

GENERAL DIRECTORATE OF INDUSTRIAL PROPERTY (DGIP) (ALBANIA)

AS
DESIGNATED (OR ELECTED) OFFICE

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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 <i>bis</i>): 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 <i>ter</i> .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 51bis1(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 2 nd year	5,000
— for the 3 rd year	6,000
— for the 4 th year	8,000
— for the 5 th year	10,000
— for the 6 th year	12,000
— for the 7 th year	14,000
— for the 8 th year	18,000
— for the 9 th year	20,000
— for the 10 th year	25,000
— for the 11 th year	27,000
— for the 12 th year	30,000
— for the 13 th year	35,000
— for the 14 th year	40,000
— for the 15 th year	45,000
— for the 16 th year	50,000
— for the 17 th year	55,000
— for the 18 th year	60,000
— for the 19 th year	65,000
— for the 20 th 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 KEKESË TE VETME
PATENTE, DISENJO INDUSTRIALE MARKE
TREGËTARE**

PROKURE

Une inëshkruari Z. _____, [insert
title of representation]

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 tjetër që të jete e nevojshme
per pranimin dhe për njohjen e të drejtave dhe
interesave që rrjedhin nga kjo, në lidhje me
Drejtorinë e Përgjithshme të Pronësisë
Industriale të Shqipërisë si dhe zyra të tjera
kompetente të tilla si dhe të përcaktojnë shpikësit,
të depozitojnë dokumentat, të vertetojnë
perkthimin e paraqitur si të njëjta me tekstin
origjinal, të paguajnë taksat, të përgjigjen
veprimeve zyrtare të kërkojnë certifikata ose
kopje të vertetuara të kërkojnë rimbursime dhe të
mbledhë tarifa të rimbursueshme, të modifikojë
ose tërheqë kërkesa dhe dokumenta, të marrë
njoftime, patenta dhe certifikata të të leshuara
dhe dokumenta që lidhen me to, të apelojë në
Bordin e Apelit duke paraqitur dhe
dokumentat që e mbështesin.

Per kete qellim, une/ne te neshkruarit, zgjedhim
të njëjtën rezidencë me perfaqesuesin e
lartpërmendur tek e cila une/ne, kërkojmë që
Drejtoria e Përgjithshme e Pronësisë Industriale
të Shqipërisë dhe zyra të tjera kompetente të
adresojnë direkt të gjitha komunikimet si dhe të
gjitha kërkesat, e dërgesat e dokumentave që
mund të jete nevojshme

Nëshkrimi

Data.....

Vula ose vertetimi nga noteri

**ALBANIA FOR A SINGLE PATENT,
INDUSTRIAL DESIGN, TRADEMARK
APPLICATION**

POWER OF ATTORNEY

I, the undersigned Mr. _____s, [insert
title of representation]

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 and user

[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 support thereof.

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