting to the Office a power of attorney (see Annex TH.III), signed by the applicant. Any patent attorney or patent agent registered before the Office may act as agent.[1]

TH.05 **INVENTOR.** If the applicant is also the inventor, the request must be accompanied by a statement of the applicant's right to apply for a patent or petty patent (see Annex TH.IX).

TH.06 **ANNUAL FEES.** Annual fees for patents are payable for the fifth and each subsequent year following the date of grant of the patent. Annual fees for petty patents are payable for the fifth and each subsequent year, up to a maximum of 10 years, following the date of grant of the petty patent. The amounts of the annual fees are indicated in Annex TH.I.

TH.07 **EXAMINATION.** Requests for examination must be made, together with the payment of the prescribed fees, within five years from the date of publication of the patent application and within one year from the date of grant of the petty patent (see Annex TH.X).

PCT Art. 28, 41

TH.08 **AMENDMENT OF THE APPLICATION.** The applicant may, at any time before the patent is granted, make amendments to his application (see Annex TH.VII), with the payment of the prescribed fee, provided that the amendment does not go beyond the disclosure in the initial application.

PCT Art. 25
PCT Rule 51

TH.09 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. Where an international application is considered withdrawn, the applicant may request reconsideration by the Office (see Annex TH.V).

PCT Art. 24(2), 48(2)
PCT Rule 49.6, 82*bis*

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

PCT Rule 49.6

TH.11 **REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant failed to observe a time limit set by the Office in spite of due care, which is prejudicial to his rights. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit or 12 months from the date of expiration of the applicable time limit, whichever time limit expires earlier. Within the said time limit, the omitted action must be completed and a declaration or other evidence in support of the request must be furnished (see Annex TH.IV).

[1] A list of patent agents may be obtained from the Office.

PCT Art. 23(2) 40(2)

TH.12 **EARLY START OF NATIONAL PHASE.** If the applicant wishes the examination of his application by the Office to start earlier than the expiration of the time limit applicable under PCT Article 22 or 39(1), he shall file an express request in writing therefore (see Annex TH.VI) and submit the basic national fee, a copy of the international application, a translation of the international application, an international search report, a written opinion of the International Searching Authority, the international preliminary examination report (if any) and an oath or declaration of the inventor.

PCT Art. 43
PCT Rule 49*bis*.1(a)

TH.13 **PETTY PATENT.** Subject to paragraph TH.14, if the applicant wishes to obtain a petty patent instead of a patent in Thailand, on the basis of an international application, the applicant, when entering the national phase, shall so indicate to the Office. Annual fees for petty patents are payable for the fifth and the sixth years. Extension fees are due for the seventh and eighth years (first extension) and the ninth and tenth years (second extension). The amounts of the fees are indicated in Annex TH.I.

TH.14 **CONVERSION.** A patent application may be converted, at the request of the applicant (see Annex TH.VIII), into an application for a petty patent prior to the date on which the decision to grant a patent is published. An application for a petty patent may be converted, at the request of the applicant, into a patent application at any time before the decision to grant a petty patent has been taken. The converted application shall have the filing date of the initial application. A fee for requesting conversion is due (see Annex TH.I).

FEES

(Currency: Baht (THB))

Patents

Filing fee	500
Publication fee	250
Request for examination fee	250
Registration fee	500
Opposition fee	250
Additional fee for furnishing certain documents after entry into the national phase	50
Assignment recordal fee	250
Licensing certificate fee	500
Appeal fee	500
Conversion fee	100
Annual fees:	
— for the 5th year	1,000
— for the 6th year	1,200
— for the 7th year	1,600
— for the 8th year	2,200
— for the 9th year	3,000
— for the 10th year	4,000
— for the 11th year	5,200
— for the 12th year	6,600
— for the 13th year	8,200
— for the 14th year	10,000
— for the 15th year	12,000
— for the 16th year	14,200
— for the 17th year	16,600
— for the 18th year	19,200
— for the 19th year	22,000
— for the 20th year	25,000
— for the single payment of all annual fees due for the 5th to the 20th year	140,000

Petty Patents

Filing fee	250
Publication and registration fee	500
Request for examination fee	250
Additional fee for furnishing certain documents after entry into the national phase	50
Assignment recordal fee	250
Licensing certificate fee	500
Appeal fee	500
Conversion fee	100

Annual fees:

— for the 5th year	750
— for the 6th year	1,500
— for the single payment of the annual fees due for the 5th and the 6th years	2,000

Extension fees:

— for the first extension (the 7th and 8th years)	6,000
— for the second extension (the 9th and 10th years)	9,000

How can payment of fees be effected?

The payment of the fees has to be effected in Baht. 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.

แบบ สป/อสป/001-ก (PCT)
หน้า 1 ของจำนวน 1 หน้า

คำขอรับความคุ้มครองการประดิษฐ์ในประเทศไทย

ข้าพเจ้า ผู้ลงลายมือชื่อในคำขอนี้ มีความประสงค์จะขอรับความคุ้มครองการประดิษฐ์ในประเทศไทย ซึ่งได้ยื่นคำขอระหว่างประเทศตามสนธิสัญญาความร่วมมือด้านสิทธิบัตรไว้แล้ว ตามพระราชบัญญัติสิทธิบัตร พ.ศ. 2522 โดยประสงค์จะขอรับความคุ้มครอง

☐ สิทธิบัตรการประดิษฐ์
☐ อนุสิทธิบัตร

สำหรับเจ้าหน้าที่	
วันรับคำขอ	เลขที่คำขอ
วันยื่นคำขอ	
สัญลักษณ์จำแนกการประดิษฐ์ระหว่างประเทศ	
วันประกาศโฆษณา	เลขที่ประกาศโฆษณา
วันออกสิทธิบัตร/อนุสิทธิบัตร	เลขที่สิทธิบัตร/อนุสิทธิบัตร
ลายมือชื่อเจ้าหน้าที่	

1. ชื่อที่แสดงถึงการประดิษฐ์

2. ผู้ขอรับสิทธิบัตร/อนุสิทธิบัตร ☐ บุคคลธรรมดา ☐ นิติบุคคล ☐ หน่วยงานรัฐ ☐ มูลนิธิ ☐ อื่นๆ
ชื่อ
ที่อยู่
ตำบล/แขวง อำเภอ/เขต จังหวัด รหัสไปรษณีย์ ประเทศ
อีเมล
☐ เลขประจำตัวประชาชน ☐ เลขทะเบียนนิติบุคคล ☐ เลขประจำตัวผู้เสียภาษีอากร ☐ เพิ่มเติม (ดังแนบ)
ในกรณีที่กรมฯ สื่อสารกับท่าน ท่านสะดวกใช้ทาง ☐ อีเมลผู้ขอ ☐ อีเมลตัวแทน

2.1 สัญชาติ
2.2 โทรศัพท์
2.3 โทรสาร

3. ตัวแทน (ถ้ามี)
ชื่อ
ที่อยู่
ตำบล/แขวง อำเภอ/เขต จังหวัด รหัสไปรษณีย์ ประเทศ
อีเมล สัญชาติ
เลขประจำตัวประชาชน ☐ เพิ่มเติม (ดังแนบ)

3.1 ตัวแทนเลขที่
3.2 โทรศัพท์
3.3 โทรสาร

4. ผู้ประดิษฐ์/ผู้ออกแบบผลิตภัณฑ์ ☐ ชื่อและที่อยู่เดียวกันกับผู้ขอ
ชื่อ
ที่อยู่
ตำบล/แขวง อำเภอ/เขต จังหวัด รหัสไปรษณีย์ ประเทศ
อีเมล
เลขประจำตัวประชาชน ☐ เพิ่มเติม (ดังแนบ)

4.1 สัญชาติ
4.2 โทรศัพท์
4.3 โทรสาร

5. รายละเอียดการยื่นคำขอระหว่างประเทศ
เลขที่คำขอระหว่างประเทศ
วันยื่นคำขอระหว่างประเทศ

6. รายละเอียดการยื่นคำขอครั้งแรก ☐ เพิ่มเติม (ดังแนบ)

เลขที่คำขอ	วันยื่นคำขอ	ประเทศที่ยื่นคำขอครั้งแรก

7. คำขอรับสิทธิบัตร/อนุสิทธิบัตรนี้ประกอบด้วย
ก. แบบพิมพ์คำขอ หน้า
ข. รายละเอียดการประดิษฐ์ หน้า
ค. ข้อถือสิทธิ หน้า
ง. รูปเขียน รูป หน้า
จ. บทสรุปการประดิษฐ์ หน้า

8. เอกสารประกอบคำขอ
☐ เอกสารแสดงสิทธิในการขอรับสิทธิบัตร/อนุสิทธิบัตร
☐ หนังสือมอบอำนาจ
☐ เอกสารรายละเอียดเกี่ยวกับจุลชีพ
☐ คำแปลของคำขอระหว่างประเทศ

9. คำขอรับสิทธิบัตร/อนุสิทธิบัตรนี้แยกจากหรือเกี่ยวข้องกับคำขอเดิม
ผู้ให้ถือว่าได้ยื่นในวันเดียวกับคำขอเลขที่
วันยื่น เพราะคำขอนี้แยกจากหรือเกี่ยวข้องกับคำขอเดิมเนื่องจาก
☐ คำขอเดิมมีการประดิษฐ์หลายอย่าง ☐ ถูกคัดค้านเนื่องจากผู้ขอไม่มีสิทธิ

10. ลายมือชื่อ
☐ ผู้ขอ ☐ ตัวแทน ( )

สำหรับเจ้าหน้าที่	
จำแนกประเภทสิทธิบัตร/อนุสิทธิบัตร ☐ กลุ่มวิศวกรรม สิทธิบัตรการประดิษฐ์ (วิศวกรรม) สิทธิบัตรการประดิษฐ์ (ไฟฟ้า) สิทธิบัตรการประดิษฐ์ (ฟิสิกส์) ☐ กลุ่มเคมี สิทธิบัตรการประดิษฐ์ (เคมีเทคนิค) สิทธิบัตรการประดิษฐ์ (ปิโตรเคมี) สิทธิบัตรการประดิษฐ์ (เทคโนโลยีชีวภาพ) สิทธิบัตรการประดิษฐ์ (เภสัชภัณฑ์) อนุสิทธิบัตร ☐ อนุสิทธิบัตร (วิศวกรรม) ☐ อนุสิทธิบัตร (เคมี)	**การยื่นเอกสารต่างประเทศตามกรอบเวลา** ☐ ยื่นภายใน 30 เดือน ☐ ยื่นเกิน 30 เดือน **พร้อม**เอกสารฟื้นสิทธิ

POWER OF ATTORNEY

*I/We the undersigned,

Name : ……..……..……
Address : ……..……..
..……..……..

Appoint

Name : ……..……Patent Agent Number: ……..
Address : ……..……..
..……..……..

to act on *my/our behalf with an application based on PCT application in the Kingdom of Thailand, and to handle in the procedure before the Department of Intellectual Property of Thailand in connection with the following matter(s) :
……..……..……..……
……..……..……..……
……..……..……..……

ratify all acts done by the agent on *my/our behalf in connection with that/those matter(s), and request that all notices, requisitions and communications relating thereto be sent to the agent at the abovementioned said address.

**SIGNATURE …… ……..….

(Date)

* Delete whichever does not apply
** Type name under signature and delete whichever does not apply

แบบ สป/อสป/101-ก (PCT)

สำหรับเจ้าหน้าที่

คำร้องที่ _____

รับวันที่ _____

คำร้องเพื่อขอฟื้นสิทธิให้คำขอระหว่างประเทศยังคงมีผลในประเทศไทย[1]

1. ข้าพเจ้า _____ ☐ ผู้ขอ ☐ ตัวแทน ของผู้ขอรับสิทธิบัตร/อนุสิทธิบัตร มีความประสงค์ที่จะขอรับความคุ้มครองการประดิษฐ์ในประเทศไทย แต่ไม่สามารถดำเนินการได้ทันภายในระยะเวลา 30 เดือนนับแต่วันยื่นคำขอครั้งแรก ทั้งที่ข้าพเจ้าได้ใช้ความระมัดระวังตามสมควรแก่กรณีแล้ว แต่ไม่สามารถดำเนินการได้ในระยะเวลาที่กำหนด โดยข้าพเจ้าได้ยื่น คำร้องฉบับนี้ภายในกำหนดเวลาตามข้อ 23[2] แห่งกฎกระทรวงว่าด้วยการขอรับความคุ้มครองการประดิษฐ์ตามสนธิสัญญาความร่วมมือด้านสิทธิบัตร พ.ศ. 2552 คือ

☐ 2 เดือน นับแต่วันที่เหตุที่ทำให้ไม่สามารถดำเนินการภายในระยะเวลาที่กำหนดได้สิ้นสุดลง

☐ 42 เดือน นับแต่วันยื่นคำขอครั้งแรก

ทั้งนี้ ข้าพเจ้าขอให้กรมทรัพย์สินทางปัญญาพิจารณาให้คำขอระหว่างประเทศยังคงมีผลในประเทศไทยต่อไป โดยได้แนบเอกสารประกอบการพิจารณามาพร้อมคำร้อง ดังนี้

☐ คำชี้แจงเหตุผล จำนวน _____ หน้า

☐ เอกสารหลักฐาน จำนวน _____ หน้า

2. รายละเอียดการยื่นคำขอระหว่างประเทศ

เลขที่คำขอระหว่างประเทศ _____

วันยื่นคำขอระหว่างประเทศ _____

วันที่ _____

ลายมือชื่อ _____

(_____)

<u>หมายเหตุ</u> 1. ให้ยื่นคำร้องนี้ไปพร้อมกับคำขอรับความคุ้มครองการประดิษฐ์ในประเทศไทย (แบบ สป/อสป/001-ก (PCT))

2. คือ ภายในระยะเวลา 2 เดือนนับแต่วันที่เหตุที่ทำให้ไม่สามารถขอรับความคุ้มครองการประดิษฐ์ในประเทศไทยภายในระยะเวลา 30 เดือนนับแต่วันยื่นคำขอครั้งแรกได้สิ้นสุดลง หรือภายในระยะเวลา 12 เดือนนับแต่วันครบกำหนดระยะเวลาตามข้อ 22 แห่งกฎกระทรวงฯ แล้วแต่ระยะเวลาใดจะสิ้นสุดลงก่อน

แบบ สป/อสป/102-ก (PCT)

สำหรับเจ้าหน้าที่

คำร้องที่ _____

รับวันที่ _____

คำร้องขอให้ทบทวนผลการพิจารณาคำขอระหว่างประเทศ

1. ข้าพเจ้า _____ ☐ ผู้ขอ ☐ ตัวแทนของผู้ขอรับสิทธิบัตร/อนุสิทธิบัตร มีความประสงค์ที่จะขอรับความคุ้มครองการประดิษฐ์ในประเทศไทย โดยขอให้กรมทรัพย์สินทางปัญญาทบทวนผลการพิจารณาคำขอระหว่างประเทศในกรณี ต่อไปนี้

☐ คำขอระหว่างประเทศของข้าพเจ้า ถูกสำนักงานรับคำขอของประเทศ _____ ปฏิเสธที่จะระบุวันยื่นคำขอระหว่างประเทศ

☐ คำขอระหว่างประเทศของข้าพเจ้า ถูกสำนักงานรับคำขอของประเทศ _____ สั่งถอนคำขอระหว่างประเทศ เนื่องจากคำขอระหว่างประเทศมีความบกพร่อง หรือไม่มีการชำระค่าธรรมเนียมในการยื่นคำขอระหว่างประเทศตามที่สำนักงานรับคำขอแห่งนั้นกำหนด

☐ คำขอระหว่างประเทศของข้าพเจ้า ถูกสำนักระหว่างประเทศสั่งถอนคำขอระหว่างประเทศ เนื่องจากไม่ได้รับคำขอระหว่างประเทศฉบับสำนักระหว่างประเทศ (Record Copy) ภายในระยะเวลาที่กำหนด

โดยเหตุดังกล่าวมิได้เกิดจากความผิดพลาด หรือความละเลยของข้าพเจ้า ทั้งนี้ ข้าพเจ้าได้แนบคำสั่งของสำนักงานรับคำขอ หรือสำนักระหว่างประเทศ และเอกสารประกอบการพิจารณามาด้วยแล้ว ดังนี้

☐ สำเนาคำสั่งของสำนักงานรับคำขอ/สำนักระหว่างประเทศ จำนวน _____ หน้า

☐ คำชี้แจงเหตุผล จำนวน _____ หน้า

☐ เอกสารหลักฐาน จำนวน _____ หน้า

2. รายละเอียดการยื่นคำขอระหว่างประเทศ

เลขที่คำขอระหว่างประเทศ _____

วันยื่นคำขอระหว่างประเทศ _____

วันที่ _____

ลายมือชื่อ _____

(_____)

หมายเหตุ ให้ยื่นคำร้องนี้ไปพร้อมกับคำขอรับความคุ้มครองการประดิษฐ์ในประเทศไทย (แบบ สป/อสป/001-ก (PCT))

แบบ สป/อสป/103-ก (PCT)

สำหรับเจ้าหน้าที่

คำร้องที่ _____

รับวันที่ _____

คำร้องขอให้ดำเนินการกับคำขอระหว่างประเทศ ก่อนครบกำหนด 30 เดือน

1. ข้าพเจ้า _____ ☐ ผู้ขอ ☐ ตัวแทนของผู้ขอรับสิทธิบัตร/อนุสิทธิบัตร มีความประสงค์ที่จะขอให้กรมทรัพย์สินทางปัญญาดำเนินการกับคำขอระหว่างประเทศของข้าพเจ้าที่ได้ยื่นขอรับความคุ้มครองการประดิษฐ์ในประเทศไทยแล้ว ก่อนครบกำหนดระยะเวลา 30 เดือนนับแต่วันยื่นคำขอครั้งแรก เนื่องจาก _____

_____

_____

_____

_____

ทั้งนี้ ข้าพเจ้าได้แนบเอกสารประกอบการพิจารณามาพร้อมคำร้อง ดังนี้

☐ คำชี้แจงเหตุผล จำนวน _____ หน้า

☐ เอกสารหลักฐาน จำนวน _____ หน้า

2. รายละเอียดการยื่นคำขอระหว่างประเทศ

เลขที่คำขอระหว่างประเทศ _____

วันยื่นคำขอระหว่างประเทศ _____

เลขที่คำขอรับสิทธิบัตร / อนุสิทธิบัตรในประเทศไทย _____

วันยื่นขอรับความคุ้มครองการประดิษฐ์ในประเทศไทย _____

วันที่ _____

ลายมือชื่อ _____

(_____)

แบบ สป/สผ/อสป/003-ก

สำหรับเจ้าหน้าที่

คำขอที่ _____

รับวันที่ _____

คำขอแก้ไขเพิ่มเติมคำขอรับสิทธิบัตร/อนุสิทธิบัตร

คำขอรับสิทธิบัตร/อนุสิทธิบัตร เลขที่ _____

วันยื่นคำขอ _____

ชื่อที่แสดงถึงการประดิษฐ์/การออกแบบผลิตภัณฑ์ _____

ชื่อผู้ขอรับสิทธิบัตร/อนุสิทธิบัตร _____

.....

ข้อ 1. ชื่อ _____

☐ บุคคลธรรมดา ☐ นิติบุคคล ☐ หน่วยงานรัฐ ☐ มูลนิธิ ☐ อื่นๆ _____

ที่อยู่ _____

ตำบล/แขวง _____ อำเภอ/เขต _____ จังหวัด _____

รหัสไปรษณีย์ _____ โทรศัพท์ _____

☐ เลขประจำตัวประชาชน ☐ เลขทะเบียนนิติบุคคล ☐ เลขประจำตัวผู้เสียภาษีอากร ☐☐☐☐☐☐☐☐☐☐☐☐☐

ซึ่งเป็นผู้ขอรับสิทธิบัตร/อนุสิทธิบัตรหรือตัวแทนของผู้ขอรับสิทธิบัตร/อนุสิทธิบัตรที่ระบุข้างต้นขอแก้ไขเพิ่มเติมคำขอรับสิทธิบัตร/อนุสิทธิบัตรดังกล่าวดังมีรายละเอียดตามที่แนบมาพร้อมนี้

ข้อ 2. ข้าพเจ้าขอยืนยันว่าการแก้ไขเพิ่มเติมนี้เป็นไปตามมาตรา 20 แห่งพระราชบัญญัติสิทธิบัตร พ.ศ. 2522 กล่าวคือ ไม่เป็นการเพิ่มเติมสาระสำคัญของการประดิษฐ์ หรือการออกแบบผลิตภัณฑ์

วันที่ _____

ลายมือชื่อ _____

(_____)

หมายเหตุ ให้ขีดข้อความที่ไม่ใช้ออก

แบบ สป/อสป/004-ก

สำหรับเจ้าหน้าที่

คำขอที่ _____

รับวันที่ _____

คำขอเปลี่ยนแปลงประเภทของสิทธิ

คำขอรับสิทธิบัตร/อนุสิทธิบัตร เลขที่ _____

วันยื่นคำขอ _____

ชื่อผู้ขอรับสิทธิบัตร/อนุสิทธิบัตร _____

.....

ข้อ 1. ชื่อ _____

☐ บุคคลธรรมดา ☐ นิติบุคคล ☐ หน่วยงานรัฐ ☐ มูลนิธิ ☐ อื่นๆ _____

ที่อยู่ _____

ตำบล/แขวง _____ อำเภอ/เขต _____ จังหวัด _____

รหัสไปรษณีย์ _____ โทรศัพท์ _____

☐ เลขประจำตัวประชาชน ☐เลขทะเบียนนิติบุคคล ☐เลขประจำตัวผู้เสียภาษีอากร ☐☐☐☐☐☐☐☐☐☐☐☐☐

☐ ผู้ขอ ☐ ตัวแทนของผู้ขอรับสิทธิบัตร/อนุสิทธิบัตร ขอเปลี่ยนแปลงประเภทของสิทธิจาก

☐ 1.1 สิทธิบัตรการประดิษฐ์เป็นอนุสิทธิบัตร

☐ 1.2 อนุสิทธิบัตรเป็นสิทธิบัตรการประดิษฐ์

และ ข้าพเจ้าประสงค์ให้ถือว่า

☐ วันยื่นคำขอเดิมเป็นวันยื่นคำขอ

☐ วันยื่นคำขอเปลี่ยนแปลงประเภทของสิทธิเป็นวันยื่นคำขอ

2. ข้าพเจ้าขอรับรองว่าการเปลี่ยนแปลงนี้เป็นไปตามมาตรา 65 จัตวา แห่งพระราชบัญญัติสิทธิบัตร พ.ศ. 2522 แก้ไขเพิ่มเติมโดยพระราชบัญญัติสิทธิบัตร (ฉบับที่ 3) พ.ศ. 2542 กล่าวคือ เปลี่ยนแปลงประเภทของสิทธิจากสิทธิบัตรเป็นอนุสิทธิบัตรก่อนวันประกาศโฆษณาคำขอรับสิทธิบัตร หรือ เปลี่ยนแปลงประเภทของสิทธิจากอนุสิทธิบัตรเป็นสิทธิบัตรการประดิษฐ์ก่อนจดทะเบียนการประดิษฐ์และออกอนุสิทธิบัตรดังกล่าว

วันที่ _____

ลายมือชื่อ _____

(_____)

หมายเหตุ ให้ขีดข้อความที่ไม่ใช้ออก

แบบ สป/สผ/อสป/001-ก(พ)

คำรับรองเกี่ยวกับสิทธิขอรับสิทธิบัตร/อนุสิทธิบัตร

เขียนที่ _____

วันที่ _____ เดือน _____ พ.ศ. _____

เรียน อธิบดีกรมทรัพย์สินทางปัญญา

ข้าพเจ้า _____

ที่อยู่ _____ และ

ข้าพเจ้า _____

ที่อยู่ _____ และ

ข้าพเจ้า _____

ที่อยู่ _____

☐ เพิ่มเติม (ดังแนบ)

ขอรับรองและยืนยันเกี่ยวกับสิทธิของข้าพเจ้าในการประดิษฐ์/การออกแบบผลิตภัณฑ์ คือ

(ระบุชื่อการประดิษฐ์/การออกแบบผลิตภัณฑ์) _____

_____

ซึ่ง ข้าพเจ้าขอรับสิทธิบัตร/อนุสิทธิบัตร ดังนี้

1. ข้าพเจ้าเป็นผู้ประดิษฐ์สิ่งที่ขอรับสิทธิบัตรหรืออนุสิทธิบัตร/ผู้ออกแบบสิ่งที่ขอรับสิทธิบัตรดังกล่าว
2. ไม่มีบุคคลหรือหน่วยงานใดมีสิทธิขอรับสิทธิบัตร/อนุสิทธิบัตร สำหรับการประดิษฐ์/การออกแบบผลิตภัณฑ์ ที่ขอรับสิทธิบัตร
3. ข้าพเจ้ายังไม่ได้โอนสิทธิในการขอรับสิทธิบัตร/อนุสิทธิบัตรที่ขอรับสิทธิบัตร/อนุสิทธิบัตร แก่บุคคลอื่นใด
4. รายละเอียดต่าง ๆ ที่ข้าพเจ้าระบุถึงในคำรับรองนี้ ตลอดจนข้อเท็จจริงทั้งปวง ที่ระบุในคำขอรับสิทธิบัตร/อนุสิทธิบัตร ถูกต้องและเป็นความจริงทุกประการ

(ลงชื่อ) _____

(_____)

_____

(_____)

_____

(_____)

<u>หมายเหตุ</u> 1. ให้ยื่นคำรับรองนี้ในกรณีที่ผู้ขอรับสิทธิบัตร/อนุสิทธิบัตร เป็นผู้ประดิษฐ์/ผู้ออกแบบเอง

2. ให้ยื่นคำรับรองนี้พร้อมกับคำขอรับสิทธิบัตร/อนุสิทธิบัตร

Form PI/PD/PP/001-A (Add)

Statement of Applicant's Right to Apply For a Patent/Petty Patent

Place _____

Date _____

To: The Director – General, Department of Intellectual Property

I (We) _____

_____

of _____ and

_____

of _____ and

_____

of _____

do hereby state and confirm my (our) rights in the invention/design entitled : _____

_____

of which I (we) apply for a Patent/Petty Patent as follows :

1. That I (we) am (are) the true inventor (s)/creator (s) of the invention/design.
2. That no other person or body has any rights to the invention/design.
3. That the right to the invention/design has not been assigned to any other person.
4. That all the statements contained above and the facts contained in the application are to the best of my knowledge true and accurate.

Signature (S) _____

(_____)

_____

(_____)

_____

(_____)

Notes : 1. This form must be used in case where the applicant is the inventor/creator

2. This form must be filed together with the application

แบบ สป/อสป/005-ก

สำหรับเจ้าหน้าที่

คำขอที่ _____

รับวันที่ _____

คำขอให้ตรวจสอบการประดิษฐ์

คำขอรับสิทธิบัตร/อนุสิทธิบัตร เลขที่ _____

วันยื่นคำขอ _____

ชื่อผู้ขอรับสิทธิบัตร/อนุสิทธิบัตร _____

วันประกาศโฆษณาคำขอรับสิทธิบัตร _____

วันประกาศโฆษณาและรับจดทะเบียนอนุสิทธิบัตร _____

.....

ข้อ 1. ชื่อ _____

☐ บุคคลธรรมดา ☐ นิติบุคคล ☐ หน่วยงานรัฐ ☐ มูลนิธิ ☐ อื่นๆ _____

ที่อยู่ _____

ตำบล/แขวง _____ อำเภอ/เขต _____ จังหวัด _____

รหัสไปรษณีย์ _____ โทรศัพท์ _____

☐ เลขประจำตัวประชาชน ☐ เลขทะเบียนนิติบุคคล ☐ เลขประจำตัวผู้เสียภาษีอากร ☐☐☐☐☐☐☐☐☐☐☐☐☐

ในฐานะ

☐ ผู้ขอรับสิทธิบัตร ☐ ตัวแทนของผู้ขอรับสิทธิบัตรที่ระบุถึงดังข้างต้น

☐ ผู้ทรงอนุสิทธิบัตร ☐ ตัวแทนผู้ทรงอนุสิทธิบัตรที่ระบุถึงข้างต้น

☐ ผู้ขอให้ตรวจสอบการประดิษฐ์อนุสิทธิบัตร ☐ ตัวแทนของผู้ขอให้ตรวจสอบการประดิษฐ์อนุสิทธิบัตรที่ระบุถึงข้างต้น

มีความประสงค์ที่จะให้พนักงานเจ้าหน้าที่ตรวจสอบการประดิษฐ์ที่ขอรับสิทธิบัตร/อนุสิทธิบัตร ดังกล่าว

วันที่ _____

ลายมือชื่อ _____

(_____)

หมายเหตุ ให้ขีดข้อความที่ไม่ใช้ออก

NATIONAL CENTER FOR PATENTS AND INFORMATION UNDER THE MINISTRY OF ECONOMIC DEVELOPMENT AND TRADE OF THE REPUBLIC OF TAJIKISTAN

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

TJ

NATIONAL CENTER FOR PATENTS AND INFORMATION UNDER THE MINISTRY OF ECONOMIC DEVELOPMENT AND TRADE OF THE REPUBLIC OF TAJIKISTAN

TJ

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into:[1]	Tajik (Farsi) or Russian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: US dollar (USD) For patent: Filing fee:[2] – for one invention: USD 50 – for each invention in excess of one: USD 20 Examination fee: – for one invention: USD 410 – for each invention in excess of one: USD 330 Annual fee for the third year: USD 50 For utility model: Filing fee:[2] USD 30
Exemptions, reductions or refunds of the national fee:	The examination fee is reduced by 20% where an international search or an international preliminary examination report has been established

[Continued on next page]

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

[2] Must be paid within the time limit applicable under PCT Article 22 or 39(1). The requirement may still be complied with within two months from the expiration of that time limit, provided that a surcharge is paid.

SUMMARY **Designated (or elected) Office** SUMMARY

TJ **NATIONAL CENTER FOR PATENTS AND INFORMATION UNDER THE MINISTRY OF ECONOMIC DEVELOPMENT AND TRADE OF THE REPUBLIC OF TAJIKISTAN** TJ

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Instrument of assignment of the priority right where the applicants are not identical[3, 4] Appointment of an agent if the applicant is not resident in Tajikistan Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any person registered to practice before the Office as patent attorney
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[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.

STATE SERVICE FOR INTELLECTUAL PROPERTY OF THE MINISTRY OF FINANCE AND ECONOMY OF TURKMENISTAN

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

TM STATE SERVICE FOR INTELLECTUAL PROPERTY OF THE MINISTRY OF FINANCE AND ECONOMY OF TURKMENISTAN TM

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into:[1]	Turkmen or Russian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: US dollar (USD) Filing fee:[1] USD 100 Claim fee for each independent claim in excess of one:[1] USD 25 Maintenance fee for patent (provisional patent), for the first year: USD 50
Exemptions, reductions or refunds of the national fee:	The examination fee is reduced where an international search or an international preliminary examination report has been established
Special requirements of the Office (PCT Rule 51*bis*):	Instrument of assignment of the priority application where the applicants are not identical[2, 3] Appointment of an agent if the applicant is not resident in Turkmenistan[2]
Who can act as agent?	Any person registered to practice before the Office as patent attorney
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[1] Must be furnished or 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.

NATIONAL INSTITUTE FOR STANDARDIZATION AND INDUSTRIAL PROPERTY (INNORPI) (TUNISIA)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex TN.I
Form for request for filing of patent application for a patent of invention . . . . . Annex TN.II

List of abbreviations:

Office: National Institute for Standardization and Industrial Property (INNORPI) (Tunisia)

LPI: Law No. 2000-84 of 24 August 2000, on patents

D836: Decree n° 2001-836 of April 10, 2001, fixing the amount of royalties related to patents

SUMMARY **Designated (or elected) Office** SUMMARY

TN NATIONAL INSTITUTE FOR STANDARDIZATION AND INDUSTRIAL PROPERTY (INNORPI) (TUNISIA) TN

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	Arabic, English or French
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Tunisian dinar (TND) Filing fee and first annual fee:[1, 2] TND 140 Claim fee for each claim in excess of 10, per claim:[1, 2] TND 30
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Representation by an agent if the applicant is not resident in Tunisia Instrument appointing the agent (authorization or power of attorney)
Who can act as agent?	Any natural or legal person resident in Tunisa
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

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

[2] Fees are subject to value added tax (VAT) of 19%.

THE PROCEDURE IN THE NATIONAL PHASE

TN.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a form for a patent application and its annexes, which can be downloaded from its website (see Annex TN.II).

PCT Art. 46

TN.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

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

LPI Art. 20

TN.04 **APPOINTMENT OF AN AGENT.** If the applicant is not resident in Tunisia, an agent resident in Tunisia shall be appointed. A power of attorney is required.

LPI Art. 29-30

TN.05 **EXAMINATION.** The Office carries out formal and substantive examination on patent applications. In the event of non-compliance, the Office shall invite the applicant to amend his application or to make observations within a period of three months from the notification. If, within that period, the applicant brings his application into conformity in accordance with the notification of the Office, the examination of the application shall be resumed subject to the payment of a fee, the amount of which shall be fixed by decree. Failing this, the Office shall reject the application.

LPI art. 27

TN.06 **DIVISIONAL APPLICATIONS.** Until publication of the application, the applicant may file divisional applications which will have the same filing date and, where applicable, the same priority date as the international application which has entered the national phase.

PCT Art. 28
41
LPI Art. 26, 28
D836 Annex

TN.07 **AMENDMENT OF THE APPLICATION.** Until publication, the applicant may amend the application, including the formulation of new claims, provided that they do not go beyond the disclosure made in the initial application. Until the date of grant of the patent, the applicant may, upon justified request, ask for the rectification of errors of expression or transcription, as well as errors in the filed documents.

LPI Art. 52

TN.08 **ANNUAL FEES.** An annual fee for the maintenance of the patent application and patent is due for each year of the patent term. It shall be paid annually and shall fall due on the last day of the month of the anniversary of the filing date of the patent application. Where payment of an annual fee has not been made by the due date, the applicant shall have a period of six months in which to make payment of the said fee, subject to payment of a late fee.

FEES[1]

(Currency: Tunisian dinar (TND))

Filing fee and first annual fee	140
Claim fee for each claim in excess of 10	30
Annual fees:	
– from the 2nd to the 5th year, per year	50
– from the 6th to the 10th year, per year	130
– from the 11th to the 15th year, per year	265
– from the 16th to the 20th year, per year	500

How can payment of fees be effected?

The payment of fees must be effected in Tunisian dinar. All payments must indicate the national application number, the name of the applicant and the category of fee being paid.

The payment of fees may be effected by cash or check.

[1] Fees are subjected to a value added tax (VAT) of 19%.

REPUBLIQUE TUNISIENNE

Institut National de la Normalisation et de la Propriété Industrielle
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INNORPI
Votre partenaire pour le développement

الجمهورية التونسية

المعهد الوطني للمواصفات و الملكية الصناعية

عريضة في إيداع مطلب براءة اختراع

REQUETE DE DEPOT D'UNE DEMANDE DE BREVET D'INVENTION

Request for patent application

LANGUE ☐ Français ☐ English ☐ العربية **اللغة**
LANGUAGE

Cadre réservé à l'administration **خاص بالإدارة**
For official use only

N° de dépôt : عدد الإيداع:
Filing No.

Date de dépôt : تاريخ الإيداع:
Date of filing

Date d'effet : تاريخ المفعول:
Effective Date

☐ مطلب جزئي
Demande divisionnaire
Divisional application

عدد الإيداع الأول:
N° de dépôt initial
Number of initial filing

تاريخ الإيداع الأول:
Date de dépôt initial
Date of First filing

1. INTITULE DE L'INVENTION **1. عنوان الاختراع:**
1. TITLE OF THE INVENTION

2. REVENDICATION DE PRIORITE(S) (le cas échéant) **2. طلب الأسبقية (عند الاقتضاء)**
2. CLAIM OF PRIORITY(IES) *(if any)*

Pays البلد *Country*	Date de dépôt تاريخ الإيداع *Date of filing*	N° de dépôt عدد الإيداع *Filing No.*	
			Priorité 1 الأسبقية 1 *Priority 1*
			Priorité 2 الأسبقية 2 *Priority 2*
			Priorité 3 الأسبقية 3 *Priority 3*
			Priorité 4 الأسبقية 4 *Priority 4*

☐ في حالة تعدد الأولويات، ضع علامة في الخانة و استخدم المطبوعة " المرفق 1".
En cas de pluralité de priorités, cochez cette case et utilisez l'imprimé « Annexe I ».
In case of plurality of priorities, check this box and use « Annex I ».

معاهدة التعاون بشأن البراءات
Traité de coopération en matière de brevet (PCT)
Patent Cooperation Treaty (PCT)

3. REFERENCES DE LA DEMANDE INTERNATIONALE **3.مراجع المطلب الدولي**
3. REFERENCES OF THE INTERNATIONAL APPLICATION

Date de dépôt de la demande internationale : تاريخ إيداع المطلب الدولي: *Filing date of the international application*	N° de dépôt de la demande internationale : عدد إيداع المطلب الدولي: *File Number of the international application*
Date de publication de la demande internationale : تاريخ نشر المطلب الدولي: *Publication date of the international application*	N° de publication de la demande internationale : عدد نشر المطلب الدولي: *Publication number of the international application*

قانون عدد 84 لسنة 2000 مؤرخ في 24 أوت 2000 المتعلق ببراءات الإختراع
La loi N°.2000-84 Du 24-08-2000 relative aux brevets d'invention
Law No.2000-84 Dated 24-08-2000 relating to patents

REPUBLIQUE TUNISIENNE

Institut National de la Normalisation et de la Propriété Industrielle
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INNORPI
Votre partenaire pour le développement

الجمهورية التونسية

المعهد الوطني للمواصفات و الملكية الصناعية

Cadre réservé à l'administration *For official use only*	خاص بالإدارة
N° de dépôt : *Filing No.*	عدد الإيداع:
Date de dépôt : *Date of filing*	تاريخ الإيداع:

4. DEPOSANT *4. APPLICANT* **4. المودع**

☐ **شخص طبيعي** **Personne physique** ***INDIVIDUAL***

☐ **شخص معنوي** **Personne morale** ***LEGAL ENTITY***

Nom & Prénom : *Name & given name* — الاسم و اللقب:

Dénomination sociale : *Company or business name* — اسم الشركة:

Statut juridique : *Legal status* — الوضع القانوني:

Nationalité : *Nationality* — الجنسية:

العنوان Adresse *Address*

Rue : *Street* — الشارع:

Code postal et ville : *ZIP code and city* — الترقيم البريدي والمدينة:

Pays : *Country* — البلد:

البريد الالكتروني :

E-mail : *Email* — الفاكس:

Téléphone : *Telephone* — الهاتف:

Téléfax : *Fax*

☐ في حالة تعدد المودعين، ضع علامة في الخانة و استخدم المطبوعة " المرفق 2".
En cas de pluralité de déposants, cochez cette case et utilisez l'imprimé « Annexe II ».
In case of plurality of applicants check this box and use « Annex II ».

5. INVENTEUR(S) (Les inventeurs sont nécessairement des personnes physiques) ***5. INVENTOR(S) (Inventors are necessarily individuals)*** **5. المخترع (المخترع هو بالضرورة شخص طبيعي)**

المخترع 1 **INVENTEUR 1** *INVENTOR 1*

Nom & Prénom : *Name & given name* — الاسم و اللقب:

Adresse : *Address* — العنوان:

المخترع 2 **INVENTEUR 2** *INVENTOR 2*

Nom & Prénom : *Name & given name* — الاسم و اللقب:

Adresse : *Address* — العنوان:

المخترع 3 **INVENTEUR 3** *INVENTOR 3*

Nom & Prénom : *Name & given name* — الاسم و اللقب:

Adresse : *Address* — العنوان:

المخترع 4 **INVENTEUR 4** *INVENTOR 4*

Nom & Prénom : *Name & given name* — الاسم و اللقب:

Adresse : *Address* — العنوان:

☐ في حالة تعدد المخترعين، ضع علامة في الخانة و استخدم المطبوعة " المرفق 3".
En cas de pluralité d'inventeurs, cochez cette case et utilisez l'imprimé « Annexe III ».
In case of plurality of inventors, check this box and use « Annex III ».

6. MANDATAIRE (le cas échéant) ***6. ATTORNEY*** *(if any)* **6. الوكيل (عند الاقتضاء)**

Nom & Prénom : *Name & given name* — الاسم و اللقب:

العنوان Adresse *Address*

Rue : *Street* — الشارع:

Code postal et ville : *ZIP code and city* — الترقيم البريدي والمدينة:

البريد الالكتروني :

E-mail : *Email* — الفاكس:

Téléphone : *Telephone* — الهاتف:

Téléfax : *Fax*

قانون عدد 84 لسنة 2000 مؤرخ في 24 أوت 2000 المتعلق ببراءات الإختراع
La loi N°.2000-84 Du 24-08-2000 relative aux brevets d'invention
Law No.2000-84 Dated 24-08-2000 relating to patents

REPUBLIQUE TUNISIENNE

Institut National de la Normalisation et de la Propriété Industrielle
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INNORPI
Votre partenaire pour le développement

الجمهورية التونسية

المعهد الوطني للمواصفات و الملكية الصناعية

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N° de dépôt : *Filing No.*	عدد الإيداع:
Date de dépôt : *Date of filing*	تاريخ الإيداع:

7. PIECES CONSTITUTIVES DE LA DEMANDE *7. COMPONENT PARTS OF THE REQUEST* — **7.الوثائق المرفقة بالمطلب**

☐ وصف الاختراع Description de l'invention *Description of the invention*	عدد الصفحات المكونة لعريضة الإيداع: Nombre de pages constituant la requête *Number of pages constituting the request* ☐
☐ عناصر الجدة Revendication(s) *Claim(s)*	عدد عناصر الجدة: Nombre de revendications *Number of claims* ☐
☐ ملخص الاختراع Abrégé de l'invention *Abstract*	
☐ الرسوم، (عند الاقتضاء) Dessins, (le cas échéant) *Drawings, (if any)*	العدد الجملي للصفحات المكونة للمطلب: Nombre total de pages constituant la demande *Total number of pages constituting the application* ☐
☐ التوكيل، (عند الاقتضاء) Pouvoir du mandataire, (le cas échéant) *Power of attorney, (if any)*	
☐ نسخة رسمية من المطلب السابق،(عند الاقتضاء) Copie officielle de la demande antérieure, (le cas échéant) *Official copy of the earlier application, (if any)*	

SIGNATURE DU DEPOSANT OU DE SON MANDATAIRE : *SIGNATURE OF APPLICANT OR REPRESENTATIVE* — **إمضاء المودع أو وكيله**

Nom du signataire : *Name of the person signing*	اسم الممضي:
طبيعة الممضي Qualité du signataire *Type of the person signing*	
☐ المودع Déposant *Applicant* ☐ الوكيل Mandataire *Attorney*	
Signature :	الإمضاء:

Cadre réservé à l'administration *For official use only*	خاص بالإدارة
Cachet et signature : *Stamp and signature*	الطابع و الامضاء:

مكان الإيداع
Lieu de dépot
Place of filing

☐ المكتب الرئيسي، تونس INNORPI Siège (TUNIS) *Headquarter (TUNIS)*	☐ المكتب الجهوي بمدنين Bureau régional de Medenine *Regional Office of Medenine*
☐ المكتب الجهوي بصفاقس Bureau régional de Sfax *Regional Office of Sfax*	☐ المكتب الجهوي بقابس Bureau régional de Gabès *Regional Office of Gabès*
☐ المكتب الجهوي بسوسة Bureau régional de Sousse *Regional Office of Sousse*	☐ المكتب الجهوي بباجة Bureau régional de Beja *Regional Office of Beja*

قانون عدد 84 لسنة 2000 مؤرخ في 24 أوت 2000 المتعلق ببراءات الإختراع
La loi N°.2000-84 Du 24-08-2000 relative aux brevets d'invention
Law No.2000-84 Dated 24-08-2000 relating to patents

TURKISH PATENT AND TRADEMARK OFFICE (TURKPATENT)

(TÜRK PATENT VE MARKA KURUMU (TÜRKPATENT))

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Turkish Patent and Trademark Office (Turkpatent)

IPL: Law No. 6769 of 10 January 2017 on Industrial Property

Law TPI: Law No. 5000 for the Establishment and the Functions of the Turkish Patent and Trademark Office (Turkpatent)

SUMMARY **Designated (or elected) Office** SUMMARY

TR TURKISH PATENT AND TRADEMARK OFFICE (TURKPATENT) TR

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date[1] Under PCT Article 39(1)(a): 30 months from the priority date[1]
Translation of international application required into:[2]	Turkish
Required contents of the translation for entry into the national phase:[2]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[3]	Currency: Turkish lira (TRY) For patent or utility model: Filing fee: TRY 2,015 Fee for certificate of grant: TRY 400 Renewal fee for the third year: TRY 400 Reinstatement of rights: TRY 2,610
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

[1] 33 months from the priority date provided the applicant pays the fee for requesting extension of time for entry into the national phase.

[2] Must be furnished within two months from the date of entry into the national phase.

[3] Must be paid within the time limit applicable under PCT Article 22 or 39(1). However, the national fee may still be paid within three months from the date of entry into the national phase, provided that an additional fee is paid with the national fee within that period.

SUMMARY Designated (or elected) Office SUMMARY

TR TURKISH PATENT AND TRADEMARK OFFICE (TURKPATENT) TR

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[4]	Statement justifying the applicant's right to file the application if the applicant is not the inventor[5] Statement justifying the applicant's right to file the application if the applicant is not the owner of the priority right[5] Statement justifying the applicant's right to file the application if the applicant is not the same as the international applicant Any evidence concerning non-prejudicial disclosures or exceptions to lack of novelty, such as disclosures resulting from abuse, disclosures at certain exhibitions and disclosures by the applicant within a period of 12 months preceding the international filing date, or if priority is claimed, preceding the priority date Where the person of the applicant has changed after entry into the national phase, a document of assignment and a power of attorney Appointment of an agent if the applicant is not resident in Turkey
Who can act as agent?	Any natural or legal person registered to practice as a patent attorney before the Office
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

[4] 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.

[5] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

TR.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase (see Annex TR.II). This form should preferably (but need not) be used. The Office also has available a special form for entering the national phase which may be filed electronically using the Office's Online Filing system (EPATS). The Office strongly recommends that applicants use EPATS. The form is available on the Office's website at: https://epats.turkpatent.gov.tr/run/TP/EDEVLET/giris

TR.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).

TR.03 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is Turkish.

TR.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this chapter is indicated in Annex TR.I.

TR.05 **POWER OF ATTORNEY.** Where an agent is appointed, a power of attorney must be furnished. It may not be necessary to file a copy of the power of attorney unless under special circumstances. A model is given in Annex TR.III.

IPL Art. 95

TR.06 **FORMAL EXAMINATION.** The Office carries out an examination as to formal requirements. If the application contains formal defects, the Office invites the applicant to submit corrections and/or amendments.

IPL Art. 97

TR.07 **PUBLICATION.** The application is published in Turkish soon after the Turkish translation is filed.

TR.08 **REQUEST FOR SEARCH.** No special request for search need be filed and no search fee is required if an international search report has been established. If no international search report has been established, a special request for search must be filed, and the corresponding search fee must be paid. The amount of the search fee is indicated in Annex TR.I.

IPL Art. 98

TR.09 **REQUEST FOR EXAMINATION.** The applicant must request examination within three months from the date of the notification of the availability of the search report and pay the fee (see Annex TR.I) or the application shall be considered as withdrawn. The Office shall examine whether the patent application and the invention to which it relates meet the requirements of IP Law No. 6769. If this is not the case, the Office shall invite the applicant to file observations and to amend the application. However, such invitations will not be issued more than three times. If the applicant fails to reply in due time to any communication from the Office, the application shall be deemed to be withdrawn.

IPL Art. 91

TR.10 **DIVISIONAL APPLICATIONS.** Where the application lacks unity of invention, the applicant will be invited to file divisional applications which will benefit from the same filing date and any applicable priority date as the international application which entered the national phase.

PCT Art. 28, 41
IPL Art. 103

TR.11 **AMENDMENTS AND CORRECTIONS; TIME LIMITS.** Amendments to the patent application may be made, provided that the subject matter of the patent application does not go beyond the disclosure of the application as filed. In the event of an opposition, the patent may be amended provided that the protection conferred by the patent shall not be extended, until a final decision regarding the opposition is made by the Office.

IPL Art. 101(2)

TR.12 **ANNUAL FEES.** Annual fees are due for the third year and each subsequent year. Annual fees are due on the anniversary of the international filing date. Annual fees not paid within the applicable time limit may still be paid within six months from the expiration of that time limit subject to the payment of a surcharge. If annual fees together with the surcharge for late payment are not paid within the specified period, the patent shall lapse. The patent may be restored upon request of the patent owner and payment of a recovery fee. Delays in meeting time limits for payment of annual fees may be excused but only if they are due to force majeure and if the applicant so requests within six months from the date on which the invalidity is published.

PCT Art. 25
PCT Rule 51
Law TPI Art. 10

TR.13 **REVIEW UNDER PCT ARTICLE 25.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

TR.14 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PCT Rule 49*ter*.2

TR.15 **RESTORATION OF THE RIGHT OF PRIORITY.** Where the international application was filed within two months from the end of the period for claiming priority of an earlier application, a request for restoration of the right of priority may be made to the Office in accordance with the national law (see National Phase, paragraphs 6.006 to 6.011). Such a request will be granted if the Office is satisfied that the failure to file the application within the 12-month priority period occurred in spite of due care required by the circumstances. The amount of the fee for restoration of the right of priority is indicated in Annex TR.I.

PCT Rule 49.6
IPL Art. 107

TR.16 **REINSTATEMENT OF RIGHTS.** If an applicant fails to observe a time limit set by the Office, he may request further processing of the patent application within two months from the communication concerning the failure to observe a time limit. An applicant for or proprietor of a patent who, in spite of all due care required by the circumstances having been taken, was unable to observe a time limit set by the Office shall have his rights re-established upon request if the non-observance of this time limit results in the refusal of the patent application, the application being considered withdrawn, the revocation of the patent according to article 99 or the loss of any other right. A request for re-establishment of rights shall be filed in writing. The prescribed fee shall be paid within two months of the removal of the cause of non-compliance with the time limit, but at the latest within one year of expiry of the unobserved time limit.

IPL Art. 86

TR.17 **PATENTS OF ADDITION.** In respect of patents of addition, the main patent application shall not be considered as the state of the art in the evaluation of inventive step.

IPL Art. 104

TR.18 **CONVERSION FROM PATENT TO UTILITY MODEL AND VICE VERSA.** An application for a patent may be converted into an application for a utility model, and vice versa, subject to the payment of a conversion fee. For the applicable amount of the fee, see Annex TR.I.

FEES

(Currency: Turkish lira (TRY))

Patents

Filing fee	2,015
Fee for extension requested for the filing of the application	1,020
Fee for requesting extension of time	125
Fee for requesting search report	
(i) Up to 10 applications for natural persons, up to 100 applications for universities	400
(ii) Applications which are not under the scope of (i)	805
Fee for requesting examination report:	
(i) Up to 10 applications for natural persons, up to 100 applications for universities	400
(ii) Applications which are not under the scope of (i)	805
Fee for certificate of grant[1]	400
Fee for converting a utility model application into a patent application	70
Fee for search report for converting a utility model application into a patent application	495
Publication fee for the Turkish translation of the claims of a European patent application	1,930
Publication fee for the Turkish translation of the specification of a European patent	3,095
Fee for extension of time for the publication of the Turkish translation of the specification of a European patent	1,750
Fee for further processing	655
Fee for re-establishment of rights	2,610
Fee for reinstatement of rights (PCT Rule 49.6)	3,470
Fee for restoration of the right of priority	2,610

[1] According to Articles 98(7) and 143(10) of IP Law No. 6769, the payment of the fee for the certificate of grant is not required for the purpose of publication of the mention of the grant of the patent. After the publication of the mention of the grant of the patent, upon request and upon the payment of the fee for preparation of the patent/utility model certificate (grant fee), the patentee shall receive said certificate.

Annual fees:

— for the 2nd year[2]	390
— for the 3rd year[2]	400
— for the 4th year	470
— for the 5th year	700
— for the 6th year	795
— for the 7th year	885
— for the 8th year	990
— for the 9th year	1,080
— for the 10th year	1,185
— for the 11th year	1,345
— for the 12th year	1,565
— for the 13th year	1,805
— for the 14th year	2,045
— for the 15th year	2,355
— for the 16th year	2,575
— for the 17th year	2,865
— for the 18th year	3,060
— for the 19th year	3,230
— for the 20th year	3,370

Surcharge for late payment of an annual fee . . . . . the annual fee to be paid plus TRY 1

Recovery fee for the payment of an annual fee . . . . . 1.5 times the annual fee to be paid

Utility models

Filing fee	1,655
Fee for extension requested for the filing of the application	840
Fee for extension for the submission of the request for reinstatement	2,610
Fee for requesting extension of time	125
Fee for certificate of grant[3]	400
Fee for converting a patent application into a utility model application	70
Fee for requesting search report for utility model application:	
(i) Up to 10 applications for natural persons, up to 100 applications for universities	400
(ii) Applications which are not under the scope of (i)	805
Fee for search report for converting a patent application into a utility model application	495
Fee for further processing	655
Fee for re-establishment of rights	2,610

[2] For international applications which entered the national phase before 10 January 2017, annual fees are due for the second year and each subsequent year. For international applications which entered the national phase on or after 10 January 2017, annual fees are due for the third year and each subsequent year (see Article 101(2) of IP Law No. 6769).

[3] See footnote 1.

Annual fees:

— for the 2nd year	300
— for the 3rd year	310
— for the 4th year	370
— for the 5th year	530
— for the 6th year	610
— for the 7th year	680
— for the 8th year	745
— for the 9th year	815
— for the 10th year	895

Surcharge for late payment of an annual fee . . . . . the annual fee to be paid plus TRY 1

Recovery fee for the payment of an annual fee . . . . . 1.5 times the annual fee to be paid

How can payment of fees be effected?

Payments may be made by bank transfer to the following accounts of the Turkish Patent and Trademark Office (Turkpatent):

Ziraat Bankası

TRY:	SWIFT:	TCZBTR2A	IBAN:	TR450001001745342721325280
USD:	SWIFT:	TCZBTR2A	IBAN:	TR280001001745342721325295
EUR:	SWIFT:	TCZBTR2A	IBAN:	TR980001001745342721325296
CHF:	SWIFT:	TCZBTR2A	IBAN:	TR710001001745342721325297

Halk Bankası

TRY:	SWIFT:	TRHBTR2A	IBAN:	TR340001200940900006000004
USD:	SWIFT:	TRHBTR2A	IBAN:	TR400001200940900053000082
EUR:	SWIFT:	TRHBTR2A	IBAN:	TR200001200940900058000016
CHF:	SWIFT:	TRHBTR2A	IBAN:	TR630001200940900073000001

Vakıflar Bankası

TRY:	SWIFT:	TVBATR2A	IBAN:	TR180001500158007283203102
USD:	SWIFT:	TVBATR2A	IBAN:	TR140001500158048015066717
EUR:	SWIFT:	TVBATR2A	IBAN:	TR090001500158048015066710
CHF:	SWIFT:	TVBATR2A	IBAN:	TR150001500158048015066699

P-03	TÜRK PATENT TÜRK PATENT VE MARKA KURUMU **PCT ULUSAL AŞAMA BAŞVURU FORMU**	TPE Barkod Alanı

TürkPatent Sahip No Başvuru için Kurumumuz tarafından verilen numaradır. Bilmiyorsanız boş bırakınız.

Başvuru Şekli
Başvuru daha önce TürkPatent nezdinde yapılan bir başvurunun devamı (ek patent) ya da bu başvurudan bölünen (bölünmüş başvuru) bir başvuru ise, ilgili alanı işaretleyiniz ve ana başvuru numarasını yazınız.

☐ Yeni Başvuru
☐ Ek Başvuru — Ana Başvuru No
☐ Bölünmüş Başvuru — Ana Başvuru No

Ulusal Aşamaya Geçiş
Uluslararası başvurunun hangi aşamada ulusal aşamaya geçtiğini belirtiniz.
☐ 1. Kısım ☐ 2. Kısım

Uluslararası Başvuru No
Uluslararası başvuru (PCT) numarasını giriniz.

Uluslararası Başvuru Tarihi
Uluslararası başvurunun (PCT) başvuru tarihini giriniz.

Rüçhan
Uluslararası başvurunun dayandırıldığı önceki tarihli patent başvurusu veya sergi/fuar katılımınız varsa belirtiniz.

	Rüçhan No	Ülke	Tarih
Patent Rüçhanı			

Buluş Başlığı
Buluşu kısaca tanımlamalı, marka niteliğindeki terimleri içermemelidir.

Uluslararası Patent Sınıfı
Buluşun patent sınıfını biliyorsanız yazınız. Bilmiyorsanız boş bırakınız.

Başvuru Sahibi Bilgileri
☐ (Başvuru Sahibi birden fazla ise bu kutucuğu işaretleyerek diğer sahiplere ait bilgileri Ek-1'de belirtiniz)

Başvuru Sahibi
Başvuru sahibinin kişiliğini (gerçek veya tüzel) işaretleyiniz ve aşağıdaki bilgileri bu seçime göre doldurunuz.
☐ Gerçek kişi ☐ Tüzel kişi

Adı Soyadı veya Unvanı
Başvuru sahibi gerçek kişi ise Adı-Soyadı, tüzel kişi ise kurumun tam unvanını yazınız.

Uyruğu / Kayıtlı Ülke
Başvuru sahibi gerçek kişi ise uyruğunu, tüzel kişi ise kayıtlı olduğu ülkeyi yazınız.

T.C. Kimlik veya Vergi No

Adres
Yazışma adresini (şehir, ülke ve varsa posta kodu bilgileri vb.) yazınız.

Telefon / Faks
Telefon ve faks numaralarını yazınız.

E-posta adresi
E-posta ile bilgilendirilmek için e-posta adresinizi yazınız. @

Başvuru Sahibi Profili

Firma ise	☐ Kamu Kurumu	☐ Üniversite	☐ Büyük Ölçekli	☐ KOBİ
Şahıs ise	☐ Akademisyen	☐ Ar-Ge Personeli	☐ Firma Sahibi	☐ Firma Çalışanı

Buluş Sahibi Bilgileri
☐ (Buluş Sahibi birden fazla ise bu kutucuğu işaretleyerek diğer sahiplere ait bilgileri Ek-2'de belirtiniz)

Adı Soyadı

Uyruğu

T.C. Kimlik No

Adres

Telefon / Faks

E-posta Adresi @

Buluş Sahibi Profili
☐ Akademisyen ☐ Ar-Ge Personeli
☐ Firma Sahibi ☐ Firma Çalışanı

Buluş-Başvuru Sahibi İlişkisi
Buluş sahibinin başvuru sahibine başvuru yapma hakkını nasıl verdiğini ilgili alanı işaretleyerek belirtiniz.
☐ Başvuru sahibi aynı zamanda buluş sahibidir
☐ Hizmet İlişkisi ☐ Devir/İntikal ☐ Sözleşme Gereği
☐ Diğer (Açıklayınız):

[redacted]

✉ Hipodrom Cad. No:115 06330 Yenimahalle-Ankara
☎(+90-312) 3031000 **Fax** (+90-312) 3031220
Bu formları bilgisayarda doldurunuz ve çıktısını kullanınız.

Sayfa: 2

Tarifname Takımı Dili
Başvuru ile birlikte verilen tarifname takımı, yabancı bir dilde ise, Türkçe çevirilerin Kuruma başvuru tarihinden itibaren en geç 1 (+3) ay içinde ek ücretlerle birlikte verilmesi gerekir. 1 aylık süre talebinin başvuru ile birlikte, 3 aylık ek süre talebinin de 1 aylık süre sona ermeden yapılması gerekir.

☐ Türkçe ☐ İngilizce ☐ Almanca ☐ Fransızca

Başvuru Formu Ekleri

Tarifname Takımı
Başvuru tarihinin kesinleşmesi için başvuru ile birlikte Kuruma birer suret olarak verilmelidir.

☐ Tarifname Sayfa Sayısı:
☐ İstemler Sayfa Sayısı: İstem Sayısı:
☐ Özet Sayfa Sayısı:
☐ Resimler Sayfa Sayısı:

Ücretler
Yıllık ücretler, uluslararası başvuru tarihini izleyen 2. ve sonraki her yıl için ödenmelidir. İlk ücret, uluslararası başvuru tarihinden veya varsa rüçhan tarihinden itibaren 30 ay (veya başvuru sahibinin ulusal aşamaya giriş için ek süre talep ücretini ödemesi halinde 33 ay) içinde ödenmelidir. Bahsedilen ilk ücret, ulusal aşamaya giriş tarihinden sonra ve anılan tarihten itibaren 6 ay içinde %25 ek ücretle ödenebilir.

☐ Ulusal aşamaya (30 ay içinde) giriş için başvuru ücretinin ödendiğini gösterir belge veya bilgi (Ücret Kodu 1,01,44) Ücret İçin Tıklayınız
☐ Ulusal aşamaya (33 ay içinde) giriş için ek süre ücretinin ödendiğini gösterir belge veya bilgi (Ücret Kodu 1,01,45) Ücret İçin Tıklayınız
☐ Ulusal aşamaya (33 aydan sonra) giriş için ek süre ücretinin ödendiğini gösterir belge veya bilgi (Ücret Kodu 1,01,50) Ücret İçin Tıklayınız
☐ .- TL yılı ücretinin ödendiğini gösterir belge veya bilgi

Diğer Evrak
Uluslararası araştırma raporu (PCT 1. ve 2. kısım için), uluslararası ön inceleme raporu (PCT 2. kısım için) ve uluslararası yayın sayfasının da gönderilmesi gerekmektedir.

☐ Uluslararası araştırma raporu
☐ Uluslararası ön inceleme raporu
☐ Uluslararası yayın sayfası

Rüçhan Belgesi
Yukarıdaki "Rüçhan" kısmında belirtilen bir rüçhan varsa ilgili alanı işaretleyerek belirtiniz.

☐ Rüçhan Belgesi

Ücret Ödeme Şekli
Başvuru ücretinin ne şekilde ödendiğini ilgili alanı işaretleyerek belirtiniz.

☐ Şubeden Ödeme ☐ Havale

Dekont Bilgileri
Dekont bilgilerini yazınız. Dekont bilgileri Türk Patent banka hesaplarından kontrol edilerek doğrulandıktan sonra faturanız kesilecektir.

Ödemenin Yapıldığı Banka ve Şubesi
Ödeme Tarihi
Dekont/Fiş/Sorgu Numarası

Fatura Bilgileri
Faturanın kimin adına kesilmesini istediğinizi belirtiniz.

☐ Fatura başvuru sahibi adına kesilecektir.
☐ Fatura vekil adına kesilecektir.

Patent Vekili
Başvuru patent vekili aracılığı ile yapılıyorsa vekil bilgilerini aşağıda belirtiniz.

TC Kimlik No (Sicil No)
Adı Soyadı
Firma Unvanı

Referans Numarası
Vekil veya başvuru sahibinin referans numarasını giriniz.

Talep
Başvuru patent vekili aracılığıyla yapılıyorsa bu kısımda vekil imzası bulunmalıdır. Vekil aracılığıyla yapılmıyorsa, başvuru sahibi (tüzel kişi ise) kaşesi ve yetkili bir kişinin imzası, başvuru sahibi (gerçek kişi ise) imzası bulunmalıdır. Başvuru sahibi birden çok ise, her birinin imzası/kaşesi bulunmalıdır.

PCT aracılığıyla yapılan uluslararası başvurumuzun bu dilekçedeki bilgilere göre ulusal safhaya geçmesini talep ederim/ederiz.

İmza / Kaşe Tarih

Form: P-03 / 2.sayfa
✉ Hipodrom Cad. No:115 06330 Yenimahalle-Ankara
☎(+90-312) 3031000 **Fax** (+90-312) 3031220
Bu formları bilgisayarda doldurunuz ve çıktısını kullanınız.

Ek-1 Birden fazla başvuru sahibi varsa bu sayfayı kullanınız.

Başvuru Sahibi (İkinci başvuru sahibinin bilgilerini aşağıda belirtiniz)

Başvuru Sahibi Başvuru sahibinin kişiliğini (gerçek veya tüzel) işaretleyiniz ve aşağıdaki bilgileri bu seçime göre doldurunuz.		☐ Gerçek kişi		☐ Tüzel kişi	
Adı Soyadı veya Unvanı Başvuru sahibi gerçek kişi ise Adı-Soyadı, tüzel kişi ise kurumun tam unvanını yazınız.					
Uyruğu / Kayıtlı Olduğu Ülke Başvuru sahibi gerçek kişi ise uyruğunu, tüzel kişi ise kayıtlı olduğu ülkeyi yazınız.					
T.C. Kimlik veya Vergi No					
Adres Yazışma adresini (şehir, ülke ve varsa posta kodu bilgileri vb.) yazınız.					
Telefon / Faks					
E-posta adresi		@			
Başvuru Sahibi Profili	Firma ise	☐ Kamu Kurumu	☐ Üniversite	☐ Büyük Ölçekli	☐ KOBİ
	Şahıs ise	☐ Akademisyen	☐ Ar-Ge Personeli	☐ Firma Sahibi	☐ Firma Çalışanı

Başvuru Sahibi (Üçüncü başvuru sahibinin bilgilerini aşağıda belirtiniz)

Başvuru Sahibi Başvuru sahibinin kişiliğini (gerçek veya tüzel) işaretleyiniz ve aşağıdaki bilgileri bu seçime göre doldurunuz.		☐ Gerçek kişi		☐ Tüzel kişi	
Adı Soyadı veya Unvanı Başvuru sahibi gerçek kişi ise Adı-Soyadı, tüzel kişi ise kurumun tam unvanını yazınız.					
Uyruğu / Kayıtlı Olduğu Ülke Başvuru sahibi gerçek kişi ise uyruğunu, tüzel kişi ise kayıtlı olduğu ülkeyi yazınız.					
T.C. Kimlik veya Vergi No					
Adres Yazışma adresini (şehir, ülke ve varsa posta kodu bilgileri vb.) yazınız.					
Telefon / Faks					
E-posta adresii		@			
Başvuru Sahibi Profili	Firma ise	☐ Kamu Kurumu	☐ Üniversite	☐ Büyük Ölçekli	☐ KOBİ
	Şahıs ise	☐ Akademisyen	☐ Ar-Ge Personeli	☐ Firma Sahibi	☐ Firma Çalışanı

Başvuru Sahibi (Dördüncü başvuru sahibinin bilgilerini aşağıda belirtiniz)

Başvuru Sahibi Başvuru sahibinin kişiliğini (gerçek veya tüzel) işaretleyiniz ve aşağıdaki bilgileri bu seçime göre doldurunuz.		☐ Gerçek kişi		☐ Tüzel kişi	
Adı Soyadı veya Unvanı Başvuru sahibi gerçek kişi ise Adı-Soyadı, tüzel kişi ise kurumun tam unvanını yazınız.					
Uyruğu / Kayıtlı Ülke Başvuru sahibi gerçek kişi ise uyruğunu, tüzel kişi ise kayıtlı olduğu ülkeyi yazınız.					
T.C. Kimlik veya Vergi No					
Adres Yazışma adresini (şehir, ülke ve varsa posta kodu bilgileri vb.) yazınız.					
Telefon / Faks					
E-posta adresi		@			
Başvuru Sahibi Profili	Firma ise	☐ Kamu Kurumu	☐ Üniversite	☐ Büyük Ölçekli	☐ KOBİ
	Şahıs ise	☐ Akademisyen	☐ Ar-Ge Personeli	☐ Firma Sahibi	☐ FirmaÇalışanı

Form: P-03 / Ek-1	✉ Hipodrom Cad. No:115 06330 Yenimahalle-Ankara ☎(+90-312) 3031000 **Fax** (+90-312) 3031220 Bu formları bilgisayarda doldurunuz ve çıktısını kullanınız.

Ek-2 Birden fazla buluş sahibi varsa bu sayfayı kullanınız.

Buluş Sahibi (İkinci buluş sahibinin bilgilerini aşağıda belirtiniz)

Adı Soyadı	
Uyruğu	
T.C. Kimlik No	
Adres	
Telefon / Faks	
E-posta Adresi	@
Buluş Sahibi Profili	☐ Akademisyen ☐ Ar-Ge Personeli ☐ Firma Sahibi ☐ Firma Çalışanı
Buluş-Başvuru Sahibi İlişkisi Buluş sahibinin başvuru sahibine başvuru yapma hakkını nasıl verdiğini ilgili alanı işaretleyerek belirtiniz.	☐ Başvuru sahibi aynı zamanda buluş sahibidir ☐ Hizmet İlişkisi ☐ Devir/İntikal ☐ Sözleşme Gereği ☐ Diğer (Açıklayınız):

Buluş Sahibi (Üçüncü buluş sahibinin bilgilerini aşağıda belirtiniz)

Adı Soyadı	
Uyruğu	
T.C. Kimlik No	
Adres	
Telefon / Faks	
E-posta Adresi	@
Buluş Sahibi Profili	☐ Akademisyen ☐ Ar-Ge Personeli ☐ Firma Sahibi ☐ Firma Çalışanı
Buluş-Başvuru Sahibi İlişkisi Buluş sahibinin başvuru sahibine başvuru yapma hakkını nasıl verdiğini ilgili alanı işaretleyerek belirtiniz.	☐ Başvuru sahibi aynı zamanda buluş sahibidir ☐ Hizmet İlişkisi ☐ Devir/İntikal ☐ Sözleşme Gereği ☐ Diğer (Açıklayınız):

Buluş Sahibi (Dördüncü buluş sahibinin bilgilerini aşağıda belirtiniz)

Adı Soyadı	
Uyruğu	
T.C. Kimlik No	
Adres	
Telefon / Faks	
E-posta Adresi	@
Buluş Sahibi Profili	☐ Akademisyen ☐ Ar-Ge Personeli ☐ Firma Sahibi ☐ Firma Çalışanı
Buluş-Başvuru Sahibi İlişkisi Buluş sahibinin başvuru sahibine başvuru yapma hakkını nasıl verdiğini ilgili alanı işaretleyerek belirtiniz.	☐ Başvuru sahibi aynı zamanda buluş sahibidir ☐ Hizmet İlişkisi ☐ Devir/İntikal ☐ Sözleşme Gereği ☐ Diğer (Açıklayınız):

Form: P-03 / Ek-2

✉ Hipodrom Cad. No:115 06330 Yenimahalle-Ankara
☎(+90-312) 3031000 **Fax** (+90-312) 3031220

Bu formları bilgisayarda doldurunuz ve çıktısını kullanınız.

VEKALETNAME

Ben (Biz) aşagıda imza sahibi,

(1)

adımıza tam yetki ile hareket ederek, Türkiye Cumhuriyeti yasaları gereğince Türk Patent Enstitüsü nezdinde patent başvurularında bulunmaya, bu başvuruları takibe, devrine veya terkinine yetkili olmak üzere

(2)

vekil tayin ettim (ettik).

de tarihinde imzalandı.

---

(1) Vekil tayin edenin (edenlerin) tam adı (adları) veya unvanı (unvanları) ve adresi (adresleri) yazılacak.

(2) Vekilin adı yazılacak.

POWER OF ATTORNEY

I (We) the undersigned

(1)

do hereby appoint as attorneys

(2)

to whom I (we) give full powers on my (our) behalf and in my (our) name to file and prosecute patent applications before the Turkish Patent Institute, to attend to the assignment or withdrawal thereof according to the provisions of the Turkish Legislation.

Done and signed at
on

---

(1) Insert the full name and address of the individual(s) or entity(ies) appointing the attorney.

(2) Name of the attorney.

INTELLECTUAL PROPERTY OFFICE, MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS (TRINIDAD AND TOBAGO)

AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Intellectual Property Office, Ministry of the Attorney General and Legal Affairs (Trinidad and Tobago)

TTP: Trinidad and Tobago Patents Act, 1996

TTR: Trinidad and Tobago Patents Rules, 1996

SUMMARY Designated (or elected) Office SUMMARY

TT INTELLECTUAL PROPERTY OFFICE, MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS (TRINIDAD AND TOBAGO) TT

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into:	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Trinidad and Tobago dollar (TTD) For patent: Filing fee:[1] TTD 2,000 Fee for search and substantive examination: TTD 1,500 Annual fee for the first three years: TTD 1,000 For utility certificate: Filing fee:[1] TTD 1,000
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3] Statement justifying the applicant's right to the patent if he is not the inventor[3] Appointment of an agent if the applicant is not a citizen or a permanent resident of Trinidad and Tobago or if his principal place of business is outside Trinidad and Tobago

[Continued on next page]

[1] Must be furnished or 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

TT INTELLECTUAL PROPERTY OFFICE, MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS (TRINIDAD AND TOBAGO) TT

[Continued]

Who can act as agent?	Any agent admitted to practice as a patent agent in Trinidad and Tobago. A list of patent agents admitted to practice may be obtained from the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

THE PROCEDURE IN THE NATIONAL PHASE

TTP Sec. 37

TT.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).

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

TT.03 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. No special form is required.

TTP Sec. 24

TT.04 **EXAMINATION.** The Office will cause international applications to be subjected to a search and a substantive examination upon payment of the prescribed fee the amount of which is set out in Annex TT.I.

TTP Sec. 17

TT.05 **INVENTOR.** The indication of the name and address of the inventor may be furnished later than at the time of filing. If the data concerning the inventor are missing at the expiration of the time limit under PCT Article 22 or 39(1)(a), the Office will invite the applicant to comply with the requirement within three months from the date of receipt of the invitation.

PCT Art. 28
41
TTP Sec. 26
TTR 40

TT.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend the international application at any time before a patent is granted, provided that the scope of the subject matter of the application is not broadened thereby.

TTP Sec. 30
TTR 42(11)

TT.07 **ANNUAL FEES.** Annual fees shall be paid to the Office from the international filing date and must be paid before the corresponding year of validity begins. Where Article 22 applies, any annual fees are due within 21 months from the priority date; where Article 39(1) applies, any annual fees are due within 31 months from the priority date. A period of grace of six months shall be allowed for the late payment of the annual fee on payment of the prescribed surcharge. The amounts of the annual fees and the surcharge are indicated in Annex TT.I.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*
TTR 48

TT.08 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Most time limits may be extended at the discretion of the Office, and such extensions may be granted even when the time or period for doing the required action has already expired.

PCT Art. 25
PCT Rule 51
TTP Sec. 80-81

TT.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 omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged with the High Court within three months from the date of the decision.

PCT Art. 4(3)
43
PCT Rule 49*bis*.1(c)
76.5
TTP Sec. 64-69

TT.10 **UTILITY CERTIFICATE.** If the applicant wishes to obtain a utility certificate instead of a patent in Trinidad and Tobago on the basis of an international application, for international applications filed before 1 January 2004, it must have been indicated in the international application (in Box No. V of the request) when filed; for international applications filed on or after 1 January 2004, since the request form no longer provides for the furnishing of such an indication, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

TTP Sec. 68

TT.11 **CONVERSION.** An international application for a patent may be converted into an application for a utility certificate, and vice versa, at any time before the patent or the utility certificate is granted or before the application is refused, upon request of the applicant and upon the payment of the prescribed fee. The fee for conversion is indicated in Annex TT.I.

FEES

(Currency: Trinidad and Tobago dollar)

Patents

Filing fee	2,000
Fee for search and substantive examination	1,500
Fee for grant (excluding publication fee)	500
Fee for application for correction of errors	150
Fee for amendment of the application at the request of the applicant	500
Fee for amendment of the application on invitation of the Controller	250

Annual fees:

— for the 2nd year	200
— for the 3rd year	400
— for the 4th year	400
— for the 5th year	600
— for the 6th year	900
— for the 7th year	1,200
— for the 8th year	1,600
— for the 9th year	2,000
— for the 10th year	2,400
— for the 11th year	3,200
— for the 12th year	4,200
— for the 13th year	5,200
— for the 14th year	6,200
— for the 15th year	7,200
— for the 16th year	8,400
— for the 17th year	9,600
— for the 18th year	10,800
— for the 19th year	12,000
— for the 20th year	13,200

Surcharge for late payment of annual fees	10% of overdue fee

Utility certificates

Filing fee	1,000
Fee for conversion	200

How can payment of fees be effected?

All fees must be paid to the Office, in the form of certified checks payable to "The Controller, Intellectual Property Office", or at any District Revenue Office in Trinidad and Tobago.

BUSINESS REGISTRATIONS AND LICENSING AGENCY, MINISTRY OF INDUSTRY AND TRADE (UNITED REPUBLIC OF TANZANIA)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

TZ BUSINESS REGISTRATIONS AND LICENSING AGENCY, MINISTRY OF INDUSTRY AND TRADE (UNITED REPUBLIC OF TANZANIA) TZ

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(3): 21 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into:	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Tanzanian shilling (TZS) For patent: Filing fee:[1] TZS 12,000 For utility certificate: Filing fee:[1] TZS 10,000
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3] Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)[3] Appointment of an agent if the applicant is not resident in the United Republic of Tanzania
Who can act as agent?	Any patent attorney or patent agent registered to practice before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[1] Must be furnished or 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.

NATIONAL INTELLECTUAL PROPERTY AUTHORITY, STATE ENTERPRISE "UKRAINIAN INTELLECTUAL PROPERTY INSTITUTE (UKRPATENT)"

AS

DESIGNATED (OR ELECTED) OFFICE

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Instrument of assignment. . . . . Annex UA.IV

List of abbreviations:

Office: National Intellectual Property Authority, State Enterprise "Ukrainian Intellectual Property Institute (Ukrpatent)"

UPL: Law of Ukraine on the Legal Protection of Inventions and Utility Models, 1993, as last amended on 21 July 2020

UPR: Regulations on Drafting and Filing of an Application for a Patent and an Application for a Utility Model, 2001, as last amended on 14 June 2011

UPP: Regulations on Processing of an Application for a Patent and an Application for a Utility Model, 2002, as last amended on 14 June 2011

UFR: Procedure of Payment of Fees for Activities Related to the Protection of Intellectual Property Rights, 2004, as last amended on 12 June 2019

SUMMARY Designated (or elected) Office SUMMARY

UA

NATIONAL INTELLECTUAL PROPERTY AUTHORITY, STATE ENTERPRISE "UKRAINIAN INTELLECTUAL PROPERTY INSTITUTE (UKRPATENT)"

UA

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:[1]	Ukrainian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Ukrainian hryvnia (UAH) or equivalent in EUR or in USD

For patent:

Filing fee:[1]		
— online:	UAH	1,280
— on paper:	UAH	1,600
Additional fee for each 50 sheets in excess of 150:		
— online:	UAH	640
— on paper:	UAH	800
Additional fee for each claim, dependent or independent, in excess of three:	UAH	160
Examination fee:[2]	UAH	6,000
Additional fee for each independent claim in excess of one:	UAH	6,000

[Continued on next page]

[1] Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1). The applicant may still furnish the translation and pay the fee within two months after the expiration of the applicable time limit, provided that a written request for extension of the applicable time limit has been made and the fee for filing such request has been paid within the time limit applicable under PCT Article 22 or 39(1).

[2] A written request for examination must be made and the examination fee must be paid within three years from the international filing date.

SUMMARY **Designated (or elected) Office** SUMMARY

UA NATIONAL INTELLECTUAL PROPERTY AUTHORITY, STATE ENTERPRISE "UKRAINIAN INTELLECTUAL PROPERTY INSTITUTE (UKRPATENT)" UA

[Continued]

National fee (*cont'd*):	For utility model: Filing fee:[3] — online: UAH 1,920 — on paper UAH 2,400 Additional fee for each 50 sheets in excess of 150: — online: UAH 960 — on paper: UAH 1,200 Additional fee for each claim, dependent or independent, in excess of three: UAH 240
Exemptions, reductions or refunds of the national fee:	For patents: All fees are reduced by 90% where all applicants are also inventors and by 80% where all applicants are also non-profit institutions and/or organizations. When the fees are payable with relation to an application made by both types of applicant, and all applicants are either also inventors, or non-profit institutions and/or organizations, the fees are reduced by 80%. For utility models: All fees are reduced by 80% where all applicants are also inventors and by 60% where all applicants are also non-profit institutions and/or organizations. When the fees are payable with relation to an application made by both types of applicant, and all applicants are either also inventors, or non-profit institutions and/or organizations, the fees are reduced by 60%.
Special requirements of the Office (PCT Rule 51*bis*):[4]	Instrument of assignment of the priority application where the applicants are not identical[5] Appointment of an agent if the applicant is not resident in Ukraine
Who can act as agent?	Any person registered to practice before the Office as a patent attorney
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies the "unintentional" criterion to such requests

[3] See footnote 1.

[4] 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 of two months from the date of receipt of the invitation.

[5] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

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

PCT Art. 46

UA.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).

UPL Art. 36

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

UPR Rule 16.4
UPP Rule 1.3

UA.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model is given in Annex UA.III.

UA.05 **INSTRUMENT OF ASSIGNMENT.** 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 right must be furnished. A model is given in Annex UA.IV.

UPL Art. 16.17
UPP Rule 6.2.2

UA.06 **REQUEST FOR EXAMINATION.** The Office examines national patent applications as to substance. The applicant must request examination within three years from the international filing date. The examination fee is indicated in Annex UA.I.

PCT Art. 28
41
UPL Art. 16.5
UPP Rule 1.5

UA.07 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Subject to payment of the prescribed fee (see Annex UA.I), after the entry into the national phase of an international application (see Summary) and before the date of registration of the invention or utility model in the corresponding State Register, the applicant may make corrections or amendments to his application on his own initiative, provided the scope of the subject matter of the application is not broadened thereby. The fee for amendment of the application is indicated in Annex UA.I.

UPL Art. 36
32

UA.08 **RENEWAL FEE.** After a patent has been granted, renewal fees must be paid for maintaining the patent in force. Renewal fees are payable for the first and each subsequent year following the international filing date. The first renewal fee should be paid within four months from the date of publication of the granted patent. The fee for each subsequent year must be paid within the last four months of the current year during which the patent is valid. Renewal fees for patents are indicated in Annex UA.I.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

UA.09 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Reinstatement may be requested where the applicant was unable to observe a time limit during the international phase or before the Office. The request for reinstatement must be presented in writing, state the grounds on which it is based and set out the facts on which it relies. Where the Office considers the reinstatement justified, it will extend the appropriate time limit, upon payment of the reinstatement fee indicated in Annex UA.I.

PCT Art. 25
PCT Rule 51

UA.10 **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, an appeal against this decision may be lodged with the Appeals Council.

PCT Rule 49*bis*.1 (a), (b)
76.5

UA.11 **UTILITY MODEL.** If the applicant wishes to obtain a utility model instead of a patent in Ukraine on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

UPL Art. 36 32

UA.12 The manner of payment and the time limits for payment of renewal fees for utility models are the same as those for patents (see paragraph UA.08). Renewal fees for utility models are indicated in Annex UA.I.

UPL Art. 18

UA.13 **CONVERSION.** Once the requirements for entry into the national phase have been complied with by an international application for a patent, it may be converted into a utility model application and vice versa. Conversion may be requested at any time before the decision to grant the patent or the utility model.

FEES

**(Currency: Ukrainian hryvnia (unless indicated otherwise)
or equivalent amount in Euro or in US dollar)**

Patents

Filing fee[1]	
— online	1,280
— on paper	1,600
— additional fee for each 50 sheets in excess of 150 (online)	640
— additional fee for each 50 sheets in excess of 150 (on paper)	800
Additional fee for each claim, dependent or independent, in excess of three	160
Examination fee for one independent claim[1]	6,000
— additional fee for each independent claim in excess of one[1]	6,000
Publication fee[1]	400
— additional fee for each page in excess of fifteen	20
Grant fee	USD 100[2]
Renewal fees[1, 3]	
— for the 1st and 2nd years, per year	600
— for the 3rd year	800
— for the 4th year	1,000
— for the 5th year	1,200
— for the 6th year	1,400
— for the 7th year	1,600
— for the 8th year	1,800
— for the 9th to the 14th year, per year	4,200
— for the 15th to the 20th year, per year	7,600
— for the 21st to the 25th year, per year	30,400
Fee for restoration of the right of priority (PCT Rule 49*ter*.2):	200

Utility models

Filing fee[4]	
— online	1,920
— on paper	2,400
— additional fee for each 50 sheets in excess of 150 (online)	960
— additional fee for each 50 sheets in excess of 150 (on paper)	1,200
Additional fee for each claim, dependent or independent, in excess of three	240
Publication fee[4]	600
— additional fee for each page in excess of fifteen	30
Grant fee	USD 100[2]

[1] These fees are reduced by 90% where all applicants are also inventors and by 80% where all applicants are also non-profit institutions and/or organizations. When the fees are payable with relation to an application made by both types of applicant, and all applicants are either also inventors, or non-profit institutions and/or organizations, the fees are reduced by 80%.

[2] Natural and legal persons residing in Belarus may also pay the equivalent amount in Belarusian rouble (BYR).

[3] These fees are reduced by 50% where a notice about preparedness for authorizing the use of the patented invention or utility model by any person is filed with the Office for official publication, and are increased by 50% where they are paid within 12 months after expiration of the prescribed time limit.

[4] These fees are reduced by 80% where all applicants are also inventors and by 60% where all applicants are also non-profit institutions and/or organizations. When the fees are payable with relation to an application made by both types of applicant, and all applicants are either also inventors, or non-profit institutions and/or organizations, the fees are reduced by 60%.

(1 July 2021)

Renewal fees[5, 6]:

— for the 1st and 2nd years, per year	900
— for the 3rd year	1,200
— for the 4th year	1,500
— for the 5th year	1,800
— for the 6th year	2,100
— for the 7th year	2,400
— for the 8th year	2,700
— for the 9th and 10th years, per year	6,300
Fee for requesting extension of applicable time limits[6]	800
Reinstatement fee (payable within 12 months after expiration of the missed time limit)[6]	800
Reinstatement fee (PCT Rule 49.6)[6]	200
Fee for correction and/or amendment of application[6]	1,600
— additional fee for each claim in patent applications or utility model applications, where the number of claims is increased[6]	160
— additional fee for each independent claim in patent applications, where the number of claims is increased[6]	6,000

How may payment of fees be effected?

The payment of fees may be effected in Ukrainian hryvnias (UAH) or in equivalent amounts in Euros (EUR) or in US dollars (USD), except for the grant fee which should be effected in USD.[7] Payment documents shall indicate the name of the applicant, the amount and category of fee being paid and the application number (national, if already known; international, if the national number is not yet known).

Fees, except for the grant fee, shall be paid to:

Beneficiary:	State Enterprise "Ukrainian Intellectual Property Institute"
Beneficiary code:	31032378
Beneficiary bank:	JSB "State Export-Import Bank of Ukraine" (JSC Ukreximbank), 127 Antonovycha str., Kyiv, 03150, Ukraine
SWIFT Code:	EXBSUAUX
Beneficiary account (IBAN):	UAH: UA913223130000026008020020371 (980) EUR: UA913223130000026008020020371 (978) USD: UA913223130000026008020020371 (840) RUB: UA913223130000026008020020371 (643) BYN: UA913223130000026008020020371 (933)

Natural and legal persons permanently residing outside Ukraine shall pay the grant fee to:

Beneficiary:	Department of Finance of the Executive Board of the Kyiv City Council (Kyiv City State Administration), 36, Khreschatyk str., Kyiv, Ukraine, 01044
Beneficiary code:	02317474
Beneficiary bank:	JSC "THE STATE EXPORT-IMPORT BANK OF UKRAINE" Kyiv, Ukraine
SWIFT Code:	EXBSUAUX
Beneficiary account (IBAN):	USD: UA323223130000025420010092523 (840) BYN: UA323223130000025420010092523 (933)
Purpose of payment:	application No._____; state fee.

5 See footnote 3.
6 See footnote 4.
7 See footnote 2.

Порядковий номер заявки, визначений заявником		Дата одержання	
(22) Дата подання заявки	Пріоритет	(51) МПК	(21) Номер заявки

(86) Реєстраційний номер та дата подання міжнародної заявки, установлені відомством-одержувачем
(87) Номер і дата міжнародної публікації міжнародної заявки

ЗАЯВА про державну реєстрацію винаходу (корисної моделі)	НАЦІОНАЛЬНИЙ ОРГАН ІНТЕЛЕКТУАЛЬНОЇ ВЛАСНОСТІ ДЕРЖАВНЕ ПІДПРИЄМСТВО "УКРАЇНСЬКИЙ ІНСТИТУТ ІНТЕЛЕКТУАЛЬНОЇ ВЛАСНОСТІ" (УКРПАТЕНТ) вул. Глазунова, 1, м. Київ-42, 01601

Подаючи нижчезазначені документи, прошу (просимо) видати:
☐ патент України на винахід
☐ патент України на корисну модель

(71) Заявник(и)	Код за ЄДРПОУ

(зазначається повне ім'я або найменування заявника(ів), його (їх) місце проживання або місцезнаходження та код держави згідно із стандартом ВОІВ ST.3.
Дані про місце проживання винахідників-заявників наводяться за кодом (72)

Прошу (просимо) встановити пріоритет заявки пунктів формули винаходу за заявкою № _____ за датою:

☐ подання попередньої заявки в державі - учасниці Паризької конвенції (навести дані за кодами (31), (32), (33)
☐ подання до Укрпатенту попередньої заявки, з якої виділено цю заявку (навести дані за кодом (62)
☐ подання до Укрпатенту попередньої заявки (навести дані за кодом (66)

(31) Номер попередньої заявки	(32) Дата подання попередньої заявки	(33) Код держави подання попередньої заявки згідно із стандартом ВОІВ ST.3	(62) Номер та дата подання до Укрпатенту попередньої заявки, з якої виділено цю заявку	(66) Номер та дата подання до Укрпатенту попередньої заявки

(54) Назва винаходу (корисної моделі)

(98) Адреса для листування

Телефон Електронна адреса (E-mail)

(74) Повне ім'я та реєстраційний номер представника у справах інтелектуальної власності або повне ім'я іншої довіреної особи

☐ Прошу (просимо) прискорити публікацію заявки

Перелік документів, що додаються	Кількість арк.	Кількість прим.	Підстави щодо виникнення права на подання заявки й одержання патенту (без подання документів), якщо винахідник(и) не є заявником(ами):
☐ опис винаходу			
☐ формула винаходу			
☐ креслення та інші ілюстративні матеріали			
☐ реферат			☐ є документ про передачу прав

☐ документ про сплату збору за подання заявки			винахідником(ами) або роботодавцем(ями) правонаступнику(ам) ☐ є документ про право спадкування
☐ документ, який підтверджує наявність підстав для зменшення збору або звільнення від сплати збору			
☐ документ про депонування штаму			
☐ копія попередньої заявки, яка підтверджує право на пріоритет			
☐ переклад заявки українською мовою			
☐ документ, який підтверджує повноваження довіреної особи (довіреність)			
☐ інші документи:			
☐ міжнародний звіт про пошук			

(72) Винахідник(и) Винахідник(и)-заявник(и) (повне ім'я)	Місце проживання та код держави згідно із стандартом BOIB ST. 3 (для іноземних осіб - тільки код держави)	Підпис(и) винахідника(ів)-заявника(ів)

Я (ми) _____
(повне ім'я)
_____

прошу (просимо) не згадувати мене (нас) як винахідника(ів) при публікації відомостей стосовно заявки на видачу патенту

Підпис(и) винахідника(ів)

Підпис(и) заявника(ів) _____

Дата підпису М. П.	Якщо заявником є юридична особа, то підпис особи, що має на це повноваження, із зазначенням посади скріплюється печаткою. Якщо всі винахідники виступають заявниками, то їх підписи наводяться за кодом (72).

ДОРУЧЕННЯ
POWER OF ATTORNEY

Я /ми /, нижчепідписаний /ні /,_____
_____
_____
_____
_____
_____
_____
/найменування заявника, адреса/

цим довіряю_____

_____
/прізвище патентного повіреного/
в м _____ведення моїх /наших/ справ, що стосуються одержання в Україні та підтримання чинності патентів по національним і міжнародним заявкам на мої /наші/ винаходи /корисні моделі/, для чого уповноважую /ємо /виконувати_____

_____
/прізвище патентного повіреного/
всі необхідні для цього дії: підписувати будь-які заяви і клопотання, креслення, описи; подавати та одержувати будь-які документи; проводити необхідні платежі, одержувати повідомлення про прийняття до розгляду заявок, рішення, охоронні та інші документи; вносити до описів винаходів /корисних моделей/ та креслень необхідні виправлення та зміни; анульовувати заявки, подавати відповіді на рішення, заперечення, скарги та протести; клопотатись про продовження строків дії, проводити всі необхідні дії для збереження одержаних на винаходи /корисні моделі/ охоронних документів в чинності на протязі всього строку їх дії.
Це доручення дійсне протягом _____років

Дата_____

Підпис /и/ заявника /ів/
_____
_____
_____
/указати прізвище /а/ підписаного /них/ /

Не потребує нотаріального посвідчення

I(We), undersigned_____
_____
_____
_____
_____
_____
_____
(applicant's name, address)

hereby authorize_____

_____
name of the patent attorney
in_____to transact all actions concerned with the granting and keeping in force patents in Ukraine in connection with national and international applications on my(our) inventions /utility models/ for which purpose_____

_____
name of the patent attorney
is authorized: to sign any kind of petitions and applications, drawings, specifications; to produce and accept any kind of documents; to pay taxes; to accept certificates of acceptance, official actions, protective and other documents; to make amendments and other alterations in specifications and drawings; to abandon applications; to file responses to official actions, objections, appeals and protests; to apply for extention of terms; to undertake all necessary actions for the maintaining in force the patents granted during the term of validity. This Power of Attorney is valid for the term of _____years

Date_____

Applicant's(s') signature(s)
_____
_____
_____
(type the name under the signature(s))

No legislation is required

ДОКУМЕНТ ПРО ПЕРЕДАЧУ ПРАВА НА ПРІОРИТЕТ

PRIORITY ASSIGNMENT

Я /ми/, нижчепідписаний /ні/,_____
_____
_____
_____
_____
цим заявляю /ємо/, що мною /нами/ передані всі права_____
_____
_____
_____
_____
_____
подавати в Україні на своє ім'я заявку на патент, аналогічну моїй /нашій/ заявці №_____,
поданій_____/дата/
з_____ і спрошувати
/країна/
конвенційний пріоритет по дації подачи вищевказаної заявки.

I /We/, the undersigned,_____
_____
_____
_____
_____
do hereby declare that I /We/ have assigned to_____
_____
_____
_____
_____
the rights to apply in its /his/own name in the Ukraine for a patent on the subject matter of my/our/ Patent Application No._____dated
_____in_____
/country/
and to claim for it under the Rules of the International Convention the priority of the above named Patent Application.

Я /ми/, нижчепідписаний /ні/,_____
_____
_____
_____
_____
цим заявляю /ємо/, що я /ми/ приймаю /ємо/ переуступлені мені /нам/ права.

I /We/, the undersigned,_____
_____
_____
_____
_____
do hereby declare that I /We/ accept the aforesaid rights.

Дата
Date_____

Підпис особи /осіб/, що приймає /ють/ права
Signature/s/ of the Assignor_____

Підпис особи /осіб/, що передає /ють/ права
Signature/s/ of the Assignee_____

UGANDA REGISTRATION SERVICES BUREAU (URSB)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Uganda Registration Services Bureau (URSB)

UPA: The Industrial Property Act, 2014

UPR: The Industrial Property Regulations, 2017

SUMMARY **Designated (or elected) Office** SUMMARY

UG UGANDA REGISTRATION SERVICES BUREAU (URSB) UG

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee: [1]	Currency: Uganda shilling (UGX) or US dollar (USD)[2] For patent: National processing fee: UGX 60,000 USD 150 Publication fee: UGX 50,000 USD 50 Grant fee: UGX 90,000 USD 100 Annual fee for the second year:[3] UGX 50,000 USD 50 For utility certificate: National processing fee: UGX 30,000 USD 50
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[4]	Appointment of an agent if the applicant is not resident in Uganda Translation of the application in triplicate
Who can act as agent?	Any advocate of the High Court of Uganda
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

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

2 Natural persons or legal entities not having their residence or principal place of business in Uganda must effect payment in US dollar.

3 This fee is due, where PCT Article 22 applies, within 30 months from the priority date; where Article 39(1) applies, it is due within 31 months from the priority date. Late payment of annual fees is permitted subject to the payment of a surcharge.

4 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.

THE PROCEDURE IN THE NATIONAL PHASE

UG.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).

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

PCT Art. 28
41
UPA Section 23
UPR Reg. 15

UG.03 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend or correct the claims, description and drawings of the international application at any time before the grant of the patent, provided that the scope of the subject matter of the application is not broadened thereby. An application may not be amended more than twice.

UPA Section 31
UPR Reg. 24

UG.04 **EXAMINATION.** The Office will examine or provide for the examination of patent applications as to substance. A request for examination must be filed within three years from the international filing date. The request is subject to the payment of a fee which is indicated in Annex UG.I. Failure to make a request within the prescribed time limit will cause the application to lapse.

UPA Section 21

UG.05 **REPRESENTATION.** Where the ordinary residence or principal place of business of the applicant is outside Uganda, the applicant shall be represented by an advocate of the High Court of Uganda.

UPA Section 47(1)-(4)
UPR Reg. 35
36

UG.06 **ANNUAL FEES.** Annual fees must be paid for each year following the international filing date. For the due date of annual fees for the second year, see the Summary. Payment of the subsequent annual fees must be made before the expiration of the month containing the anniversary of the international filing date. Payment can still be made, together with a surcharge for late payment, before the expiration of the sixth month after the month containing the anniversary of the international filing date. Failure to pay annual fees before the expiration of this grace period will result in the application being considered withdrawn or the patent lapsing. The amounts of the annual fees are indicated in Annex UG.I.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*
UPA Section 47(6)-(8)
UPR Reg. 37

UG.07 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Applications which have been considered to have been withdrawn and patents which have lapsed for failure to timely pay the prescribed annual fees may be restored, subject to a request which must be submitted within six months from the expiration of the grace period for payment of annual fees. The request for restoration, which may be made by any interested person, must be accompanied by evidence to support the request and the restoration fee indicated in Annex UG.I. If the Registrar is satisfied that the failure to pay the annual fees was unintentional and that all annual fees due have been paid, he will order the restoration of the application or the patent.

UG.08 An application which has become abandoned for failure to comply with a time limit during the international phase or for failure to prosecute before the Office may be revived as a pending application if it is shown to the satisfaction of the Registrar that the delay was unavoidable or unintentional. Any petition to revive such an application must be filed in writing and contain an explanation of the causes of the delay. Petitions for revival of unintentionally abandoned applications should be accompanied by the fee for revival. Additionally, at the Registrar's discretion, the applicant may be given an extension of any time limits. Such extensions may be granted although the applicable time limits have already expired.

PCT Art. 25
PCT Rule 51
UPR Reg. 31

UG.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 omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged with the Office.

UPA Section 33

UG.10 **APPEALS.** An applicant may appeal to the High Court against a decision by the Registrar according a filing date to an application, rejecting an application or treating an application as if it had not been filed.

PCT Rule 49*bis*.1(c)
76.5

UG.11 **UTILITY CERTIFICATE.** If the applicant wishes to obtain a utility certificate instead of a patent in Uganda on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

UG.12 Annual fees for utility certificates are payable for the first and each subsequent year after grant (see Annex UG.I), the fee for the first year being paid simultaneously with the grant fee. Utility certificates expire, without any possibility of renewal, at the end of the tenth year after grant.

UPA Section 70

UG.13 **CONVERSION.** Once the requirements for entry into the national phase have been complied with the applicant may convert his application for a patent, upon payment of the prescribed fee, into an application for a utility certificate and vice versa. Conversion of patent applications may be requested at any time before the decision to grant or refuse to grant the patent or the notification of registration of the application; conversion of applications for utility certificates may be requested at any time before the grant of the utility certificate or of the notification of rejection of the application. An application may not be so converted more than once.

FEES

(Currency: Ugandan shilling or US dollar[1])

Patents	UGX	USD
National processing fee	60,000	150
Publication fee	50,000	50
Request for examination	150,000	250
Grant fee	90,000	100
Request to amend or divide application	50,000	100
Request for withdrawal of application	20,000	10
Annual fees:		
– for the 2nd year	50,000	50
– for the 3rd year	70,000	70
– for the 4th year	90,000	90
– for the 5th year	110,000	110
– for the 6th year	130,000	130
– for the 7th year	150,000	150
– for the 8th year	170,000	170
– for the 9th year	190,000	190
– for the 10th year	210,000	210
– for the 11th year	230,000	230
– for the 12th year	250,000	250
– for the 13th year	270,000	270
– for the 14th year	290,000	290
– for the 15th year	310,000	310
– for the 16th year	330,000	330
– for the 17th year	350,000	350
– for the 18th year	370,000	370
– for the 19th year	390,000	390
– for the 20th year	410,000	410
Surcharge for the late payment of annual fees	20,000	…[2]
Restoration fee	100,000	300

Utility certificates		
National processing fee	30,000	50
Request to amend or divide application	15,000	50
Annual fees:		
– for the 1st and 2nd years after grant, per year	30,000	50
– for the 3rd year after grant	30,000	100
– for the 4th and 5th years after grant, per year	60,000	100
– for the 6th year after grant	60,000	150
– for the 7th, 8th, 9th and 10th years after grant, per year	100,000	150

[1] Natural persons or legal entities not having their residence or principal place of business in Uganda must effect payment in US dollar.

[2] Please refer to the Office for the amount in US dollar.

Surcharge for the late payment of annual fees	20,000	…[3]
Restoration fee	50,000	50

How can payment of fees be effected?

The payment of fees must be effected in Ugandan shilling or US dollar.[4] All payments must indicate the application number (national, if already known; international if the national number is not yet known), the name of the applicant and the category of fee being paid. All fees must be paid to the Office by bank draft, international money order (or cash, at the Office only) made payable to the Uganda Registration Services Bureau (URSB).

[3] See footnote 2.
[4] See footnote 1.

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

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Power of attorney, AIA (Form PTO/AIA/80) . . . . . Annex US.XI
Power of attorney to joint inventor(s), AIA (Form PTO/AIA/81) . . . . . Annex US.XII
Power of attorney, pre-AIA (Form PTO/SB/81) . . . . . Annex US.XIII
Information disclosure statement (Form PTO/SB/08a & 08b) . . . . . Annex US.XIV
Recordation form cover sheet (Form PTO-1595) . . . . . Annex US.XV
Petition for revival of unintentionally abandoned application (Form PTO/SB/64PCT) . . . Annex US.XVI

List of abbreviations:

USPTO:	United States Patent and Trademark Office (USPTO)
35 USC:[1]	Title 35, United States Code, Patents
37 CFR:[1]	Title 37, Code of Federal Regulations, Patents, Trademarks and Copyrights
AIA	Leahy-Smith America Invents Act

[1] The number cited after the letters USC or CFR is the relevant section of the Patent Statute or of the Regulations, respectively.

SUMMARY **Designated (or elected) Office** SUMMARY

US UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO) US

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Request, description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19), any text matter in the drawings, abstract[2] Under PCT Article 39(1): Request, description, claims, any text matter in the drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary report on patentability (Chapter II))[2]
Is a copy of the international application required?[3]	The applicant is only required to send a copy of the international application if the national application is filed prior to the publication of the international application. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2). No copy is required if the international application was filed with the USPTO as receiving Office. A copy of amendments of the claims filed under PCT Article 19 with the International Bureau is required under the conditions indicated in the previous paragraph.

[Continued on next page]

[1] Must be furnished within the time limit applicable under PCT Article 22 or 39(1). The requirement may still be complied with in response to a notice sent to the applicant, provided that a processing fee is paid for furnishing the translation later.

[2] If the translation of the amendments is not furnished, the amendments are considered to be cancelled (37 CFR 1.495(d) and (e)).

[3] Must be furnished within the time limit applicable under PCT Article 22 or 39(1).

SUMMARY — Designated (or elected) Office — SUMMARY

US — UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO) — US

[Continued]

National fee:[4] Currency: US dollar (USD)

			Small entity[5]	Micro entity[6]
Basic national fee:[7]	USD	320	(160)	(80)
Search fee:[8]				
– IPRP (Chapter II) prepared by the IPEA/US or the written opinion was prepared by the ISA/US, all claims presented satisfied provisions of PCT Article 33(1) to (4):	USD	0	(0)	(0)
– International search fee paid to the USPTO as ISA:	USD	140	(70)	(35)
– Search report has been prepared by an ISA other than the US and is provided or has been previously communicated by the IB to the USPTO:	USD	540	(270)	(135)
– All other situations:	USD	700	(350)	(175)
Examination fee:[8]				
– IPRP (Chapter II) prepared by the IPEA/US or the written opinion was prepared by the ISA/US, all claims presented satisfied provisions of PCT Article 33(1) to (4):	USD	0	(0)	(0)
– All other situations:	USD	800	(400)	(200)
For every 50 sheets or fraction thereof of the specification and drawings that exceeds 100 sheets (excluding any sequence listing or computer program listing filed in an electronic medium):[8]	USD	420	(210)	(105)
Additional fee for each claim in independent form in excess of three:[8]	USD	480	(240)	(120)
Additional fee for each claim, independent or dependent, in excess of 20:[8]	USD	100	(50)	(25)
In addition, if the application contains one or more multiple dependent claims, per application:[8]	USD	860	(430)	(215)
Surcharge for paying any of the search fee, the examination fee, or filing the oath or declaration after the date of commencement of the national stage:[8]	USD	160	(80)	(40)
Processing fee for filing English-language translation after the expiration of the time limit applicable under PCT Article 22 or 39(1):[8]	USD	140	(70)	(35)

[Continued on next page]

4 The amounts of these fees change periodically. The United States Patent and Trademark Office or the current USPTO Fee Schedule at: https://www.uspto.gov/learning-and-resources/fees-and-payment/uspto-fee-schedule should be consulted for the applicable amounts.

5 The amount in parentheses is applicable in case of filing by a "small entity" (see paragraphs US. 19-21).

6 The amount in parentheses is applicable in case of filing by a "micro entity" (see paragraphs US. 19-21).

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

8 If not paid with the basic national fee, the USPTO will invite the applicant to pay the fee within a time period fixed in the invitation.

SUMMARY Designated (or elected) Office SUMMARY

US UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO) US

[Continued]

				Small entity[10]	Micro entity[11]
National fee (*cont'd*):[9]					
	Mega-Sequence Listing filing fee:				
	— submission of sequence listing of 300 MB to 800 MB	USD	1,060	(530)	(265)
	— submission of sequence listing of more than 800 MB	USD	10,500	(5,250)	(2,625)
Exemptions, reductions or refunds of the national fee:	Reductions of the national fees are indicated under the national fees listed above.				
Special requirements of the Office (PCT Rule 51*bis*):	Oath or declaration of the inventor[12] Information disclosure statement is recommended.[13] Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form				
Who can act as agent?	Patent attorneys and patent agents registered to practice before the Office. A list of registered patent attorneys and agents may be obtained on the Internet at https://oedci.uspto.gov/OEDCI/.				
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, the Office applies the "unintentional" criterion to such requests				

[9] See footnote 4.
[10] See footnote 5.
[11] See footnote 6.
[12] See paragraphs US 23-26.
[13] Should be filed within three months from performing the acts for entering the national phase (see 37 CFR 1.491).

THE PROCEDURE IN THE NATIONAL PHASE

35 USC 116 to 118
37 CFR 1.42, 43, 45, 46, and 1.421 to 1.424

US.01 **APPLICANT.** For US national phase applications having an international filing date on or after 16 September 2012, the applicant may be:

(a) the inventor(s); (b) the legal representative of a deceased or legally incapacitated inventor; (c) the assignee; (d) the obligated assignee (i.e., a person to whom the inventor is under an obligation to assign the invention); or (e) a person who otherwise shows proprietary interest in the application. For such applications, the person identified in the international stage as the applicant will normally be considered the applicant for the US national phase application, even if such applicant is not the inventor.

US.02 Where the applicant is a person who otherwise shows sufficient proprietary interest in the matter, such applicant must submit a petition including: the applicable fee, a showing that such person has sufficient proprietary interest in the matter, and a statement that making the application for patent by a person who otherwise shows sufficient proprietary interest in the matter on behalf of and as agent for the inventor is appropriate to preserve the rights of the parties.

US.03 **INVENTORS.** For US national phase applications with an international filing date prior to 16 September 2012, the inventor(s) is required to be the applicant(s) or, if an inventor is dead, insane, or otherwise legally incapacitated, such inventor's legal representative. This is true even if the national phase documents are filed after 16 September 2012.

37 CFR 1.41

US.04 The inventorship of a US national phase application having an international filing date on or after 16 September 2012 is the inventor or joint inventors set forth in an application data sheet accompanying the initial national phase submission (see paragraph US.06). If the initial national phase submission for an application with an international filing date on or after 16 September 2012 is not accompanied by a proper application data sheet, OR if the national phase application has an international filing date prior to 16 September 2012, the inventorship is the inventor or joint inventors set forth in the international application, which includes any change effected under PCT Rule 92*bis*.

US.05 **FORM FOR ENTERING THE NATIONAL PHASE.** The USPTO has available a special form for the transmittal of the fees and documents required for entering the national phase (Form PTO-1390, see Annex US.III). Use of the Form PTO-1390 is strongly encouraged because the form clearly identifies the submission as a national phase entry filed under 35 USC 371, as required for proper processing (see paragraph US.11). In addition, the Form PTO-1390 provides applicants with a checklist of items generally required or potentially applicable to a national phase filing, as well as a mechanism to make specific requests that may be appropriate in a particular national phase application. For example, the Form PTO-1390 contains checkboxes to expressly request that national examination procedures begin immediately (see paragraph US.37), to instruct the USPTO not to enter amendments made in the international phase, and to assert small entity status (see paragraph US.20). Use of the Form PTO-1390 is not, however, required.

37 CFR 1.76
1.495(c)

US.06 **APPLICATION DATA SHEET (ADS).** Together with the Form PTO-1390 discussed above, applicants are also strongly encouraged to submit an "application data sheet" (ADS). The ADS facilitates electronic capture of the bibliographic data by the USPTO, thus leading to more accurate data recording and quicker processing by eliminating the need to have this data manually extracted from the application documents. An application data sheet form for use where the international filing date is on or after 16 September 2012 (Form PTO/AIA/14) and instructions for preparing the form can be found at https://www.uspto.gov/patent/forms/forms-patent-applications-filed-or-after-september-16-2012. An application data sheet form for use where the international filing date is prior to 16 September 2012 (Form PTO/SB/14) and instructions for preparing the form can be found at https://www.uspto.gov/patent/forms/forms.

The Form PTO/AIA/14 is attached as Annex US.IV and the Form PTO/SB/14 is attached as Annex US.V.

US.07. In an application with an international filing date on or after 16 September 2012, an application data sheet is required to postpone submission of the required oath or declaration of the inventors (see paragraph US.26, below).

37 CFR 1.1
1.5
1.6(d), (g)
1.8(a)(2)

US.08 **CORRESPONDENCE.** It is preferable to file the required national phase items online using the EFS-Web system. EFS-Web is a PDF-based application information system that provides USPTO customers the ability to electronically file a variety of patent application documents in portable document format (PDF) directly to the USPTO, including those associated with US national phase entries under 35 USC 371. It is recommended that applicants continue to use the Form PTO-1390 when electronically filing documents for entry into the US national phase under 35 USC 371 (see paragraph US.05). ASCII text files (.TXT) may be used for submitting sequence listings, large tables, or computer program listing appendices. However, there is a file size limit of 100 MB per text file submission, which must be uploaded separately from other types of files. Sequence listing files that exceed 100 MB can be submitted on compact disc in accordance with 37 CFR 1.52(e) on the same day by using Priority Mail Express® from the USPS in accordance with 37 CFR 1.10, or hand delivery, in order to secure the same filing date for all parts of the application. Alternatively, a user may submit the application on paper and include the electronic copy of the sequence listing text file on compact disc in accordance with 37 CFR 1.52(e). Additionally, there is a file size limit of 25 MB per PDF file, but up to 60 documents of this size may be submitted in a single electronic package. Color drawings and photographs/drawings with varying degrees of black/white/grey scale may not be submitted via the EFS-Web.

US.09 More information regarding the electronic filing of US patent applications may be obtained at https://www.uspto.gov/patents-application-process/applying-online/efs-web-guidance-and-resources. The EFS-Web may be accessed directly at the following web address: https://www.uspto.gov/patents-application-process/file-online. Full technical support is available through the Patent Electronic Business Center (EBC) at (1-866) 217 91 97 from 6 a.m. to 12 Midnight Eastern Time, Monday – Friday (except federal holidays). EBC may be emailed anytime at ebc@uspto.gov.

US.10 National phase documents may also be submitted by mail addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, USA. If the applicant has received a "Notice of Acceptance of Application Under 35 USC 371 and 37 CFR 1.495," the reference to "Mail Stop PCT" should be deleted. If a US application number (e.g., 15/123,456) has been assigned, it should be indicated on the documents. If a US application number has not yet been assigned, the correspondence should state the name of the applicant, the international filing date, the international application number and the title of the invention. It is important to note that a copy of the international application used to enter the national phase and/or payment of the required basic national fee may NOT be submitted by facsimile.

35 USC 371
111
37 CFR 1.495(g)

US.11 The USPTO requires that documents submitted by the applicant be clearly identified as being for entry into the national phase under the PCT. The identification requirement is usually complied with if the Form PTO-1390 for entering the national phase referred to in paragraph US.05 above and reproduced in Annex US.III is used. The identification of the international application, in the declaration or oath of the inventor (see paragraph US.23) or otherwise, as a prior filed application for priority purposes is not considered to be a sufficient indication of an intention to enter the national phase under the PCT. In accordance with 37 CFR 1.495(g), an initial application submission filed on or after 16 September 2012 that contains conflicting indications as between a new US national patent application under 35 USC 111(a) and a submission to enter the national phase under 35 USC 371 will be treated by the USPTO as a submission to enter the national phase under 35 USC 371. However, an initial application submission filed prior to 16 September 2012 that contains conflicting indications will be treated as a new US national patent application under 35 USC 111(a).

35 USC 371(d)
37 CFR 1.492(i)
1.495(c)-(e)

US.12 **TRANSLATION (LATE FURNISHING OF).** If the applicant pays the basic national fee and a copy of the international application is received within the applicable time limit for national phase entry, but a translation of the international application has not been furnished by the applicant or is incomplete, a notice is sent to the applicant which sets a time period for furnishing the translation. The applicant can then furnish the translation provided that a processing fee is paid. The amount of the processing fee is indicated in Annex US.I. The time period set in the notice will be two months from the date of the notice or 32 months from the priority date, whichever is later. The time period set in the notice may be extended as provided for in 37 CFR 1.136(a) (see paragraph US.43(i), below). Where amendments to the claims have been filed with the International Bureau under Article 19 and the applicant fails to furnish a translation or copy (see the Summary) of such amendments to the claims within the time limit for national phase entry, the amendments to the claims are considered to have been cancelled. A translation of any annex to the International Preliminary Examination Report must be furnished prior to the expiration of the applicable time limit under PCT Article 39(1). However, a translation of the annex may be provided during any time period set under 37 CFR 1.495(c) to furnish a translation of the international application, the inventor's oath or declaration, the search fee, the examination fee, and/or the application size fee. If a translation of the annex is not timely filed, the amendments contained in the annex will be considered to be cancelled. However, such amendments may be reintroduced at a later stage (see paragraph US.33).

US.13 **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 USPTO was incomplete, see the preceding paragraph.

35 USC 371(d)
37 CFR 1.495(b)
1.6(d)(3)
1.8(a)(2)(i)(F)

US.14 **PAYMENT OF NATIONAL FEE.** The basic national fee must be paid within the time limit for entry into the national phase (see PCT Article 22(1) or 39(l)a)) which is 30 months after the priority date. This time limit may not be extended. If the basic national fee is not paid within the applicable time period, the application becomes abandoned as to the United States. An authorization to charge the basic national fee to a deposit account, credit card or any other means may NOT be submitted by facsimile.

37 CFR 1.492(b)(1)-(4)

US.15 **SEARCH FEE.** If the applicant pays the basic national fee and a copy of the international application has been received within the time limit for national phase entry, but the search fee has not been paid, a notice is sent to the applicant which sets a time period for furnishing the search fee. The applicant can then furnish the search fee provided a surcharge fee is paid. The amounts of the search fee and the surcharge are provided in Annex US.I. The period set in the notice is extendable as provided in 37 CFR 1.136(a) (see paragraph US.43(i)).

37 CFR 1.492(c)(1)-(2)

US.16 **EXAMINATION FEE.** If the applicant pays the basic national fee and a copy of the international application has been received within the time limit for national phase entry, but the examination fee has not been paid, a notice is sent to the applicant which sets a time period for furnishing the examination fee. The applicant can then furnish the examination fee provided a surcharge fee is paid. The amounts of the examination fee and the surcharge are provided in Annex US.I. The period set in the notice is extendable as provided in 37 CFR 1.136(a) (see paragraph US.43(i)).

37 CFR 1.492(j)

US.17 **APPLICATION SIZE FEE.** For any US national phase application or national application, where the specification and drawings exceed 100 sheets of paper, for each additional 50 sheets, or fraction thereof, an application size fee will apply. For a US national phase application, the application size fee is calculated on the basis of the number of sheets of specification and drawings in the published international application, without regard to the language of the publication. The specification includes the description, claims, and abstract. Certain other sheets typically present in the international publication are not taken into account in determining the application size fee, i.e., Article 19 amendments/statement, the international search report, and any additional bibliographic sheets (other than the cover sheet containing the abstract). The amount of the fee is in Annex US.I.

37 CFR 1.75(c)
37 CFR 1.492(d)-(g)
37 CFR 1.121(c)

US.18 **ADDITIONAL CLAIMS FEE.** An additional claim fee is applicable for each independent claim in excess of three, for each claim in excess of 20, and for an application that contains multiple dependent claim(s). The number of additional claims for fee purposes must be

computed on the basis of the claims valid at the beginning of the national phase (that is, where amendments have been filed, the claims as amended under PCT Article 19 or PCT Rule 66.1, 66.3 and 66.4 or the claims as amended in a preliminary amendment submitted in compliance with the applicable US regulations by the applicant upon entering the national phase under PCT Article 28 or 41). Where the applicant fails to pay the correct amount of the additional claims fee, the USPTO will send a notification of fee deficiency and invite payment of the fee at the amount applicable on the date of payment. To avoid abandonment, the fee must be paid or the claims canceled by amendment prior to the expiration of the time period set for reply to any notification of fee deficiency.

37 CFR 1.27
1.28
1.29
1.33
1.492

US.19 **FEE REDUCTION FOR "SMALL ENTITY" OR "MICRO ENTITY."** Applicants having a "small entity" or "micro entity" status are entitled to a reduction of 50% or 75%, respectively, in certain fees.

US.20 "Small entity" status can be established by a single written assertion of entitlement to "small entity" status without use of a specialized form. "Small entity" status may also be established by checking the box provided on the application data sheet discussed in paragraph US.06 or the Form PTO-1390 for entering the national phase discussed in paragraph US.05, or by payment of the exact basic national fee for a small entity. For a US national phase application with an international filing date prior to 16 September 2012, parties who may assert "small entity" status include a registered practitioner, one of the inventors, or a partial assignee (an assignee assertion of small entity status must be filed by a 37 CFR 1.33(b) party). For a US national phase application with an international filing date on or after 16 September 2012, parties who may assert "small entity" status include the applicant, a patent practitioner of record or a practitioner acting in a representative capacity, the inventor or a joint inventor (if the inventor is an applicant), or the assignee. Assertion of small entity status requires a determination of entitlement to that status.

US.21 "Micro entity" status can be established under either the "gross income" or "institution of higher education" basis. Under either basis, an application must also satisfy the requirements for "small entity" status. Unlike "small entity" status, "micro entity" status cannot be established by a simple statement alleging entitlement to "micro entity" status, by checking the box provided on the application data sheet or the Form PTO-1390 for entering the national phase, or by payment of the exact basic national fee. Rather, a certification of entitlement to "micro entity" status must be submitted. The USPTO provides Forms PTO/SB/15A and PTO/SB/15B for use in certifying "micro entity" status. These forms are available on the USPTO Web site at https://www.uspto.gov/patent/forms/forms-patent-applications-filed-or-after-september-16-2012; copies of the certification forms are also in Annex US.VI and US.VII. The certification of "micro entity" status must be executed by a party authorized under 37 CFR 1.33(b). It should be noted that a registered practitioner is required to sign the certification for any applicant that is a corporation or organization; an officer of an assignee corporate applicant, for example, is not authorized to sign the certificate of "micro entity" status.

37 CFR 1.23

US.22 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex US.I. A copy of a Credit Card Payment Form (Form PTO-2038) and the instructions thereto is attached as Annex US.II. It should be noted that an authorization to charge the basic national fee to a deposit account, credit card or any other means may NOT be submitted by facsimile.

35 USC 115
371(c)(4)
and (d)
37 CFR 1.497
1.495(c)
1.63
1.64

US.23 **OATH OR DECLARATION OF THE INVENTOR.** As a result of changes implemented by the America Invents Act (AIA), the requirements for the oath or declaration of the inventor depend on whether an application was filed before or after 16 September 2012. A sample of an appropriate declaration for use in applications with an international filing date on or after 16 September 2012 is provided in Annex US.VIII. A sample of an appropriate declaration for use in applications with an international filing date before 16 September 2012 is provided in Annex US.IX. In addition, Box No. VIII(iv) of the PCT request form (PCT/RO/101) contains a "DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)." The declaration contained in Box No. VIII(iv) of the PCT request form (PCT/RO/101) was updated in the 16 September 2012 revision of the PCT request form (PCT/RO/101) to comply with the revised US law. Accordingly, the "DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)" contained in previous versions of the PCT request form (PCT/RO/101) does not comply with current US law and will not be accepted by the USPTO with respect to applications with an international filing date on or after 16 September 2012.

US.24 For applications with an international filing date on or after 16 September 2012, a "substitute statement" may be submitted in lieu of an oath or declaration of the inventors if the inventor is deceased, is under a legal incapacity, has refused to execute the oath or declaration, or cannot be found or reached after diligent effort (a sample "substitute statement" form is provided in Annex US.X).

US.25 For applications with an international filing date before 16 September 2012, if the applicant pays the basic national fee and a copy of the international application is received within the time limit for entry into the national phase, but an oath or declaration of the inventor is not furnished, a notice shall be sent to the applicant which sets a time period for furnishing the oath or declaration. The applicant can then furnish the oath or declaration provided that a surcharge is paid. The amount of the surcharge is indicated in Annex US.I. The time period set in the notice will be two months from the date of the notice or 32 months from priority date, whichever is later. The time period set in the notice is extendable as provided for in 37 CFR 1.136 (a) (see paragraph US.43(i)).

US.26 For applications with an international filing date on or after 16 September 2012, the submission of an "application data sheet" (see paragraph US.06) identifying each inventor and providing each inventor's residence and mailing address will permit the applicant to postpone submission of the oath or declaration of the inventor (or substitute statement, if applicable) until the application is otherwise in condition for allowance. In such cases, the USPTO will issue a Notice Of Acceptance (Form PCT/DO/EO/903) and refer the application for publication and examination; however, the Notice Of Acceptance (Form PCT/DO/EO/903) will indicate that the oath or declaration requirement has not yet been satisfied.

37 CFR 1.31
1.32

US.27 **POWER OF ATTORNEY.** No representation of the applicant by an attorney or agent is required where the applicant is an individual or individuals; however, a juristic entity (e.g., organizational assignee) must be represented by an attorney or agent. Where an attorney or agent is to represent an applicant, a power of attorney signed by the applicant/inventor to an attorney or agent registered to practice before the USPTO is required. Sample power of attorney forms for use in an application with an international filing date on or after 16 September 2012 (Forms PTO/AIA/80 and 81) are in Annexes US.XI and US.XII. A sample power of attorney form for use in an application with an international filing date prior to 16 September 2012 (Form PTO/SB/81) is in Annex US.XIII. It is highly advisable to be represented by an attorney or agent.

37 CFR 1.56 1.97 and 1.98

US.28 **INFORMATION DISCLOSURE STATEMENT.** The applicant must (to be prudent) file with the USPTO, not later than three months from the date of entry of the national phase, an information disclosure statement. Such statement must disclose all information of which the applicant, or any other person substantively involved with the preparation of the application or its prosecution, is aware which is material to the patentability of the invention. Such information is material to patentability when it is not cumulative to information already of record in the application, and (1) it establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or (2) it refutes, or is inconsistent with, a position the applicant takes in (i) opposing an argument of unpatentability relied upon by the Office, or (ii) asserting an argument of patentability. A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable by the preponderance of evidence, burden of proof standard, giving each term in the claim its broadest reasonable construction consistent with the description, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

US.29 The information disclosure statement must include:

(1) a listing (preferably on Forms PTO/SB/08a and 08b, see Annex US.XIV) of patents, applications, publications or other information. US patents and US patent applications must be listed in a section separately from citations of other documents. Each page of the listing must include:

(i) the application number of the application in which the information disclosure statement is being submitted;

(ii) a column that provides a space, next to each document to be considered, for the examiner's initials;

(iii) a heading that clearly indicates that the list is an information disclosure statement;

(2) a copy of each listed item except for US patents and US patent application publications;

(3) for each item listed which is not in the English language, a concise explanation of its relevance.

US.30 Applicants may also file an information disclosure statement via the Office's electronic filing system (EFS-Web) by (1) entering the references' citation information in a fillable electronic form equivalent to the revised Forms PTO/SB/08a and 08b by using EFS-Web software; and (2) transmitting the fillable electronic form data to the Office via EFS-Web.

35 USC 371 37 CFR 1.97 and 1.98

US.31 Note, however, that the examiner will consider the documents cited in the international search report in a PCT national phase application when the Form PCT/DO/EO/903 (which is sent to notify the applicant after he has entered the national phase of the acceptance of the international application under 35 USC 371) indicates that both the international search report and the copies of the prior art documents are present in the national phase file. In such a case, the examiner will consider the documents from the international search report and indicate by a statement in the first Office action that the information has been considered. There is no requirement that the examiner list the documents on a Notice of References Cited (Form PTO-892). In order to have these prior art documents printed on any resulting patent, the applicant must provide a separate listing (preferably on Forms PTO/SB/08a and 08b). If Form PCT/DO/EO/903 does not indicate that both the international search report and copies of the prior art documents are present in the national stage file, the applicant must follow the procedures set forth in 37 CFR 1.97 and 1.98 (concerning the filing and content of information disclosure statements), as outlined above, in order to ensure that the examiner considers the documents cited in the international search report.

37 CFR 1.97(e)

US.32 A translation into English of the pertinent portions in a non-English language document must be transmitted if an existing translation is readily available to the applicant. Any additional information material to the claimed invention which becomes available after the transmittal of the statement should, within three months of its availability, be submitted by a supplemental information disclosure statement. Failure to disclose completely any pertinent information may result in any resulting US patent based on the application being unenforceable. A fee is generally required if an information disclosure statement is submitted more than three months after entry to the national stage and after a first Office action is mailed, but before a final Office action or a notice of allowance is issued. After a final Office action or a notice of allowance has been issued, a fee, as well as an appropriate statement under 37 CFR 1.97(e), will be required to have an information disclosure statement considered.

PCT Art. 28

US.33 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make the following amendments, provided no new matter is introduced in the disclosure of the invention:

35 USC 133
37 CFR 1.111 to 1.127

(i) before the final decision of the USPTO to grant or to reject the patent, the applicant may file amendments to the description, claims and drawing(s) of his own volition or when specifically required by the examiner;

37 CFR 1.116

(ii) after the final decision, amendments may be made only by cancelling claims or complying with any requirement of form which has been made by the examiner, or by presenting rejected claims in better form for reconsideration on appeal.

37 CFR 1.121 1.125

US.34 For the manner of making amendments and the required format, see the applicable US regulations, in particular 37 CFR 1.121 and 1.125. One of the requirements for effectively amending claims in a national phase application is a complete listing of all claims ever presented, including the text of all pending and withdrawn claims. The status of every claim in such listing must be indicated after its claim number by one of the following identifiers in a parenthetical expression: (Original), (Currently Amended), (Canceled), (Withdrawn), (Previously Presented), (New), and (Not Entered). All "currently amended" claims must include markings to indicate the changes made relative to the immediate prior version of the claims: underlining to indicate additions, strike-through or double brackets for deletions (see 37 CFR 1.121(c) for further details regarding the format of claim amendments). Applicants should note that, in an amendment to the claims filed in a national phase application, the status identifier "original" must be used for claims that had been presented on the international filing date and not modified or canceled. The status identifier "previously presented" must be used in any amendment submitted during the national phase for any claims added or modified under PCT Articles 19 or 34 in the international phase that were subsequently entered in the national phase. The status identifier "canceled" must be used in any amendment submitted during the national phase for any claims canceled under an Article 19 or 34 amendment in the international phase and subsequently entered in the national phase.

Example 1: Original claims 1-10; Article 19/34 filed with claims 1-20 listed on the replacement sheet wherein claims 1-10 were unchanged and claims 11-20 were added; the status of the claims prior to any further amendment under 37 CFR 1.121 would be as follows: claims 1-10 as "original" and claims 11-20 as "previously presented."

Example 2: Original claims 1-10; Article 19/34 filed with claims 1-9 listed on the replacement sheet wherein claims 1-9 were unchanged and claim 10 was cancelled; the status of the claims prior to any further amendment under 37 CFR 1.121 would be as follows: claims 1-9 as "original" and claim 10 as "cancelled."

Example 3: Original claims 1-10; Article 19/34 filed with claims 1-9 listed on the replacement sheet wherein claim 1 was unchanged, claim 2 was cancelled and claims 3-10 were renumbered as claims 2-9; the status of the claims prior to any further amendment under 37 CFR 1.121 would be as follows: claim 1 as "original,", claims 2-9 as "previously presented" and claim 10 as "cancelled."

Example 4: Original claims 1-10; Article 19/34 filed with claims 1-10 listed on the replacement sheet wherein claims 1 and 3-10 were unchanged and claim 2 was cancelled; the status of the claims prior to any further amendment under 37 CFR 1.121 would be as follows: claims 1 and 3-10 as "original" and claim 2 as "cancelled."

Proposed amendments that are not submitted in compliance with the applicable regulations will not be entered. For example, the submission with the national phase documents of a revised set of claims, absent a preliminary amendment to the claims in compliance with 37 CFR 1.121(c), will not be effective to amend the claims of record in the application.

37 CFR 1.18

US.35 **FEE FOR GRANT.** A patent issue fee and any required publication fee must be paid within a nonextendable period of three months after the mailing of a written notice of allowance. The amount of the said fee is indicated in Annex US.I.

37 CFR 1.20

US.36 **MAINTENANCE FEES.** After a patent has been issued, a fee must be paid for maintaining the patent in force beyond four years after grant. The first such fee is due by three years and six months after issue of the patent. Where the applicant fails to pay within that time limit, he may receive an invitation to pay from the USPTO. Lack of receipt of such an invitation will not be accepted as an excuse for non-payment of the maintenance fee. Payment can then still be made together with a surcharge within the six months following the due date. The amount of the maintenance fees, of the surcharge, and their due dates are indicated in Annex US.I.

PCT Art. 23(2)
35 USC 371(f)

US.37 **EARLY START OF NATIONAL PHASE BEFORE THE USPTO.** If the applicant desires the examination by the USPTO of his application to start earlier than the expiration of the time limit for entry into the national phase, he must file in writing an express request therefor and submit the basic national fee, a copy of the international application, a translation of the international application (if required) and an oath or declaration of the inventor. The express request may be accomplished, for example, by checking the appropriate box on the Form PTO-1390 for entry into the national phase referred to in paragraph US.05 and reproduced in Annex US.III.

US.38 The mechanism for deferring submission of the oath or declaration of the inventor by filing an "application data sheet" (see paragraph US.26) is not applicable where the applicant requests early examination by the USPTO. Such early examination of the application requires submission of the oath or declaration (or the substitute statement, if applicable).

35 USC 111
120
365(c)
371(c)
37 CFR 1.76
1.78
1.495(h)

US.39 **CONTINUATION, CONTINUATION-IN-PART OR DIVISIONAL.** The applicant may—instead of entering the national phase—file a continuation, continuation-in-part or divisional of the international application (hereinafter referred to as "the continuing application"), provided the international application designates the US and is not (considered) withdrawn or abandoned at the time of filing the continuing application. An international application is considered abandoned after the expiration of the time limit for entry into the national phase, which is 30 months after the priority date, if a copy of the international application and the basic national fee have not been received in the USPTO. When the basic national fee has been paid and a copy of the international application has been communicated by the International Bureau within the time limit for entry into the national phase, but additional national phase requirements have not been submitted (e.g., an English translation and/or additional required fees), a notice will be sent to the applicant to furnish such additional required materials. If the applicant does not properly respond to the notice within the time period set by the USPTO, the international application will become abandoned.

US.40 Basically, the normal procedure for filing continuing applications applies. The applicant must submit an application data sheet (see paragraph US.06) claiming the benefit of the international filing date of the international application designating the US. The reference to the international application in the application data sheet must identify the international application by international application number and international filing date, and it must indicate the relationship of the applications (i.e., continuation, continuation-in-part, or divisional). This reference to the international application must be submitted during the pendency of the continuing application, and within the later of four months from the actual filing date of the continuing application or sixteen months from the filing date of the international application. This time limit is not extendable. The USPTO may require the filing of a certified copy of the international application together with a translation thereof into English where it was filed in another language. The continuing application may be filed in a language other than English, provided a translation into English is furnished together with a surcharge (see Annex US.I) within the time period fixed by the USPTO in an invitation. Where, at the time of filing the continuing application, the basic filing fee has not been paid or the oath or declaration of the inventor has not been furnished, the requirement may still be complied with against payment of a surcharge within the time period fixed by the USPTO in an invitation. Use of the Form PTO-1390 reproduced in Annex US.III is not appropriate for the filing of a continuing application.

PCT Art. 25
PCT Rule 51
35 USC 367
37 CFR 1.182

US.41 **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 USPTO finds no error or omission on the part of the receiving Office or the International Bureau, a petition may be taken to the Commissioner of the USPTO, which must contain a statement of the facts involved and the point or points to be reviewed and the action requested. The fee for petition indicated in Annex US.I must be paid at the same time. Any such petition not filed within two months from the action complained of may be dismissed as untimely.

PCT Art. 48(2)
PCT Rule 82*bis*
37 CFR 1.137

US.42 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** An application abandoned for failure to comply with a time limit during the international phase or for failure to prosecute within a statutory time period before the USPTO, may be revived as a pending application if it is shown to the satisfaction of the USPTO that the delay was unintentional. Any petition to revive an abandoned application must be filed in writing and be accompanied by a petition fee, the amount of which is indicated in Annex US.I, by a proper response to the failed action unless such response has been previously submitted and by a statement indicating that the entire delay was unintentional. The USPTO has provided Form PTO/SB/64PCT (see Annex US.XVI) for use as a petition to revive an unintentionally abandoned international application (use of the form is optional).

US.43 The US rules provide for two distinct procedures to extend the period for action or response in particular situations (the procedure which is available for use in a particular situation will depend upon the circumstances):

37 CFR 1.136

(i) 37 CFR 1.136(a) permits an applicant, against payment of an extension fee (see Annex US.I), to file a petition for extension of time up to five months after the end of the time period set to take action except (1) where excluded, (2) in interference proceedings, (3) where the applicant has been notified otherwise in an Office action or (4) where no further time is available under a set statutory period. The petition and fee can be filed prior to or with or after the response, but the fee must be paid within the time extended. The filing of the petition and fee will extend the time period to take action up to five months dependent on the amount of the fee paid except in those circumstances noted above. The time limit to furnish the basic national fee and a copy of the international application under 37 CFR 1.495 may not be extended.

(ii) After entry into the national phase, 37 CFR 1.136(b) provides for petitions for extensions of time of shortened statutory or non-statutory time periods upon a showing of sufficient cause when the procedure of 37 CFR 1.136(a) is not available and if additional time is still available under a shortened statutory period or if no statutory period applies.

Although the petition and fee procedure of 37 CFR 1.136(a) will normally be available within five months after a set period for response has expired, an extension request for cause under

37 CFR 1.136(b) must be filed during the set period for response. The amount of the petition fee is indicated in Annex US.I.

37 CFR 3.21
3.24
3.28
3.31

US.44 **RECORDING OF ASSIGNMENT DOCUMENTS.** The USPTO will record assignments relating to international patent applications which designate the US. The assignment must identify the application by the international application number. Each document submitted for recording must be accompanied by a cover sheet referring to the international application. A sample recordation form cover sheet is contained in Annex US.XV. Each cover sheet must contain:

1) the name of the party conveying the interest;

2) the name and address of the party receiving the interest;

3) a description of the interest conveyed or transaction to be recorded;

4) the application number;

5) the name and address of the party to whom correspondence concerning the request to record the document should be mailed;

6) the number of applications, patents or registrations identified in the cover sheet and the total fee;

7) the date the document was executed;

8) a statement by the party submitting the document that to the best of the person's knowledge and belief, the information contained on the cover sheet is true and correct and any copy submitted is a true copy of the original document; and

9) the signature of the party submitting the document.

US.45 Assignments may be filed electronically via the Electronic Patent Assignment System (EPAS). EPAS may be accessed directly at the following web address: http://epas.uspto.gov. General information about the electronic filing of assignments may be obtained from the Assignment Services Division Customer Service Desk at (1-571) 272-3350 during regular business hours or via e-mail directed to EPAS@uspto.gov. Applicants should note that assignments may NOT be filed via the EFS-Web electronic filing system.

37 CFR 1.211
1.213
1.221

US.46 **PUBLICATION OF APPLICATIONS.** Each international application in compliance with 35 USC 371 and continuing application (see paragraph US.39) from an international application will be published promptly after the expiration of eighteen months from the earliest filing date for which a benefit is sought, unless the application (1) is no longer pending; (2) is subject to national security provisions; (3) has issued as a patent; or (4) was filed with a nonpublication request in compliance with 37 CFR 1.213(a). (A nonpublication request may not be filed if the international application designated any States in addition to or other than the United States of America.) The publication fee (see Annex US.I) must be paid before the patent will be granted. If the application is not published under this section, the publication fee (if paid) will be refunded.

35 USC 154(d)
37 CFR 1.417

US.47 **PROVISIONAL RIGHTS.** 35 USC 154(d) provides for provisional rights based on international applications. A patent will include the right to obtain a reasonable royalty from any person who partakes of any of the actions listed in 35 USC 154(d)(1) during the period commencing on the date of the publication under PCT Article 21(2)(a) of the international application designating the US, if the publication is in English, or if the publication is in a language other than English, on the date the USPTO receives a translation of the publication in the English language, and ending on the date the patent is issued. The submission of the international publication or an English language translation of the international application pursuant to 35 USC 154(d)(4) must clearly identify the international application to which it pertains (37 CFR 1.5(a)) and, unless it is being submitted pursuant to 37 CFR 1.495, be clearly identified as a submission pursuant to 35 USC 154(d)(4). Otherwise, the submission will be treated as a filing under 35 USC 111(a). Such submissions should be marked "Mail Stop PCT." The right to obtain a reasonable royalty is not available unless the invention as claimed in the patent is substantially identical to the invention claimed in the published international application.

US.48 **FORMS.** All forms are available online at: https://www.uspto.gov/patent/patents-forms.

FEES[1]

(Currency: US dollar)

National fee[2]

		Small entity[3]	Micro entity[4]
Basic national fee (37 CFR 1.492(a))	320	(160)	(80)
Search fee (37 CFR 1.492(b)):			
— IPRP (Chapter II) prepared by the IPEA/US or the written opinion was prepared by the ISA/US, all claims presented satisfied provisions of PCT Article 33(1) to (4)	0	(0)	(0)
— International search fee paid to the USPTO as ISA	140	(70)	(35)
— Search report has been prepared by an ISA other than the US and is provided or has been previously communicated by the IB to the USPTO	540	(270)	(135)
— All other situations	700	(350)	(175)
Examination fee (37 CFR 1.492(c)):			
— IPRP (Chapter II) prepared by the IPEA/US or the written opinion was prepared by the ISA/US, all claims presented satisfied provisions of PCT Article 33(1) to (4)	0	(0)	(0)
— All other situations	800	(400)	(200)
For every 50 sheets or fraction thereof of the specification and drawings that exceeds 100 sheets (excluding any sequence listing or computer program listing filed in an electronic medium) (37 CFR 1.492(j))	420	(210)	(105)
Additional claims fee, where there are more than three claims in independent form, for each independent claim in excess of 3 (37 CFR 1.492(d))	480	(240)	(120)
Additional claims fee, where there are more than 20 claims (whether in independent or dependent form), for each claim in excess of 20 (37 CFR 1.492(e))	100	(50)	(25)
A multiple dependent claim fee, where the application contains one or more multiple dependent claim(s), per application (37 CFR 1.492(f))	860	(430)	(215)

In computing the claims fee, a multiple dependent claim is to be treated as if it were the same number of separate claims as the number of claims on which it depends; the same applies to any claim depending from a multiple dependent claim (e.g., a claim depending on three claims requires a fee of three dependent claims).

Surcharge for filing any of the search fee, the examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h))	160	(80)	(40)
Processing fee for filing English translation of an international application after the time limit applicable under PCT Article 22 or 39(1) (37 CFR 1.492(i))	140	(70)	(35)

Reductions of the national fee

Reductions of the national fee are indicated under the national fees listed above.

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1 The amounts of these fees change periodically. The United States Patent and Trademark Office or the current USPTO Fee Schedule at: https://www.uspto.gov/learning-and-resources/fees-and-payment/uspto-fee-schedule should be consulted for the applicable amounts.

2 A national fee calculation sheet appears in Annex US.III.

3 The amount in parentheses is applicable in case of filing by a "small entity." "Small entity" status can be established by a simple written assertion of entitlement to "small entity" status, or by payment of the exact amount of the "small entity" basic national fee as set forth in 37 CFR 1.492(a) (see 37 CFR 1.27, paragraph US.14 and Annex US.VI).

4 The amount in parentheses is applicable in case of filing by a "micro entity". For further details on the establishment of "micro entity" status, see page 75033 at: www.uspto.gov/aia_implementation/77fr75019.pdf.

		Small entity[5]	Micro entity[6]
Other fees			
Publication fee (37 CFR 1.18(d)(1))	0	(0)	(0)
Publication fee for republication (37 CFR 1.18(d)(3))	320	(320)	(320)
Utility issue fee (37 CFR 1.18(a)(1))	1,200	(600)	(300)
Reissue issue fee (37 CFR 1.18(a)(1))	1,200	(600)	(300)
Maintenance fees:[7]			
— for maintaining patent in force beyond four years (due by three years and six months after grant) (37 CFR 1.20(e))	2,000	(1,000)	(500)
— for maintaining patent in force beyond eight years (due seven years and six months after grant) (37 CFR 1.20(f))	3,760	(1,880)	(940)
— for maintaining patent in force beyond 12 years (due by 11 years and six months after grant) (37 CFR 1.20(g))	7,700	(3,850)	(1,925)
Mega-Sequence Listing filing fee:			
— submission of sequence listing of 300 MB to 800 MB (37 CFR 1.21(o)(1))	1,060	(530)	(265)
— submission of sequence listing of more than 800 MB (37 CFR 1.21(o)(2))	10,500	(5,250)	(2,625)
Patent application processing fees			
Extension fee for response pursuant to 37 CFR 1.136(a):			
— within first month (37 CFR 1.17(a)(1))	220	(110)	(55)
— within second month (37 CFR 1.17(a)(2))	640	(320)	(160)
— within third month (37 CFR 1.17(a)(3))	1,480	(740)	(370)
— within fourth month (37 CFR 1.17(a)(4))	2,320	(1,160)	(580)
— within fifth month (37 CFR 1.17(a)(5))	3,160	(1,580)	(790)
Submission of information disclosure statement pursuant to 37 CFR 1.97(c) and (d) (37 CFR 1.17(p))	260	(130)	(65)
For filing a petition to the Commissioner			
Petition fee:			
— for restoration of the right of priority to a prior foreign application under 37 CFR 1.55(c) (37 CFR 1.17(m))	2,100	(1,050)	(525)
— for acceptance of an unintentionally delayed claim for priority to a prior foreign application under 37 CFR 1.55(e) (37 CFR 1.17(m))	2,100	(1,050)	(525)
— for acceptance of a certified copy of a foreign priority application submitted after the expiration of the applicable time period under 37 CFR 1.55(f) (37 CFR 1.17(g))	220	(110)	(55)
— for restoration of the right of priority to a prior-filed US provisional application under 37 CFR 1.78(b) (37 CFR 1.17(m))	2,100	(1,050)	(525)
— for acceptance of an unintentionally delayed claim for the benefit of a prior-filed US provisional application under 37 CFR 1.78(c) (37 CFR 1.17(m))	2,100	(1,050)	(525)
— for acceptance of an unintentionally delayed claim for the benefit of a prior-filed US non-provisional application or international application under 37 CFR 1.78(e) (37 CFR 1.17(m))	2,100	(1,050)	(525)
— for revival of an unintentionally abandoned application under 37 CFR 1.137(a) (37 CFR 1.17(m))	2,100	(1,050)	(525)
— for decisions on questions not specifically provided for (37 CFR 1.182) (37 CFR 1.17(f))	420	(210)	(105)

[5] See footnote 3.

[6] See footnote 4.

[7] Maintenance fees are payable for international applications filed on or after 12 December 1980. Check the current USPTO Fee Schedule at: https://www.uspto.gov/learning-and-resources/fees-and-payment/uspto-fee-schedule for current amounts of the maintenance fees at the time payment is due.

How can payment of fees be effected?
All payments must be made in US dollars.

Any payment may be effected by:
— United States Postal Service money order (37 CFR 1.23)
— check (37 CFR 1.23)
— USPTO deposit account (37 CFR 1.25)
— credit card (37 CFR 1.23(b)).

Money orders and checks must be payable in United States dollars to the "Director of the U.S. Patent and Trademark Office." Remittance from foreign countries must be payable and immediately negotiable in the United States of America for the full amount of the fee required. All payments must indicate the complete application number, the name of applicant and the type of fee being paid.

Payment for all fees may be made using one of the following credit cards: MasterCard, VISA, American Express and Discover. Payment using a debit card or check card will **not** be accepted. Applicants making payments by credit card should use form PTO-2038 contained in this Annex. Blanket authorizations of payments to credit cards will not be accepted. The fee amount must be specified. Credit card authorization may be used only one time. Subsequent charges will require a new authorization. **ADVISORY**: If filing by EFS-Web, do **NOT** attach the PTO-2038 form as a PDF along with your EFS-Web submission. Please be advised that this is **not** recommended and by doing so your **credit card information may be displayed via PAIR**. To protect your information, it is recommended paying fees online by using the electronic payment method. The PTO-2038 should only be mailed or faxed to the USPTO. The PTO-2038 may not be faxed to the USPTO when paying the basic national fee.

For information concerning electronic transfer of funds to the USPTO, please contact Jusu Jallah, Office of Finance at (571) 272-7473 or (571) 272-6500; fax (571) 273-7473. Applicants choosing to pay by electronic transfer should insure that the *full amount of the fee due* is received by the USPTO. There is a danger of loss of rights if bank charges are deducted.

Additional information regarding acceptable methods for paying fees to the USPTO can be found at: https://www.uspto.gov/learning-and-resources/fees-and-payment/accepted-payment-methods.

United States Patent and Trademark Office

Instructions for Completing the Credit Card Payment Form

Credit Card Information

- Enter all credit card information including the payment amount to be charged to your credit card and remember to sign the form. The United States Patent and Trademark Office (USPTO) cannot process credit card payments without an authorized signature.
- The USPTO does **not** accept a general authorization to charge any payment deficiency or any additional fees to a credit card.
- The USPTO does **not** accept debit cards or check cards that require use of a personal identification number as a method of payment.

Credit Card Billing Address

- Address information is required for credit card payment as a means of verification. Failure to complete the address information, including zip/postal code, may result in the payment not being accepted by your credit card institution.

Request and Payment Information

- Provide a description of your request based on the payment amount. For example, indicate the item as "basic filing fee" (patent) *or* "first maintenance fee" (patent maintenance fee) or "application for registration" (trademark) *or* "certified copy of a patent" (other fee).
- Indicate the nature of your request by the type of fee you wish to pay: Patent Fee, Patent Maintenance Fee, Trademark Fee or Other Fee. Complete information for each type of fee as applicable to identify the nature of your request. Indicate only one type of fee per form.
- If you are requesting and paying a fee based on a previously filed patent or trademark application, indicate the application/serial number, patent number or registration number that is associated with your request. "Other Fee" is used to request copies of patent and trademark documents, certified copies, assignments, and other information products.
- IDON numbers are assigned by the USPTO for customers ordering patent and trademark information and products specified as "Other Fee" on the order form. If you have been assigned an IDON number from a previous customer order, include it with your request.
- For more information on USPTO fees and amounts, refer to the current fee schedule at www.uspto.gov. To request a copy by mail, call the USPTO Contact Center at (800) 786-9199 or (571) 272-1000. Information on mailing addresses is also available at www.uspto.gov.

Protect Your Credit Card Information

- The USPTO strongly recommends using this form for credit card payments submitted by mail, facsimile, or by hand-delivery. To protect your credit card information use only this form and do not include credit card information on any other form or document.
- To protect your credit card information, **do not submit this form electronically** through "EFS-Web" or any other USPTO Web site. Credit card information for electronic credit card payments should be entered exclusively on the USPTO Web site providing electronic payment capability.

United States Patent and Trademark Office

Instructions for Completing the Credit Card Payment Form

This Credit Card Payment Form (PTO-2038) is approved for use through 03/31/2021 under OMB Control Number 0651-0043. This collection of information is required by 15 U.S.C. § 1113 or 35 U.S.C. § 41 and 37 CFR 1.16-1.28, 1.492, or 2.6-2.7. The information must be provided by a member of the public if he or she chooses to pay a USPTO fee by credit card. This information is also used by the USPTO to charge the appropriate fee amount to the appropriate credit card account. This collection is estimated to take two minutes to complete, including gathering and preparing information and submitting the Credit Card Payment Form (PTO-2038) to the USPTO. Time will vary depending upon the individual case. Please send any comments on the amount of time required to complete this form and/or suggestions for reducing the time burden to the Chief Information Officer, USPTO, PO Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. PLEASE REFER TO THE USPTO WEB SITE FOR THE CORRECT MAILING ADDRESS.

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with the request for information solicited on the Credit Card Payment Form (PTO-2038). Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the authority for the collection of this information is 15 U.S.C. § 1113 or 35 U.S.C. § 41 and 37 CFR 1.16-1.28, 1.492, or 2.6-2.7; (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the USPTO is to charge the appropriate fee amount to the appropriate credit card account. If you do not furnish the requested information, the USPTO may not be able to charge the fee to the credit card or the credit card institution may refuse to accept the charge, either of which will result in the fee being treated as not having been paid.

The information provided by you in this form will be subject to the following routine uses:

(1) The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. § 552) and the Privacy Act (5 U.S.C. § 552(a)). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.

(2) A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

(3) A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual when the individual has requested assistance from the Member with respect to the subject matter of the record.

(4) A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform the contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. § 552a(m).

(5) A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services Administration (GSA), or his designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. § 2904 and § 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

PTO-2038 (03-2020)
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United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Credit Card Payment Form

(Do not submit this form electronically via EFS-Web)

Please Read Instructions before Completing this Form

Credit Card Information

Credit Card Type:	☐ **Visa**	☐ **MasterCard**	☐ **American Express**	☐ **Discover**

Credit Card Account #:	
Credit Card Expiration Date (mm/yyyy):	
Name as it Appears on Credit Card:	
Payment Amount (US Dollars): $	
Cardholder Signature:	Date (mm/dd/yyyy):

The USPTO accepts a handwritten signature or an s-signature under 37 CFR 1.4(d).
Refund Policy: The USPTO may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The USPTO will not refund amounts of $25.00 or less unless a refund is specifically requested and will not notify the payor of such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be issued as a credit to the credit card account to which the fee was charged.
Maximum Daily Limit: There is a $24,999.99 daily limit per credit card account effective June 1, 2015. There is no daily limit for debit cards.

Credit Card Billing Address

Street Address 1:	
Street Address 2:	
City:	
State/Province:	Zip/Postal Code:
Country:	
Daytime Phone #:	Fax #:

Request and Payment Information

Description of Request and Payment Information:

☐ Patent Fee	☐ Patent Maintenance Fee	☐ Trademark Fee	☐ Other Fee
Application No.	Application No.	Application No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No.		Identify or Describe Mark	

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form or submits this form electronically via EFS-Web, the United States Patent and Trademark Office will not be liable in the event that the credit card number becomes public knowledge.

PTO-1390 (10-20)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		Attorney Docket No. U.S. Application No. (if known, see 37 CFR 1.5)
International Application No.	International Filing Date	Priority Date Claimed
Title of Invention		
First Named Inventor		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). NOTE: The express request under 35 U.S.C. 371(f) will not be effective unless the requirements under 35 U.S.C. 371(c)(1), (2), and (4) for payment of the basic national fee, copy of the International Application and English translation thereof (if required), and the oath or declaration of the inventor(s) have been received.
2. ☐ A copy of the International Application (35 U.S.C. 371(c)(2)) is attached hereto (not required if the International Application was previously communicated by the International Bureau or was filed in the United States Receiving Office (RO/US)).
3. An English language translation of the International Application (35 U.S.C. 371(c)(2))
   a. ☐ is attached hereto.
   b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
4. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4))
   a. ☐ is attached.
   b. ☐ was previously filed in the international phase under PCT Rule 4.17(iv).

Items 5 to 8 below concern amendments made in the international phase.

PCT Article 19 and 34 amendments

5. ☐ Amendments to the claims under PCT Article 19 are attached (not required if communicated by the International Bureau) (35 U.S.C. 371(c)(3)).
6. ☐ English translation of the PCT Article 19 amendment is attached (35 U.S.C. 371(c)(3)).
7. ☐ English translation of annexes (Article 19 and/or 34 amendments only) of the International Preliminary Examination Report is attached (35 U.S.C. 371(c)(5)).

Cancellation of amendments made in the international phase

8a. ☐ Do not enter the amendment made in the international phase under PCT Article 19.

8b. ☐ Do not enter the amendment made in the international phase under PCT Article 34.

NOTE: A proper amendment made in English under Article 19 or 34 will be entered in the U.S. national phase application absent a clear instruction from applicant not to enter the amendment(s).

The following items 9 to 17 concern a document(s) or information included.

9. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
10. ☐ A preliminary amendment.
11. ☐ An Application Data Sheet under 37 CFR 1.76.
12. ☐ A substitute specification. NOTE: A substitute specification cannot include claims. See 37 CFR 1.125(b).
13. ☐ A power of attorney and/or change of address letter.
14. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13*ter*.3 and 37 CFR 1.821-1.825 (not required if sequence listing in text format was indicated on the PCT Request as part of the International Application and the sequence listing was published as part of the international application).
15. ☐ Assignment papers *(cover sheet and document(s))*. Name of Assignee: _____
16. ☐ 37 CFR 3.73(c) Statement *(when there is an Assignee)*.

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLN. No. (if known – see 37 CFR 1.5)	INTERNATIONAL APPLICATION No.	ATTORNEY DOCKET No.

17. ☐ Other items or information:

The following fees have been submitted.	CALCULATIONS
18. ☐ Basic national fee (37 CFR 1.492(a)) …….. **$320**	$
19. ☐ Examination fee (37 CFR 1.492(c)) • If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)…….. **$0** • All other situations …….. **$800**	$
20. ☐ Search fee (37 CFR 1.492(b)) • If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)…….. **$0** • Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..…….. **$140** • International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB…….. **$540** • All other situations ..…….. **$700**	$
TOTAL OF 18, 19, and 20 =	$
☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) in an electronic medium or computer program listing in an electronic medium) (37 CFR 1.492(j)). Fee for each additional 50 sheets of paper or fraction thereof …….. **$420**	$

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round **up** to a whole number)	RATE
- 100 =	/ 50 =		x **$420**

Surcharge for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h))…….. **$160**	$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =		x **$100**	$
Independent claims	- 3 =		x **$480**	$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ **$860**	$

Fee for submission of Sequence Listing text file of 300 MB to 800 MB (37 CFR 1.21(o)(1))…… **$1,060**	$
Fee for submission of Sequence Listing text file of more than 800 MB (37 CFR 1.21(o)(2))……**$10,500**	$
Processing fee for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i))……..**$140 +**	$
TOTAL OF ABOVE CALCULATIONS =	$
☐ **Applicant asserts small entity status.** See 37 CFR 1.27. Fees above are reduced by ½.	
☐ **Applicant certifies micro entity status.** See 37 CFR 1.29. Fees above are reduced by ¾. Applicant must attach form PTO/SB/15A or B or equivalent.	
TOTAL NATIONAL FEE =	$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31)…… **$50.00** per property **+**	$
TOTAL FEES ENCLOSED =	$

[Page 2 of 3]

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a. ☐ A check in the amount of $_____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of $_____ to cover the above fees.

c. ☐ The Director is hereby authorized to charge additional fees which may be required, or credit any overpayment, to Deposit Account No. _____ as follows:

i. ☐ any required fee.

ii. ☐ any required fee except for excess claims fees required under 37 CFR 1.492(d) and (e) and multiple dependent claim fee required under 37 CFR 1.492(f).

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.

ADVISORY: If filing by EFS-Web, do **NOT** attach the PTO-2038 form as a PDF along with your EFS-Web submission. Please be advised that this is **not** recommended and by doing so your **credit card information may be displayed via PAIR**. To protect your information, it is recommended to pay fees online by using the electronic payment method.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013, and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

NOTE 1: By providing this statement under 37 CFR 1.55 or 1.78, **this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA**.

NOTE 2: A U.S. national stage application may not claim priority to the international application of which it is the national phase. The filing date of a U.S. national stage application is the international filing date. See 35 U.S.C. 363.

Correspondence Address

☐ The address associated with Customer Number: _____ **OR** ☐ Correspondence address below

Name					
Address					
City		State		Zip Code	
Country			Telephone		
Email					

Signature		Date	
Name (Print/Type)		Registration No. (Attorney/Agent)	

[Page 3 of 3]

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention		

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2:

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information:

Inventor 1 Remove

Legal Name

Prefix	**Given Name**	**Middle Name**	**Family Name**	**Suffix**

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City		**State/Province**		**Country of Residence**	

Mailing Address of Inventor:

Address 1	
Address 2	

City		**State/Province**	
Postal Code		**Country**	

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ **An Address is being provided for the correspondence Information of this application.**

Customer Number			
Email Address		Add Email	Remove Email

Application Information:

Title of the Invention			
Attorney Docket Number		**Small Entity Status Claimed**	☐
Application Type			
Subject Matter			
Total Number of Drawing Sheets (if any)		**Suggested Figure for Publication (if any)**	

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention		

Filing By Reference:

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)

☐ **Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32).
Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	◉ Customer Number	○ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number			

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.
When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status			Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention		

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)[i] the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

Remove

Application Number	Country[i]	Filing Date (YYYY-MM-DD)	Access Code[i] (if applicable)

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.
NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention		

Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

NOTE: This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

A. Priority Document Exchange (PDX) - Unless box A in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h)(1).

B. Search Results from U.S. Application to EPO - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

☐ A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

☐ B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

NOTE: Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention		

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Applicant 1

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Clear

◯ Assignee	◯ Legal Representative under 35 U.S.C. 117	◯ Joint Inventor
◯ Person to whom the inventor is obligated to assign.	◯ Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor:

If the Applicant is an Organization check here. ☐

Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

Mailing Address Information For Applicant:

Address 1			
Address 2			
City		**State/Province**	
Country		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button.

Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention		

Assignee 1

Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.

If the Assignee or Non-Applicant Assignee is an Organization check here. ☐

Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

Mailing Address Information For Assignee including Non-Applicant Assignee:

Address 1			
Address 2			
City		**State/Province**	
Country [i]		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.

Signature:

NOTE: This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b). **However, if this Application Data Sheet is submitted with the INITIAL filing of the application and either box A or B is not checked in subsection 2 of the "Authorization or Opt-Out of Authorization to Permit Access" section, then this form must also be signed in accordance with 37 CFR 1.14(c).**

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

Signature				Date (YYYY-MM-DD)	
First Name		Last Name		Registration Number	

Additional Signature may be generated within this form by selecting the Add button.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
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Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1 The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3 A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent CooperationTreaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

EFS Web 2.2.13

PTO/SB/14 (11-08)
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention		

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Applicant Information:

Applicant 1

Applicant Authority ◉ Inventor ○ Legal Representative under 35 U.S.C. 117 ○ Party of Interest under 35 U.S.C. 118

Prefix	**Given Name**	**Middle Name**	**Family Name**	**Suffix**

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City		**State/Province**		**Country of Residence**	

Citizenship under 37 CFR 1.41(b)	

Mailing Address of Applicant:

Address 1	
Address 2	

City		**State/Province**	
Postal Code		**Country**	

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ **An Address is being provided for the correspondence Information of this application.**

Customer Number		
Email Address		Add Email Remove Email

Application Information:

Title of the Invention			
Attorney Docket Number		**Small Entity Status Claimed**	☐
Application Type			
Subject Matter			
Suggested Class (if any)		**Sub Class (if any)**	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)		**Suggested Figure for Publication (if any)**	

EFS Web 2.2.3

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention		

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)
☐ **Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S. C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32).
Enter either Customer Number or complete the Representative Name section below. If both sections are completed the Customer Number will be used for the Representative Information during processing.

Please Select One:	◉ Customer Number	○ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number			

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.

Prior Application Status			Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.

Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

			Remove
Application Number	Country	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			◉ Yes ○ No

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.

Assignee Information:

Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.

Assignee 1

EFS Web 2.2.3

PTO/SB/14 (11-08)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention		

If the Assignee is an Organization check here. ☐				
Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

Mailing Address Information:			
Address 1			
Address 2			
City		**State/Province**	
Country		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Assignee Data may be generated within this form by selecting the **Add** button.

Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.

Signature				Date (YYYY-MM-DD)	
First Name		Last Name		Registration Number	

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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EFS Web 2.2.3

Doc Code: MES.GIB
Document Description: Certification of Micro Entity Status (Gross Income Basis)

PTO/SB/15A (07-14)

CERTIFICATION OF MICRO ENTITY STATUS
(GROSS INCOME BASIS)

Application Number or Control Number (if applicable):	Patent Number (if applicable):
First Named Inventor:	Title of Invention:

The applicant hereby certifies the following—

(1) **SMALL ENTITY REQUIREMENT –** The applicant qualifies as a small entity as defined in 37 CFR 1.27.

(2) **APPLICATION FILING LIMIT –** Neither the applicant nor the inventor nor a joint inventor has been named as the inventor or a joint inventor on more than four previously filed U.S. patent applications, excluding provisional applications and international applications under the Patent Cooperation Treaty (PCT) for which the basic national fee under 37 CFR 1.492(a) was not paid, and also excluding patent applications for which the applicant has assigned all ownership rights, or is obligated to assign all ownership rights, as a result of the applicant's previous employment.

(3) **GROSS INCOME LIMIT ON APPLICANTS AND INVENTORS –** Neither the applicant nor the inventor nor a joint inventor, in the calendar year preceding the calendar year in which the applicable fee is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986 (26 U.S.C. 61(a)), exceeding the "Maximum Qualifying Gross Income" reported on the USPTO Web site at http://www.uspto.gov/patents/law/micro_entity.jsp which is equal to three times the median household income for that preceding calendar year, as most recently reported by the Bureau of the Census.

(4) **GROSS INCOME LIMIT ON PARTIES WITH AN "OWNERSHIP INTEREST" –** Neither the applicant nor the inventor nor a joint inventor has assigned, granted, or conveyed, nor is under an obligation by contract or law to assign, grant, or convey, a license or other ownership interest in the application concerned to an entity that, in the calendar year preceding the calendar year in which the applicable fee is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986, exceeding the "Maximum Qualifying Gross Income" reported on the USPTO Web site at http://www.uspto.gov/patents/law/micro_entity.jsp which is equal to three times the median household income for that preceding calendar year, as most recently reported by the Bureau of the Census.

SIGNATURE by an authorized party set forth in 37 CFR 1.33(b)

Signature					
Name					
Date		Telephone		Registration No.	

☐ There is more than one inventor and I am one of the inventors who are jointly identified as the applicant. The required additional certification form(s) signed by the other joint inventor(s) are included with this form.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc Code: MES.IHEB
Document Description: Certification of Micro Entity Status (Education Basis)

PTO/SB/15B (07-14)

CERTIFICATION OF MICRO ENTITY STATUS
(INSTITUTION OF HIGHER EDUCATION BASIS)

Application Number or Control Number (if applicable):	Patent Number (if applicable):
First Named Inventor:	Title of Invention:

CERTIFICATION ON THE BASIS OF EMPLOYMENT BY AN INSTITUTION OF HIGHER EDUCATION

The applicant hereby certifies the following—

The applicant qualifies as a small entity as defined in 37 CFR 1.27.

The applicant's employer, from which the applicant obtains the majority of the applicant's income, is an institution of higher education as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

SIGNATURE by an authorized party set forth in 37 CFR 1.33(b)

Signature					
Name					
Date		Telephone		Registration No.	

☐ There is more than one inventor and I am one of the inventors who are jointly identified as the applicant. The required additional certification form(s) signed by the other joint inventor(s) are included with this form.

CERTIFICATION ON THE BASIS OF ASSIGNMENT OR OBLIGATION TO ASSIGN TO AN INSTITUTION OF HIGHER EDUCATION

The applicant hereby certifies the following—

The applicant qualifies as a small entity as defined in 37 CFR 1.27.

The applicant has assigned, granted, conveyed, or is under an obligation by contract or law, to assign, grant, or convey, a license or other ownership interest in the particular application to an institution of higher education as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

SIGNATURE by an authorized party set forth in 37 CFR 1.33(b)

Signature					
Name					
Date		Telephone		Registration No.	

☐ There is more than one inventor and I am one of the inventors who are jointly identified as the applicant. The required additional certification form(s) signed by the other joint inventor(s) are included with this form.

NOTE: A signed copy of this "institution of higher education basis" micro entity certification form (PTO/SB/15B) filed together with a signed copy of the "gross income basis" micro entity certification form (PTO/SB/15A) will be taken to be a representation that any inventor or person applying for a patent as provided in 37 CFR 1.46 not qualifying on the "gross income basis" qualifies on the "institution of higher education basis."

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PTO/AIA/01 (06-12)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☐ United States application or PCT international application number _____

filed on _____.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: _____ Date (Optional) :_____

Signature: _____

Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

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3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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Doc Code: Oath

Document Description: Oath or declaration filed

PTO/SB/01 (04-19)
Approved for use through 11/30/2020. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☐ Declaration Submitted With Initial Filing OR ☐ Declaration Submitted After Initial Filing (surcharge (37 CFR 1.16(f)) required)

Attorney Docket Number	
First Named Inventor	
COMPLETE IF KNOWN	
Application Number	
Filing Date	
Art Unit	
Examiner Name	

I hereby declare that: (1) Each inventor's residence, mailing address, and citizenship are as stated below next to their name; and (2) I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention titled:

(Title of the Invention)

the application of which was made or was authorized to be made by me and

☐ is attached hereto

OR

☐ was filed on (MM/DD/YYYY)_____as United Sates Application Number or PCT International Application Number_____and was amended on (MM/DD/YYYY)_____(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I hereby acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Claim of Foreign Priority Benefits

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Priority Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	NO
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐

☐ Additional foreign application number(s) are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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DECLARATION – Utility or Design Patent Application

Direct all correspondence to: ☐ The address associated with Customer Number: ☐		**OR** ☐ Correspondence address below	
Name			
Address			
City	State	Zip	
Country	Telephone	Email	

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issue thereon.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

NAME OF SOLE OR FIRST INVENTOR		☐ A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country

☐ Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto

[Page 2 of 2]

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc code: Oath
Document Description: Oath or declaration filed

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SUBSTITUTE STATEMENT IN LIEU OF AN OATH OR DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (35 U.S.C. 115(d) AND 37 CFR 1.64)

Title of Invention	

This statement is directed to:

☐ The attached application,

OR

☐ United States application or PCT international application number _____ filed on _____.

LEGAL NAME of inventor to whom this substitute statement applies:

(*E.g.*, Given Name (first and middle (if any)) and Family Name or Surname)

Residence (except for a deceased or legally incapacitated inventor):

City	State	Country

Mailing Address (except for a deceased or legally incapacitated inventor):

City	State	Zip	Country

I believe the above-named inventor or joint inventor to be the original inventor or an original joint inventor of a claimed invention in the application.

The above-identified application was made or authorized to be made by me.

I hereby acknowledge that any willful false statement made in this statement is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

Relationship to the inventor to whom this substitute statement applies:

☐ Legal Representative (for deceased or legally incapacitated inventor only),
☐ Assignee,
☐ Person to whom the inventor is under an obligation to assign,
☐ Person who otherwise shows a sufficient proprietary interest in the matter (petition under 37 CFR 1.46 is required), or
☐ Joint Inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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SUBSTITUTE STATEMENT

Circumstances permitting execution of this substitute statement:

- ☐ Inventor is deceased,
- ☐ Inventor is under legal incapacity,
- ☐ Inventor cannot be found or reached after diligent effort, or
- ☐ Inventor has refused to execute the oath or declaration under 37 CFR 1.63.

If there are joint inventors, please check the appropriate box below:

- ☐ An application data sheet under 37 CFR 1.76 (PTO/AIA/14 or equivalent) naming the entire inventive entity has been or is currently submitted.

OR

- ☐ An application data sheet under 37 CFR 1.76 (PTO/AIA/14 or equivalent) has not been submitted. Thus, a Substitute Statement Supplemental Sheet (PTO/AIA/11 or equivalent) naming the entire inventive entity and providing inventor information is attached. See 37 CFR 1.64(b).

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

Name:	Date (Optional):
Signature:	

APPLICANT NAME AND TITLE OF PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

If the applicant is a juristic entity, list the applicant name and the title of the signer:

Applicant Name:

Title of Person Executing
This Substitute Statement:

The signer, whose title is supplied above, is authorized to act on behalf of the applicant.

Residence of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent):

City	State	Country

Mailing Address of the signer (unless provided in an application data sheet, PTO/AIA/14 or equivalent)

City	State	Zip	Country

Note: Use an additional PTO/AIA/02 form for each inventor who is deceased, legally incapacitated, cannot be found or reached after diligent effort, or has refused to execute the oath or declaration under 37 CFR 1.63.

[Page 2 of 2]

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(c).

I hereby appoint:

☐ Practitioners associated with Customer Number: [ ]

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

As attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(c).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(c) to:

☐ The address associated with Customer Number:

OR

☐

Firm or individual name		
Address		
City	State	Zip
Country		
Telephone	Email	

Assignee name and address:

A copy of this form, together with a statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(c) may be completed by one of the practitioners appointed in this form, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee.

Signature	Date
Name	Telephone
Title	

This collection of information is required by 37 CFR 1.31, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public, which is to update (and by the USPTO to process) the file of a patent or reexamination proceeding. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 18 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
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4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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POWER OF ATTORNEY TO ONE OR MORE OF THE JOINT INVENTORS AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	
	Filing Date	
	First Named Inventor	
	Art Unit	
	Examiner Name	
	Title	

NOTE: This form may be filed by *pro se* inventors (*i.e.*, prosecuting the application without a registered patent practitioner) who are identified as the Applicant in the above-identified application. For a Power of Attorney to one or more registered patent practitioners, see form PTO/AIA/82.

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ I hereby appoint the following joint inventor(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with Customer Number. (if applicable):
-To Request A Customer Number see form PTO/SB/124

OR

Individual Name			
Address			
City		State	Zip
Country			
Telephone		Email	

I am the Inventor.

SIGNATURE of Inventor

Signature	Date
Name	Telephone

NOTE: Signatures of all the inventors are required. Submit multiple forms if more than one signature is required, see below*. See 37 CFR 1.4 for signature requirements and certifications.

☐ *Total of_____forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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POWER OF ATTORNEY
OR
REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY
AND
CHANGE OF CORRESPONDENCE ADDRESS

Application Number	
Filing Date	
First Named Inventor	
Title	
Art Unit	
Examiner Name	
Attorney Docket Number	

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☐ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the:

☐ Applicant/Inventor.

OR

☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on _____.

SIGNATURE of Applicant or Assignee of Record

Signature		Date	
Name		Telephone	
Title and Company			

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PTO/SB/08a (07-09)
Approved for use through 11/30/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet | | of | |

Complete if Known	
Application Number	
Filing Date	
First Named Inventor	
Art Unit	
Examiner Name	
Attorney Docket Number	

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] – Number[4] – Kind Code[5] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
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3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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PTO/SB/08b (07-09)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet | | of | |

Complete if Known	
Application Number	
Filing Date	
First Named Inventor	
Art Unit	
Examiner Name	
Attorney Docket Number	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Form **PTO-1595** (Rev. 6-18)
OMB No. 0651-0027 (exp. 06/30/2021)

U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

RECORDATION FORM COVER SHEET

PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)

Additional name(s) of conveying party(ies) attached? ☐ Yes ☐ No

2. Name and address of receiving party(ies)

Name: _____

Internal Address: _____

_____

Street Address: _____

_____

City: _____

State: _____

Country: _____ Zip: _____

Additional name(s) & address(es) attached? ☐ Yes ☐ No

3. Nature of conveyance/Execution Date(s):

Execution Date(s) _____

☐ Assignment ☐ Merger

☐ Security Agreement ☐ Change of Name

☐ Joint Research Agreement

☐ Government Interest Assignment

☐ Executive Order 9424, Confirmatory License

☐ Other _____

4. Application or patent number(s): ☐ This document serves as an Oath/Declaration (37 CFR 1.63).

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☐ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: _____

Internal Address: _____

_____

Street Address: _____

_____

City: _____

State: _____ Zip: _____

Phone Number: _____

Docket Number: _____

Email Address: _____

6. Total number of applications and patents involved: _____

7. Total fee (37 CFR 1.21(h) & 3.41) $ _____

☐ Authorized to be charged to deposit account

☐ Enclosed

☐ None required (government interest not affecting title)

8. Payment Information

Deposit Account Number _____

Authorized User Name _____

9. Signature:

_____ _____

Signature Date

_____

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents: ☐

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

Guidelines for Completing Patents Cover Sheets (PTO-1595)

Cover Sheet information must be submitted with each document to be recorded. If the document to be recorded concerns both patents and trademarks separate patent and trademark cover sheets, including any attached pages for continuing information, must accompany the document. All pages of the cover sheet should be numbered consecutively, for example, if both a patent and trademark cover sheet is used, and information is continued on one additional page for both patents and trademarks, the pages of the cover sheet would be numbered from 1 to 4.

Item 1. Name of Conveying Party(ies).

Enter the full name of the party(ies) conveying the interest. If there is insufficient space, enter a check mark in the "Yes" box to indicate that additional information is attached. The name of the additional conveying party(ies) should be placed on an attached page clearly identified as a continuation of the information Item 1. Enter a check mark in the "No" box, if no information is contained on an attached page. If the document to be recorded is a joint research agreement, enter the name(s) of the party(ies) other than the owner of the patent or patent application as the conveying party(ies).

Item 2. Name and Address of Receiving Party(ies).

Enter the name and full address of the first party receiving the interest. If there is more than one party receiving the interest, enter a check mark in the "Yes" box to indicate that additional information is attached. Enter a check mark in the "No" box, if no information is contained on an attached page. If the document to be recorded is a joint research agreement, enter the name(s) of the patent or patent application owner(s) as the receiving party.

Item 3. Nature of Conveyance/Execution Date(s).

Enter the execution date(s) of the document. It is preferable to use the name of the month, or an abbreviation of that name, in order that confusion over dates is minimized. Place a check mark in the appropriate box describing the nature of the conveying document. If the "Other" box is checked, specify the nature of the conveyance.

Item 4. Application Number(s) or Patent Number(s).

Indicate the application number(s), and/or patent number(s) against which the document is to be recorded. National application numbers must include both the series code and a six-digit number (e.g., 07/123,456), and international application numbers must be complete (e.g., PCT/US91/12345).

Enter a check mark in the appropriate box: "Yes" or "No " if additional numbers appear on attached pages. Be sure to identify numbers included on attached pages as the continuation of Item 4. Also enter a check mark if this Assignment is being filed as an Oath/Declaration (37 CFR 1.63).

Item 5. Name and Address of Party to whom correspondence concerning the document should be mailed. Enter the name and full address of the party to whom correspondence is to be mailed.

Item 6. Total Applications and Patents involved.

Enter the total number of applications and patents identified for recordation. Be sure to include all applications and patents identified on the cover sheet and on additional pages.

Block 7. Total Fee Enclosed.

Enter the total fee enclosed or authorized to be charged. A fee is required for each application and patent against which the document is recorded.

Item 8. Payment Information.

Enter the deposit account number and authorized user name to authorize charges.

Item 9. Signature.

Enter the name of the person submitting the document. The submitter must sign and date the cover sheet. Enter the total number of pages including the cover sheet, attachments, and document.

This collection of information is required by 35 USC 261 and 262 and 15 USC 1057 and 1060. The information is used by the public to submit (and by the USPTO to process) patent and trademark assignment requests. After the USPTO records the information, the records for patent and trademarks, assignments, and other associated documents can be inspected by the public. To view documents recorded under secrecy orders or documents recorded due to the interest of the federal government, a written authorization must be submitted. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the form to the USPTO. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Manager of the Assignment Division, USPTO, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450.

Privacy Act Statement for Patent Assignment Recordation Form Cover Sheet

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with the above request for information. This collection of information is authorized by 35 U.S.C. 1, 2, 261 and E.O. 9424. This information will primarily be used by the USPTO for the recordation of assignments related to patents and patent applications. Submission of this information is voluntary but is required in order for the USPTO to record the requested assignment. If you do not provide the information required on the cover sheet, the assignment will not be recorded, and all documents will be returned to you.

After the information is recorded, the records and associated documents can be inspected by the public and are not confidential, except for documents that are sealed under secrecy orders or related to unpublished patent applications. Assignment records relating to unpublished patent applications are maintained in confidence in accordance with 35 U.S.C. 122. Records open to the public are searched by users for the purpose of determining ownership for other property rights with respect to patents and trademarks.

Routine uses of the information you provide may also include disclosure to appropriate Federal, state, local, or foreign agencies in support of their enforcement duties and statutory or regulatory missions, including investigating potential violations of law or contract and awarding contracts or other benefits; to a court, magistrate, or administrative tribunal in the course of presenting evidence; to members of Congress responding to requests for assistance from their constituents; to the Office of Management and Budget in connection with the review of private relief legislation; to the Department of Justice in connection with a Freedom of Information Act request; to a contractor in the performance of their duties; to the Office of Personnel Management for personnel studies; and to the General Services Administration (GSA) as part of their records management responsibilities under the authority of 44 U.S.C. 2904 and 2906. Such disclosure to GSA shall not be used to make determinations about individuals.

Doc Code: PET.PCT
Document Description: Petition for review by the PCT Legal Office

PTO/SB/64PCT (12-20)
Approved for use through 12/31/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN INTERNATIONAL (PCT) APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(a)

Page 1 of 3

Docket Number (Optional)

First named inventor: _____

International (PCT) Application No.: _____ U.S. Application No. (if known): _____

Filed: _____

Title:

Attention: International Patent Legal Administration
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact the PCT Helpdesk at (571) 272-4300.

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) and 37 CFR 1.495 were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) (as applicable). The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(c) and (h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

(1) Petition fee;
(2) Proper reply;
(3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
(4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity fee $ _____ (37 CFR 1.17(m)). Applicant asserts small entity status. See 37 CFR 1.27.

☐ Micro entity fee $ _____ (37 CFR 1.17(m)). Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ Undiscounted fee $ _____ (37 CFR 1.17(m)).

2. Proper reply

The proper reply (the missing requirement(s)) in the form of

_____ (identify the type of reply):

☐ has been filed previously on _____.

☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

☐ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d) of $ _____) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Doc Code: PET.PCT
Document Description: Petition for review by the PCT Legal Office

PTO/SB/64PCT (12-20)
Approved for use through 12/31/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN INTERNATIONAL (PCT) APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(a)

Page 2 of 3

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(a) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(a) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

Petitioner is reminded that a delay resulting from a deliberately chosen course of action on the part of the applicant does not become an "unintentional" delay within the meaning of 37 CFR 1.137 because:

- the applicant does not consider the claims to be patentable over the references relied upon in an outstanding Office action;
- the applicant does not consider the allowed or patentable claims to be of sufficient breadth or scope to justify the financial expense of obtaining a patent;
- the applicant does not consider any patent to be of sufficient value to justify the financial expense of obtaining the patent;
- the applicant does not consider any patent to be of sufficient value to maintain an interest in obtaining the patent; or
- the applicant remains interested in eventually obtaining a patent, but simply seeks to defer patent fees and patent prosecution expenses.

Petitioner is further reminded that an intentional delay resulting from a deliberate course of action chosen by the applicant is not affected by:

- the correctness of the applicant's (or applicant's representative's) decision to abandon the application or not to seek or persist in seeking revival of the application;
- the correctness or propriety of a rejection, or other objection, requirement, or decision by the Office; or
- the discovery of new information or evidence, or other change in circumstances subsequent to the abandonment or decision not to seek or persist in seeking revival.

NOTE: Where the petition under 37 CFR 1.137(a) is filed more than two years after the date the application became abandoned, the United States Patent and Trademark Office requires an additional explanation of the circumstances surrounding the delay that establishes the entire delay was unintentional. This requirement is in addition to the requirement to provide a statement that the entire delay was unintentional. See *Clarification of the Practice for Requiring Additional Information in Petitions Filed in Patent Applications and Patents Based on Unintentional Delay*, 85 FR 12222 (March 2, 2020). See MPEP 711.03(c)(II)(C)-(F) for additional guidance on the information required to establish that the entire delay was unintentional.

☐ Because this petition under 37 CFR 1.137(a) is being filed more than two years after the date the application became abandoned, additional explanation of the circumstances surrounding the delay that establishes the entire delay was unintentional is enclosed herewith.

Doc Code: PET.PCT
Document Description: Petition for review by the PCT Legal Office

PTO/SB/64PCT (12-20)
Approved for use through 12/31/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN INTERNATIONAL (PCT) APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(a)

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WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

_____ _____
Signature Date

_____ _____
Typed or Printed Name Registration Number, if applicable

_____ _____
Address Telephone Number

_____
Address

Enclosures:

- ☐ Petition fee under 37 CFR 1.17(m)
- ☐ Reply and/or fee
- ☐ Terminal Disclaimer Form
- ☐ Additional sheet(s) containing statements establishing unintentional delay
- ☐ Other (please identify): _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted to the United States Patent and Trademark Office by EFS-Web, or by facsimile to (571) 273-8300, on the date shown below.

_____ _____
Date Signature

_____
Typed or printed name of person signing certificate

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

INTELLECTUAL PROPERTY AGENCY UNDER THE MINISTRY OF JUSTICE OF THE REPUBLIC OF UZBEKISTAN

AS

DESIGNATED (OR ELECTED) OFFICE

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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:[1]	Uzbek or Russian
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: US dollar (USD) For patent: Filing fee:[1] USD 420 Claim fee for each independent claim in excess of one:[1] USD 210 Examination fee: USD 1,260 Examination fee for each independent claim in excess of one: USD 1,260 Fee for each dependent claim in excess of 10:[1] USD 84 Fee for each dependent claim in excess of 20:[1] USD 42 Maintenance fee for the first three years: USD 840 For utility model: Filing fee:[1] USD 420 Claim fee for each independent claim in excess of one:[1] USD 210
Exemptions, reductions or refunds of the national fee:	The examination fee is reduced where an international search or an international preliminary examination report has been established as follows: Examination fee: USD 1,000 Examination fee for each independent claim in excess of one: USD 840

[Continued on next page]

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

SUMMARY Designated (or elected) Office SUMMARY

UZ INTELLECTUAL PROPERTY AGENCY UNDER THE MINISTRY OF JUSTICE OF THE REPUBLIC OF UZBEKISTAN UZ

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Instrument of assignment of the priority application where the applicants are not identical[2, 3] Appointment of an agent if the applicant is not resident in Uzbekistan[4] Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any person registered to practice before the Office as patent attorney
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[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.

[4] Must be furnished within the time limit applicable under PCT Article 22 or 39(1).

COMMERCE AND INTELLECTUAL PROPERTY OFFICE (CIPO) (SAINT VINCENT AND THE GRENADINES)

AS

DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE – SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY Designated (or elected) Office SUMMARY

VC COMMERCE AND INTELLECTUAL PROPERTY OFFICE (CIPO) (SAINT VINCENT AND THE GRENADINES) VC

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:[1]	English
Required contents of the translation for entry into the national phase:[1]	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:[1]	Currency: Eastern Caribbean dollar (XCD) National processing fee: XCD 1,000 Annual fee for the fourth year: XCD 200
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2]	Appointment of an agent if the applicant is not resident in Saint Vincent and the Grenadines
Who can act as agent?	Any attorney-at-law registered to practice in Saint Vincent and the Grenadines
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[1] Must be furnished or 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 of two months from the date of receipt of the invitation.

INTELLECTUAL PROPERTY OFFICE OF VIET NAM (IP VIET NAM)

AS

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List of abbreviations:

Office: Intellectual Property Office of Viet Nam (IP Viet Nam)

GD: Government's Decree No. 103/2006/ND-CP of 22 September 2006, detailing and guiding the Implementation of a Number of Articles of the Law on Intellectual Property regarding Industrial Property (amended, supplemented by the Government's Decree No. 122/2010/ND-CP of 31 December 2010)

C: Circular No. 01/2007/TT-BKHCN of 14 February 2007, guiding the Implementation of the Decree No. 103/2006/ND-CP of 22 September 2006, detailing and guiding the Implementation of a Number of Articles of the Law on Intellectual Property regarding Industrial Property (amended, supplemented by Circulars Nos. 13/2010/TT-BKHCN of 30 July 2010, 18/2011/TT-BKHCN of 22 July 2011, 05/2013/TT-BKHCN of 20 February 2013 and 16/2016/TT-BKHCN of 30 June 2016)

SUMMARY **Designated (or elected) Office** SUMMARY

VN INTELLECTUAL PROPERTY OFFICE OF VIET NAM (IP VIET NAM) VN

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:[1]	Vietnamese
Required contents of the translation for entry into the national phase:[1]	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:[1, 2]	Currency: Vietnamese dong (VND) Filing fee: VND 150,000[3] Fee for priority claims, per priority: VND 600,000 Fee for requesting formality and substantive examination: VND 900,000 Additional fee for each sheet in excess of six: VND 40,000 Search fee: VND 600,000 Fee for publication: VND 120,000 Additional fee for each drawing in excess of one: VND 60,000 Additional fee for each sheet in excess of six: VND 10,000
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

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

[2] For patent for invention or patent for utility solution.

[3] The filing fee is reduced by 50% from 1 July 2021 until 31 December 2021. For further information, refer to the Office's Circular No. 47/2021/TT-BTC dated 24 June 2021.

SUMMARY Designated (or elected) Office SUMMARY

VN INTELLECTUAL PROPERTY OFFICE OF VIET NAM (IP VIET NAM) VN

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):[4]	Name and address of the inventor if they have not been furnished in the "Request" part of the international application[5] Instrument of assignment where the applicant is not the inventor[5] Instrument of assignment of the priority rights where the applicants are not identical[5] Appointment of an agent if the applicant is not resident in Viet Nam Translation of the international application to be furnished in two copies Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in computer readable form
Who can act as agent?	Any attorney with the right to practice before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[4] 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 which will be fixed in the invitation.

[5] This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

PCT Art. 46

VN.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).

PCT Rule 17.2(a)
C 23(6)

VN.02 **PRIORITY DOCUMENT (TRANSLATION).** The Office will require the applicant to furnish a certified translation of the priority document only in certain cases where required for examination. If not already furnished, the Office will invite the applicant to furnish that translation within a time limit which shall be fixed in the invitation.

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

GD Sec. 18(3)
C 15(1)

VN.04 **REQUEST FOR EXAMINATION.** A patent may be granted only after the substantive examination, which may be requested by the applicant or by a third party. The request must be made in writing within 42 months from the priority date in case of an application for a patent for invention or 36 months from the priority date in case of an application for a patent for utility solution. The request for examination is only effective if the fee for requesting examination has been paid. The amount of the said fee is indicated in Annex VN.I.

GD Sec. 15(3)(b)

VN.05 **REPRESENTATION.** An applicant having no habitual residence, headquarters or representative office in Viet Nam must be represented by an attorney authorized to act by the competent authority of the State. A list of registered attorneys is available upon request from the Office.

PCT Art. 28
41

VN.06 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend or correct the international application up to the grant of the patent, provided the scope of the subject matter is not broadened thereby.

VN.07 **INSTRUMENT OF ASSIGNMENT.** For details, see the model instrument in Annex VN.II. If the applicant has obtained the right to file the international application through the intermediary of one or more other persons and not directly from the inventor, the assignment deed linking the inventor and the applicant must be produced.

C 27

VN.08 **ANNUAL FEES.** After a patent has been granted, annual fees must be paid for maintaining the patent in force. The first annual fee must be paid within a time limit which shall be fixed in the notification of the grant of the patent. Payment of annual fees for each succeeding year must be made within the last six months of the previous year. If an annual fee is paid later than during this period, the patentee shall be required to pay a supplementary fee amounting to 10% of the annual fee for each month overdue. In the absence of justifiable grounds for delay, failure to pay an annual fee within six months from the last day of the period during which it is due will render the patent invalid.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

VN.09 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where, during the international phase or before the Office, the applicant has missed a time limit for performing any act in relation to the international application, such time limit may be extended by the Office upon request by the applicant and where justified.

PCT Art. 25
PCT Rule 51
GD Sec. 27

VN.10 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. Appeals concerning a decision by the Office will be considered firstly by the Director General of the Office and finally by the Minister of Science, Technology and Environment in administrative proceedings.

PCT Rule 49*bis*.1(a)
76.5
GD Sec. 9(2)(b)

VN.11 **PATENT FOR UTILITY SOLUTION.** The requirements for the national phase are basically the same as for an application for a patent for invention. A patent for utility solution has a term of 10 years from the filing date. If the applicant wishes to obtain a patent for utility solution instead of a patent for invention in Viet Nam on the basis of an international application, for international applications filed before 1 January 2004, it must have been indicated in the international application (in Box No. V of the request) when filed; for international applications filed on or after 1 January 2004, since the request form no longer provides for the furnishing of such an indication, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

GD Sec. 13

VN.12 **CONVERSION.** An international application for a patent for invention filed with the Office may, at the request of the applicant and upon payment of the prescribed fee for requesting conversion, be converted into an application for a patent for utility solution after the substantive examination of the application for a patent for invention has taken place, if the requirements for granting the patent are found not to be fulfilled and if such request for conversion is filed within three months from the date of notification of refusal of the grant of the patent for invention.

FEES

(Currency: Vietnamese dong)

Patent for invention or patent for utility solution

Filing fee	150,000[1]
Fee for formality examination	180.000
— additional fee for each sheet in excess of six	8,000
Fee for priority claims, per priority	600,000
Fee for publication	120,000
— additional fee for publication of each drawing in excess of one	60,000
— additional fee for publication of each page in excess of six	10,000
Search fee	600,000
Fee for requesting substantive examination	720,000
— additional fee for substantive examination for each sheet in excess of six	32,000
Fee for grant	660,000
— additional fee for each object in excess of one	100,000
— additional fee for each drawing in excess of one	60,000
Fee for assignment of right	280,000
Fee for appeal	550,000

Annual fees (Patent for invention):[2]	*for the 1st independent claim*	*plus*	*for each independent claim from the 2nd one*
— for the 1st and 2nd years, per year	750,000		350,000
— for the 3rd and 4th years, per year	950,000		550,000
— for the 5th and 6th years, per year	1,250,000		850,000
— for the 7th and 8th years, per year	1,650,000		1,250,000
— for the 9th and 10th years, per year	2,250,000		1,850,000
— for the 11th to the 13th year, per year	2,950,000		2,550,000
— for the 14th to the 16th year, per year	3,750,000		3,350,000
— for the 17th to the 20th year, per year	4,650,000		4,250,000
Annual fees (Patent for utility solution):[2]			
— for the 1st and 2nd years, per year	750,000		350,000
— for the 3rd and 4th years, per year	950,000		550,000
— for the 5th and 6th years, per year	1,250,000		850,000
— for the 7th and 8th years, per year	1,650,000		1,250,000
— for the 9th and 10th years, per year	2,250,000		1,850,000

[1] The filing fee is reduced by 50% from 1 July 2021 until 31 December 2021. For further information, refer to the Office's Circular No. 47/2021/TT-BTC dated 24 June 2021.

[2] These amounts are applicable from 1 July 2021 until 31 December 2021. For further information, refer to the Office's Circular No. 47/2021/TT-BTC dated 24 June 2021.

How can payment of fees be effected?

All fees must be paid to the Intellectual Property Office of Viet Nam (IP Viet Nam) in VND. Payments may also be made to "Van phong Cuc So huu tri tue", No. 3511.0.1054889.00000, Kho bac Nha nuoc quan Thanh Xuan, Hanoi, Viet Nam.

VIỆT NAM

GIẤY CHUYỂN GIAO QUYỀN NỘP ĐƠN

Tôi (chúng tôi).....
.....
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chuyển giao quyền nộp đơn sáng chế cho giải pháp:.....
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được nộp vào Việt Nam

Tôi (chúng tôi).....
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chấp nhận việc chuyển giao quyền nộp đơn nêu trên.

Chữ ký của người được chuyển giao

.....

Chữ ký của người chuyển giao

.....

Ngày

VIET NAM

INSTRUMENT OF ASSIGNMENT

I (We).....
.....
.....
.....
declare that I (we) have transferred all the rights resulting from my(our) invention under the title
.....
.....
.....
.....
.....
on which the application is filed in Viet Nam

I (We).....
.....
.....
.....
.....
declare that I(we) accept the aforesaid rights

Signature of the assignee

.....

Signature of the assignor

.....

Date

MINISTRY OF COMMERCE, INDUSTRY AND LABOUR (MCIL) (SAMOA)

AS
DESIGNATED (OR ELECTED) OFFICE

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THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Information not yet available*
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SUMMARY **Designated (or elected) Office** SUMMARY

WS MINISTRY OF COMMERCE, INDUSTRY AND LABOUR (MCIL) (SAMOA) WS

Summary of requirements for entry into the national phase

Information not yet available

COMPANIES AND INTELLECTUAL PROPERTY COMMISSION (CIPC) (SOUTH AFRICA)

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Payment and Certificate of Renewal . . . . . Annex ZA.III

List of abbreviations:

Office: Companies and Intellectual Property Commission (CIPC) (South Africa)

PA: Patents Acts 1978

Reg.: Patent Regulations 1978

SUMMARY Designated (or elected) Office SUMMARY

ZA COMPANIES AND INTELLECTUAL PROPERTY COMMISSION (CIPC) (SOUTH AFRICA) ZA

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:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, as amended only, 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:[1]	Currency: South African rand (ZAR) Filing fee: ZAR 590 First annual fee:[2] ZAR 130
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):	Appointment of an agent if the applicant is not resident in South Africa[3] Proof of assignment or transfer of rights where the applicant is not the inventor[4, 5] Proof by the applicant concerning his right to claim priority of the earlier application, if he did not apply himself for that earlier application[4, 5] Verified translation of the international application to be furnished in duplicate[4]
Who can act as agent?	Any patent attorney registered before the Office
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

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

2 The first annual fee is due within three years from the international filing date.

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 of six months.

4 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 of two months from the date of receipt of the invitation.

5 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

PA Sec. 42E(1)
Reg. 67B

ZA.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase (see Annex ZA.II).

PA Sec. 43F(3) (k)

ZA.02 **AMENDMENT OF THE APPLICATION: TIME LIMITS.** The applicant may amend or correct the claims, description and drawings in the international application at any time before the grant of the patent provided that:

— the amendment does not introduce any new matter in the disclosure of the invention; and

— the specification as amended does not include any claim which is not fairly based on matter disclosed in the specification prior to the amendments.

PA Sec. 89

ZA.03 **CONDONATION OR CORRECTION OF IRREGULARITIES IN PROCEDURE.** The Registrar or Commissioner of Patents may authorize the condonation or correction of any irregularity in procedure in any proceedings before him, provided that such condonation or correction is not detrimental to the interests of any person.

ZA.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and this chapter is outlined in Annex ZA.I.

PA Sec. 30
Reg. 8
22(1)
33

ZA.05 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney if the applicant is not resident in South Africa. If a power of attorney is not filed at the time of entry into the national phase, it may be filed within six months from the date of filing of the application. The Registrar may, upon request of the applicant, extend the time for filing the power of attorney.

Sec. 46(1)
Reg. 48(1)

ZA.06 **RENEWAL FEES.** The first renewal fee is payable before the expiry of the third year from the international filing date and thereafter, annually, till the expiry of the patent. The amounts of the renewal fees are indicated in Annex ZA.I. A special form is to be used for the payment of these fees (see Annex ZA.III). The Office does not issue a reminder to the applicant for the payment of the renewal fees.

FEES

(Currency: South African rand)

National fee:	
— application accompanied by a complete specification (Section 30(1))	590
Fee for late claiming of priority, per month or part thereof (Section 31(1)(i))	50
Application to the Registrar:	
— to claim priority (Section 30(7))	50
— to amend or to lodge a fresh application (Section 37)	50
— for correction of clerical errors and amendment of documents (Section 50)	90
Fee for late filing of documents (Sections 30(6) and 32)	50
Renewal fees (Section 46(1)):	
— before expiration of the 3rd year	130
— before expiration of the 4th year	130
— before expiration of the 5th year	130
— before expiration of the 6th year	85
— before expiration of the 7th year	85
— before expiration of the 8th year	100
— before expiration of the 9th year	100
— before expiration of the 10th year	120
— before expiration of the 11th year	120
— before expiration of the 12th year	145
— before expiration of the 13th year	145
— before expiration of the 14th year	164
— before expiration of the 15th year	164
— before expiration of the 16th year	181
— before expiration of the 17th year	181
— before expiration of the 18th year	206
— before expiration of the 19th year	206
Extension fee for payment of renewal fees (Section 46(2)	90
— thereafter for each month or part thereof (not exceeding five months)	50
Application to restore lapsed patent (Section 47(1))	286
Application to amend a provisional specification (Section 51(1))	70
Application to amend a complete specification:	
— before it is open to public inspection (Section 51(1))	70
— after it is open to public inspection (Section 51(1))	242
Fee for opposition in proceedings before the Registrar	90
Fee for inspection of any file, document or register	4

How can payment of fees be effected?

The payment of fees should be effected in South African rand using the Office's customer account. All payments must indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and the type of fee being paid, as well as the CIPC customer code.

For further details on how to create an account, please see:
www.cipc.co.za/index.php/register-your-business/banking-details/

REPUBLIC OF SOUTH AFRICA
PATENTS ACT, 1978

ENTRY OF INTERNATIONAL APPLICATION UNDER THE PATENT COOPERATION TREATY INTO SOUTH AFRICAN NATIONAL PHASE AND ACKNOWLEDGMENT OF RECEIPT

(Section 42E(1) - Regulation 67B)

(See notes overleaf)

The processing under the Patents Act, 1978 of the undermentioned international application designating South Africa is hereby requested on the basis of this form filed in duplicate

(ii)

Official Application No.		
21	01	

(iii)

Applicant's or Agent's Reference

International Application No.	International filling Date	Priority Date
PCT/ /		

(iv)

71	Full Name(s) of Applicant(s)	
(v)		
Address(es) of Applicant(s)		

54	Title of invention

The applicant has claimed priority (if any) as set out in the abovementioned international application

(Vi)

'This application is for a patent of addition to patent application No.

21	01	

(Vii)

The abovementioned international application was filed in English or has been published under the Patent Cooperation Treaty in English

(Viii)

This application is accompanied by:

	1.	Translation of the international application
	2.	Certified priority document(s) (state number) (ix)
	3	Translation(s) of the priority document(s)
	4.	A copy of the Form P2 (particulars for the register)
	5.	A declaration and power of attorney on Form P3
	6.	

21	01	

74	Address of Service:

Dated this ..... day of.....

RECEIVED
Official Date Stamp
..... Registrar of Patents

..... Signature of Applicant(s)

The duplicate will be returned to the applicant's address for service as proof of lodging but is not valid unless endorsed with official stamp.

NOTES: (refer to Form P25)

(i) Use of this form is recommended but is not mandatory for an international application to enter the national phase in South Africa. For the mandatory steps to be taken, see section 43E(1) of the Patents Act.

(ii) For official use only.

(iii) The reference should be given, if available.

(iv) Furnish the applicant's name in full.

(v) Where possible, the street address of a natural person and the street address of the principal place of business of a corporation should be given.

(vi) Delete if not applicable.

(vii) Delete if not applicable. If the international application was not filed in English or published under the Patent Cooperation Treaty in English, a translation must be filed.

(viii) Mark with a cross in the appropriate check-box(es). If a specified document is required but does not accompany this form, the applicant will be requested to furnish it.

(ix) A copy of the priority document need not be furnished if the applicant has complied with the requirements of Rule 17.1 of the Regulations under the Patent Cooperation Treaty.

FORM P10
(Lodge in duplicate)

REPUBLIC OF SOUTH AFRICA
PATENTS ACT, 1978

PAYMENT & CERTIFICATE OF RENEWAL

(Section 46 - Regulation 48)

			Revenue Stamps or Revenue Franking Machine impression (See note below)	
			Official date stamp **CUSTOMER CODE:**	
Official Application:			Renewal Date:	Reference:
21	01			
Full Name(s) of Patentee:				
Address For Service:				
E-mail				

forward herewith the under mentioned amounts marked X.

☐ 1. The amount of R_____ in respect of a renewal fee is hereby paid to keep the above patent in force for another period of _____ year(s) with effect from abovementioned renewal date.

☐ 2. The amount of R_____ is hereby paid and you are requested to grant an extension of _____ month(s) for the payment of the renewal fee.

☐ 3. The amount of R_____ in respect of outstanding annual fees after restoration Patent.

Dates this _____ day of _____ 20____

Signature: _____

FOR OFFICIAL USE:

☐ **Receipt of the above amount(s) is hereby acknowledged and by virtue of such payment the rights of the patentee(s) remain in force**

Receipt No

☐ **The request for extension of time is hereby granted / refused**

NOTE: Fee payable in terms of Schedule 1 to the Regulations

Official Stamp
Registrar of Patents

PATENTS AND COMPANIES REGISTRATION AGENCY (PACRA) (ZAMBIA)

AS

DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY . . . . . *Included*

THE PROCEDURE IN THE NATIONAL PHASE . . . . . *Information not yet available*

SUMMARY **Designated (or elected) Office** SUMMARY

ZM PATENTS AND COMPANIES REGISTRATION AGENCY (PACRA) (ZAMBIA) ZM

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as amended and as originally filed, 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 amended by the annexes to the international preliminary examination report and as originally filed)
Is a copy of the international application required?	No
National fee:[1]	Currency: US dollar (USD) For patent: National processing fee: USD 115 First annual fee:[2] USD 50 For patent of addition: National processing fee: USD 115
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

[1] Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
[2] The first annual fee is due within four years from the international filing date.

SUMMARY **Designated (or elected) Office** SUMMARY

ZM PATENTS AND COMPANIES REGISTRATION AGENCY (PACRA) (ZAMBIA) ZM

[Continued]

Special requirements of the Office (PCT Rule 51*bis*):	Appointment of an agent if the applicant is not resident in Zambia[3] An instrument appointing the agent (authorization or power of attorney) is required[3] Translation of the international application to be furnished in three copies[3] Name and address of the inventor if they have not been furnished in the "Request" part of the international application[3, 4] Evidence of entitlement to file where the applicant is not the inventor[4, 5] Evidence of entitlement to claim priority where the applicant is not the applicant who filed the earlier application[3, 4] Document evidencing a change of name or person of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)[5]
Who can act as agent?	Any attorney or lawyer practicing in Zambia
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[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 three months from the date of the invitation.

[4] The requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

[5] If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office with invite the applicant to comply with the requirement within two months from the date of the invitation.

ZIMBABWE INTELLECTUAL PROPERTY OFFICE

AS
DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . . Annex ZW.I

List of abbreviations:

Office: Zimbabwe Intellectual Property Office

ZPL: Zimbabwe Patents Act

ZPR: Zimbabwe Patents Regulations

SUMMARY Designated (or elected) Office SUMMARY

ZW ZIMBABWE INTELLECTUAL PROPERTY OFFICE ZW

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	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?	Yes
National fee: [1]	Currency: Zimbabwe dollar (ZWD) Filing fee: ZWD 6,000
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2, 3]	Address for service in Zimbabwe (no representation by an agent is required but, if an agent is appointed, a power of attorney must be furnished) Instrument of assignment of the international application if the applicant has changed after the international filing date and the change has not been reflected in the international publication or in a notification from the International Bureau (Form PCT/IB/306) Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in the international publication or in a notification from the International Bureau (Form PCT/IB/306) Verified translation of the international application to be furnished in duplicate Verified translation of the priority document[4]
Who can act as agent?	An attorney, legal practitioner or patent agent. A list of registered agents may be obtained from the Office.
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

[1] Must be furnished or 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] The list of special requirements is still subject to confirmation by the Office.

[4] If the validity of the priority claim is relevant to the determination of whether the invention concerned is patentable.

THE PROCEDURE IN THE NATIONAL PHASE

ZPL Art. 54(1)(a)

ZW.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).

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

PCT Art. 28, 41
ZPL Art. 37

ZW.03 **AMENDMENT OF THE APPLICATION.** The applicant may amend or correct the international application at any time up to the acceptance of the complete specification, provided that the scope of the subject matter of the application is not broadened thereby, and that the request is made in writing, states the nature of the amendment and the reasons for the amendment. The request should be accompanied by the prescribed fee (see Annex ZW.I). Requests for amendment of an accepted specification and its nature and reasons therefor must be published by the applicant in the *Patent and Trade Marks Journal*, and any person may notify the Registrar of opposition to the amendment within three months of that publication.

ZPL Art. 54
ZPR Art. 74-75

ZW.04 The Registrar may also authorize the correction of any clerical error or omission or error in translation in any patent application or other document, amendment of any documents not otherwise provided for in the Patents Act or correction of any procedural irregularity relating to proceedings before the Registrar. Such corrections may be made upon request in writing accompanied by the prescribed fee (see Annex ZW.I) or without such a request.

ZPL Art. 16
ZPR Art. 24

ZW.05 **PUBLICATION.** The applicant must publish a notice in the *Patent and Trade Marks Journal* upon acceptance of the complete specification by the Registrar, and the application form, specification and other documents are open to public inspection as of the date of publication of that notice.

ZPL Art. 27
ZPR Art. 37

ZW.06 **RENEWAL FEES.** After a patent has been granted, renewal fees must be paid for maintaining the patent in force. The first renewal fee is payable for the third year following the international filing date. Payment of the annual fees for subsequent years must be made before the anniversary of the international filing date. The Registrar may, upon the request of the applicant and subject to the payment of an additional fee, extend the time for payment of the renewal fee for a period not exceeding six months. The amounts of the renewal fees are indicated in Annex ZW.I. No renewal fees are payable for the renewal of a patent of addition.

PCT Art. 24(2), 48(2)
PCT Rule 82*bis*
ZPL Art. 28

ZW.07 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Owners of patents which have lapsed due to failure to pay any renewal fee within the prescribed time limit may, within three years from the date on which the patent lapsed, apply in the prescribed manner to the Registrar for restoration of the lapsed patent. The request for restoration must contain a verified statement setting out the circumstances which led to the failure to pay the renewal fee. The Registrar may require the submission of additional evidence or may permit the applicant to have a hearing. Where the Registrar is satisfied that the failure to pay the renewal fee was unintentional and there was no undue delay in making the request for restoration, the request for restoration may be granted upon payment of the unpaid renewal fee and such additional fee as may be prescribed (see Annex ZW.I), and after providing for opposition to the request.

PCT Art. 25
PCT Rule 51
ZPL Art. 69-71, 76

ZW.08 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. Where so provided in the Patents Act, applicants may appeal from decisions of the Registrar to the Patents Tribunal within three months after the date of the decision by the Registrar, or within such further time as the Patents Tribunal may allow.

ZPL Art. 74
76

ZW.09 **APPEALS.** Any order or decision of the Patents Tribunal may be appealed to the Supreme Court within three months after the date of the decision by the Tribunal, or within such further time as the Patents Tribunal may allow.

PCT Rule 49*bis*.1(c)
76.5
ZPL Art. 26

ZW.10 **PATENT OF ADDITION.** Any desire of the applicant to obtain, in Zimbabwe, on the basis of an international application, a patent of addition instead of a patent must have been indicated, for international applications filed before 1 January 2004, in the international application (in Box No. V of the request) when filed; for international applications filed on or after 1 January 2004, since the request form no longer provides for the furnishing of such an indication, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

FEES

(Currency: Zimbabwe dollar)

Filing fee	6,000
Publication fee	1,000
Fee for amendment of the specification:	
— before sealing	1,000
— after sealing	2,000
Fee for correction	500
Renewal fees:	
— for the 4th to the 10th year, counted from the international filing date, per year	2,000
— for the 11th to the 15th year, counted from the international filing date, per year	3,000
— for the 16th to the 20th year, counted from the international filing date, per year	4,000
Fee for extension of time limit to pay renewal fees, per month (not exceeding six months)	1,000
Fee for restoration of lapsed patent	5,000

How can payment of fees be effected?

(i) All fees must be paid to the Office.

(ii) The national fees may be paid by money order, check, bank draft or in cash. All payments should include the complete application number, the name of the applicant and the type of fee being paid.