

# STATE INTELLECTUAL PROPERTY OFFICE (CROATIA) AS DESIGNATED (OR ELECTED) OFFICE

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**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 HR  
(CROATIA)****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: <sup>1</sup>	Croatian
Required contents of the translation for entry into the national phase: <sup>1</sup>	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? <sup>2</sup>	No
National fee: <sup>1</sup>	Currency: Croatian kuna (HRK) <i>Patent</i> <i>Utility model</i> 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 <sup>2</sup>
Special requirements of the Office (PCT Rule 51bis): <sup>3</sup>	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]

<sup>1</sup> Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).<sup>2</sup> Refer to [http://www.dziv.hr/files/file/obrasci/patent/Tehnicke\\_specifikacije\\_prijava\\_patenta.pdf](http://www.dziv.hr/files/file/obrasci/patent/Tehnicke_specifikacije_prijava_patenta.pdf)<sup>3</sup> 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 HR  
(CROATIA)***[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,<sup>4</sup>
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,<sup>4</sup>
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.<sup>4</sup>

Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?

Yes, the Office applies the “due care” criterion to such requests

<sup>4</sup> A list of patent representatives is available on the website of the Office at: [www.dziv.hr/en/representation-before-sipo/patent-representatives/](http://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<sup>ter</sup>  
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  
82bis
- 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)**

	<i>Patent</i>	<i>Utility model</i>
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 3 <sup>rd</sup> year . . . . .	260	260
— for the 4 <sup>th</sup> year . . . . .	320	320
— for the 5 <sup>th</sup> year . . . . .	440	440
— for the 6 <sup>th</sup> year . . . . .	560	560
— for the 7 <sup>th</sup> year . . . . .	640	640
— for the 8 <sup>th</sup> year . . . . .	820	820
— for the 9 <sup>th</sup> year . . . . .	940	940
— for the 10 <sup>th</sup> year . . . . .	1,200	1,200
— for the 11 <sup>th</sup> year . . . . .	1,500	
— for the 12 <sup>th</sup> year . . . . .	1,800	
— for the 13 <sup>th</sup> year . . . . .	2,100	
— for the 14 <sup>th</sup> year . . . . .	2,300	
— for the 15 <sup>th</sup> year . . . . .	2,600	
— for the 16 <sup>th</sup> year . . . . .	3,000	
— for the 17 <sup>th</sup> year . . . . .	3,500	
— for the 18 <sup>th</sup> year . . . . .	4,600	
— for the 19 <sup>th</sup> year . . . . .	5,800	
— for the 20 <sup>th</sup> 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.

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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

<b>1</b>	<b>BROJ PRIJAVE</b>	<b>3</b>	Datum primitka, klasifikacijska oznaka i ur. broj:
<b>2</b>	<b>DATUM PODNOŠENJA PRIJAVE</b>		

**OVOM PRIJAVOM SE ZAHTJEVA PRIZNANJE PATENTA**

<b>4</b>	<b>NAZIV IZUMA</b>

**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



**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 podnosioca kao:

<b>12 OPUNOMOĆENIK</b>	<input type="checkbox"/>	<b>OSOBA ZA PRIMANJE PISMENA</b>	<input type="checkbox"/>
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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

<b>13</b>	<b>KONTROLNA LISTA</b>
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<b>Prijava sadržava:</b>		<b>Broj stranica</b>
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:	
<b>Ukupan broj stranica:</b>		
7.	Broj patentnih zahtjeva:	
8.	Broj crteža:	

<b>Prilozi uz prijavu:</b>		<b>Označiti</b>
1.	Punomoć: - posebna - opća punomoć upisana u registar općih punomoći	<input type="checkbox"/> <input type="checkbox"/>
2.	Ovjereni prijepis prve prijave	<input type="checkbox"/>
3.	Izjava o zajedničkom predstavniku	<input type="checkbox"/>
4.	Izjava izumitelja da ne želi biti naveden u prijavi	<input type="checkbox"/>
5.	Potvrda o izlaganju na međunarodnoj izložbi	<input type="checkbox"/>
6.	Dokaz o pohranjenom uzorku živog biološkog materijala	<input type="checkbox"/>
7.	Istovjetan tekst prijave u elektroničkom obliku	<input type="checkbox"/>
8.	Popis nukleotidnih i/ili aminokiselinskih odsječaka u elektronički čitljivom obliku	<input type="checkbox"/>
9.	Dokaz o uplaćenju: - pristojbi - troškovima postupka	<input type="checkbox"/> <input type="checkbox"/>
10.	Zahtjev za oslobođenje od plaćanja, odnosno dokaz o njegovoj osnovanosti	<input type="checkbox"/>
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

<b>Potpis podnosioca prijave odnosno potpis opunomoćenika</b>	<b>Potpis i pečat Državnog zavoda za intelektualno vlasništvo</b>

## ZAHTEJEV ZA PRIZNANJE PATENTA

<b>BROJ PRIJAVE</b>
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## PODACI O OSTALIM PODNOSITELJIMA PRIJAVE

<b>PODNOŠITELJ PRIJAVE</b>
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Osobni identifikacijski broj (OIB)	
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Ime i prezime ili naziv pravne osobe	
--------------------------------------	--

Ulica i broj	
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Poštanski broj i mjesto	
-------------------------	--

Država prebivališta/sjedišta	
------------------------------	--

Telefon	
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E-pošta	
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<b>PODNOŠITELJ PRIJAVE</b>
----------------------------

Osobni identifikacijski broj (OIB)	
------------------------------------	--

Ime i prezime ili naziv pravne osobe	
--------------------------------------	--

Ulica i broj	
--------------	--

Poštanski broj i mjesto	
-------------------------	--

Država prebivališta/sjedišta	
------------------------------	--

Telefon	
---------	--

E-pošta	
---------	--

<b>PODNOŠITELJ PRIJAVE</b>
----------------------------

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

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10000 ZAGREB

Obrazac P-2, stranica 1

**ZAHTJEV ZA UPIS PROMJENE U REGISTAR**  
(Čitko popuniti)

Rubriku 1 popunjava Zavod

<b>1</b>	Datum primitka, klasifikacijska oznaka i ur. broj:
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**OVIME SE ZAHTIJEVA UPIS:**

- |   |   |
|---|---|
| <input type="checkbox"/> PRIJENOSA PRAVA                  | <input type="checkbox"/> PROMJENE IMENA                     |
| <input type="checkbox"/> LICENCIJE                        | <input type="checkbox"/> PROMJENE ADRESE                    |
| <input type="checkbox"/> ZALOGA ILI DRUGOG STVARNOG PRAVA | <input type="checkbox"/> STEČAJA ILI PREDSTEČAJNOG POSTUPKA |
| <input type="checkbox"/> OSTALO: _____                    |   |

**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 \_\_\_\_\_

<b>5 OPUNOMOĆENIK</b>		
Osobni identifikacijski broj (OIB)	<input type="text"/>	
Ime i prezime ili naziv pravne osobe	<input type="text"/>	
Ulica i broj	<input type="text"/>	
Poštanski broj i mjesto		
Država prebivališta/sjedišta		
Telefon <input type="text"/>	E-pošta <input type="text"/>	
<b>6 PODATAK PRIJE PROMJENE</b>		
<input type="text"/>		
<b>7 PODATAK KOJI SE UPISUJE U REGISTAR</b>		
<input type="text"/>		
<b>8 PODATAK O LICENCIJI</b>		
LICENCIJA JE:	<input type="checkbox"/> ISKLJUČIVA <input type="checkbox"/> NEISKLJUČIVA	
Datum licencije: _____	Vrijeme trajanja: _____	
<b>10 PRILOZI UZ ZAHTJEV</b>		
1.	<i>Prinjerak dokaza o pravnom temelju upisa promjene</i>	<input type="checkbox"/>
2.	<i>Punomoć: - posebna</i>	<input type="checkbox"/>
	<i>- opća punomoć upisana u registar općih punomoći</i>	<input type="checkbox"/>
3.	<i>Dokaz o uplaćenju: - pristojbi</i>	<input type="checkbox"/>
	<i>- troškovima postupka</i>	<input type="checkbox"/>
4.	<i>Ostalo (navesti):</i>	
<i>Potpis podnosioca zahtjeva odnosno potpis opunomoćenika</i>		<i>Potpis i pečat Državnog zavoda za intelektualno vlasništvo</i>
<input type="text"/>		<input type="text"/>