

B1**Information on Contracting States****B1****IT****ITALY****IT****General information**

Name of Office:	Ufficio Italiano Brevetti e Marchi Italian Patent and Trademark Office
Location and mailing address:	19, via Molise, 00187 Roma, Italy
Telephone:	(39-06) 4705-5800
Facsimile machine:	(39-06) 4705-5632
E-mail:	uibm.pct@mise.gov.it
Internet:	www.uibm.gov.it
Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	Yes, by facsimile machine
Which kinds of documents may be so transmitted?	All kinds of documents except the international application
Must the original of the document be furnished in all cases?	Yes, within 14 days from the date of the transmission
Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)?	Yes
Is the Office prepared to allow applicants to make applications available to the WIPO Digital Access Service for Priority Documents (DAS) (PCT Rule 17.1(b-bis))?	Yes, the Office is prepared to allow applicants to make international and national applications available to the WIPO DAS ¹
Competent receiving Office for nationals and residents of Italy:	Italian Patent and Trademark Office, European Patent Office (EPO) or International Bureau of WIPO, at the choice of the applicant (see Annex C)
Does national legislation ² restrict the filing of international applications with the European Patent Office (EPO) or the International Bureau of WIPO?	Yes, filing restrictions apply to: Applications by residents ³

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¹ For applications filed with the Office on or after 1 October 2018.

² Legislative Decree No. 30 of 10 February 2005, Article 198(1).

³ Unless the international application claims the priority of a national application filed in Italy more than 90 days previously and such application has not been made subject of the official secrets regulation.

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Competent designated (or elected) Office if Italy is designated (or elected):	National protection: ⁴	Italian Patent and Trademark Office (see National Phase)
	European patent:	European Patent Office (EPO) (see National Phase)

May Italy be elected?	Yes (bound by Chapter II of the PCT)
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Types of protection available via the PCT:	National: ⁴	Patents, utility models (a utility model may be sought instead of a national patent)
	European:	Patents

Provisions of the law of Italy concerning international-type search:	None
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Provisional protection after international publication:	Where the designation is made for the purposes of a national patent: An international application designating Italy which has been published under PCT Article 21 confers provisional protection, as provided for in Article 55 c.1- <i>bis</i> of the Italian Industrial Property Code, as from the date on which the owner of the application made available to the public, through the Italian Patent and Trademark Office, a translation of the application into Italian language, or from the date on which the owner of the application notified the alleged infringer directly of the translation.	
	Where the designation is made for the purposes of a European patent:	
	After publication by the EPO of the international application in a translation into one of its official languages furnished to it, the applicant may, as from the date on which a translation into Italian of the claims is made available to the public or communicated to the user, obtain damages and possibly the description and seizure of the articles infringing the patent and anything used in the making thereof.	

Information of interest if Italy is designated (or elected)

For national protection

Time when the name and address of the inventor must be given if Italy is designated (or elected):	May be in the request or may be furnished later. If the data concerning the inventor are missing at the expiration of the time limit 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.
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Are there special provisions concerning the deposit of microorganisms and other biological material?	Yes (see Annex L)
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For a European patent – See European Patent Organisation (EP) in Annex B2

⁴ For international applications filed on or after 1 July 2020.
(1 October 2020)