

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 Angola³
An instrument appointing the agent (authorization or power of attorney) is required³
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 1 st anniversary | 3,784 |
| – for the 2 nd anniversary | 4,050 |
| – for the 3 rd anniversary | 4,400 |
| – for the 4 th anniversary | 5,016 |
| – for the 5 th anniversary | 5,368 |
| – for the 6 th anniversary | 5,632 |
| – for the 7 th anniversary | 6,248 |
| – for the 8 th anniversary | 6,600 |
| – for the 9 th anniversary | 6,952 |
| – for the 10 th anniversary. | 7,568 |
| – for the 11 th anniversary. | 7,832 |
| – for the 12 th anniversary. | 8,184 |
| – for the 13 th anniversary. | 8,448 |
| – for the 14 th anniversary. | 9,064 |
| – for the 15 th 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 1 st to the 5 th anniversary, per year | 2,816 |
| – from the 6 th to the 10 th anniversary, per year | 3,520 |
| – from the 11 th to the 15 th 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.