

PATENT OFFICE OF THE REPUBLIC OF BULGARIA

(PATENTNO VEDOMSTVO NA REPUBLICA BULGARIA)

AS

DESIGNATED (OR ELECTED) OFFICE

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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**

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| 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 51bis): 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 registered to practice before the Office

Does the Office accept requests for
restoration of the right of priority
(PCT Rule 49ter.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. 46b **BG.08 REQUEST FOR SEARCH AND EXAMINATION.** Substantive examination is carried out only upon request. Entering the national phase the applicant must file a search and examination request and pay a search and examination fee, as well as a publication fee. The Office invites the applicant to pay the fees within three months from the filing day. The fees for search and examination must be computed on the basis of the number of inventions valid at the beginning of the national phase. 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. 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.09 PUBLICATION.** The application is published in Bulgarian after formal examination if the requirements under Article 46 are fulfilled.
- BGL Art. 69(4) **BG.10 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.11 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.12 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.13 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.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, 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.15 EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.
- BG.16 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 but not later than one year from the expiration of the time limit which has not been observed. 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.17 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 49bis.1
(a), (b)
76.5
BGL Art. 73 to 75,
75b and d **BG.18 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.19 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 1 st to 3 rd year, per year | 50 |
| — for the 4 th year | 40 |
| — for the 5 th year | 140 |
| — for the 6 th year | 180 |
| — for the 7 th year | 220 |
| — for the 8 th year | 270 |
| — for the 9 th year | 380 |
| — for the 10 th year | 500 |
| — for the 11 th year | 600 |
| — for the 12 th year | 700 |
| — for the 13 th year | 800 |
| — for the 14 th year | 900 |
| — for the 15 th year | 1,000 |
| — for the 16 th year | 1,100 |
| — for the 17 th year | 1,200 |
| — for the 18 th year | 1,300 |
| — for the 19 th year | 1,500 |
| — for the 20 th year | 1,700 |
| Renewal fee: | 450 |

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.

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 |
| Annual fees: | |
| — for the 1 st to 3 rd year, per year | 10 |
| — for the 4 th year | 30 |
| — for the 5 th year | 60 |
| — for the 6 th year | 110 |
| — for the 7 th year | 150 |
| — for the 8 th year | 220 |
| — for the 9 th year | 300 |
| — for the 10 th 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 |  <p>ПАТЕНТНО ВЕДОМСТВО НА РЕПУБЛИКА БЪЛГАРИЯ</p> <p>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</p> |
|------------------------------------|---|

| | |
|---|---|
| <h2>ДЕКЛАРАЦИЯ</h2> | |
| <h3>ЗА ДЕЙСТВИТЕЛНИЯ/ТЕ ИЗОБРЕТАТЕЛИ</h3> | |
| 1. Заявка за: | патент за <input type="checkbox"/> изобретение регистрация на <input type="checkbox"/> 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: <input type="checkbox"/> на правно основание (Договор за прехвърляне на права, продажба и др.) <input type="checkbox"/> служебно изобретение/служебен полезен модел по чл.15 от ЗППМ <input type="checkbox"/> 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) | |
| <i>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.</i> | |

| 6. Изобретатели: | |
|---|---|
| Име, презиме и фамилия: Адрес: | Държава: (по гражданство/ постоянен адрес) Код на страната: <input type="text"/> Телефон: е - поща: |
| Име, презиме и фамилия: Адрес: | Държава: (по гражданство/ постоянен адрес) Код на страната: <input type="text"/> Телефон: е - поща: |
| Име, презиме и фамилия: Адрес: | Държава: (по гражданство/ постоянен адрес) Код на страната: <input type="text"/> Телефон: е - поща: |
| Име, презиме и фамилия: Адрес: | Държава: (по гражданство/ постоянен адрес/ седалище) Код на страната: <input type="text"/> Телефон: е - поща: |
| <input type="checkbox"/> 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 законното 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