

# ISRAEL PATENT OFFICE

## AS

### DESIGNATED (OR ELECTED) OFFICE

## CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees .....	Annex IL.I
Form for entry into the national phase .....	Annex IL.II

### List of abbreviations:

Office: Israel Patent Office

PL: Patents Law (5727-1967), as amended

PR: Patents Regulations (Office Practice, Rules of Procedure, Documents and Fees) (5728-1968), as amended

**SUMMARY****Designated  
(or elected) Office****SUMMARY****IL****ISRAEL PATENT OFFICE****IL****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: <sup>1</sup>	English
Required contents of the translation for entry into the national phase: <sup>1</sup>	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 Under PCT Article 39(1): Description, claims, any text matter of drawings (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?	Yes
National fee:	Currency: New Israeli sheqel (ILS) Filing fee: ILS 2,047 <sup>2</sup>
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51 <i>bis</i> ): <sup>3</sup>	Document evidencing a change of name of applicant if the change occurred after the international filing date <sup>4</sup> Document of assignment or transfer if the applicant has changed after the international filing date <sup>4</sup> Address for notification in Israel if the applicant is not resident in Israel
Who can act as agent?	Any member of the Israel Bar Association or patent attorney registered and holding a current license to practice in Israel
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

<sup>1</sup> Where the translation of the application as filed or the translation of the application as amended is not furnished within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to furnish the missing translation within a time limit of three months fixed in the invitation.

<sup>2</sup> A 40% reduction in the fee will be applicable for applications first filed in Israel for an individual applicant or for a corporate entity with a turnover of less than ILS 10 million in the last calendar year.

<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 three months fixed in the invitation.

<sup>4</sup> If the change is recorded by the International Bureau, and the Office is able to verify it by consulting the International Bureau's electronic records, no further document is required.

## THE PROCEDURE IN THE NATIONAL PHASE

**IL.01 FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase (see Annex IL.II). This form should preferably (but need not) be used.

**IL.02 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).

**IL.03 FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex IL.I.

PL Sec. 39 **IL.04 MENTION OF INVENTOR.** The name of the inventor is mentioned in the Patent Register and in the publication of the patent only upon express request. The naming of the inventor in the “Request” part of the international application is not considered as a request to mention the name of the inventor. The request may be made by mention of the inventor on the national phase form.

PL Sec. 56-57 **IL.05 RENEWAL FEES.** After examination and publication in the Patents and Designs Journal of the examined application, renewal fees must be paid to the Office. The first renewal fee is due within three months from the date of grant of the patent. The second renewal fee falls due six years from the international filing date (sixth anniversary fee); thereafter, renewal fees become due on the 10th, 14th and 18th anniversaries of the international filing date. A renewal fee for the entire duration of the patent may be paid before the expiration of three months from the date of grant of the patent. The amounts of the fees are indicated in Annex IL.I.

PCT Art. 28  
41  
PL Sec. 22  
65 **IL.06 AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make the following modifications to his application before the Office:

(i) up to the time when the Office decides to publish the examined application: additions to, and correction of, any part of the application; if the scope of the subject matter of the application is broadened thereby, post-dating of the additions may be required;

(ii) after the Office has decided to publish the examined application: only restriction or withdrawal of claims or amendments absolutely necessary for the elimination of obscurities in the application. For the amount of the fee for amending the application, see Annex IL.I.

PL Sec. 164  
PR Reg. 5 **IL.07 EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. The time limits under PCT Articles 22 and 39(1) are extendible only in case of interruptions in the mail service or unavoidable loss or delay in the mail. Substantial proof is required.

PL Sec. 10  
164 **IL.08 RESTORATION OF THE RIGHT OF PRIORITY.** Where the receiving Office has either refused a request for the restoration of the right of priority, under PCT Rule 26*bis*.3, or where no such request has been made, the applicant may file a request for the restoration of the right of priority with the Israel Patent Office under PCT Rule 49*ter*.2 and the Israeli Patents Law, Sections 164 and 10.

The criterion for restoration is “due care” which in accordance with Section 164 is considered to have been met if the applicant can show that he has undertaken “reasonable means to ensure that the international application was submitted on time”. The request for restoration should be presented in writing and should state the reasons for the failure to file the international application within the priority period.

Preferably, the request for restoration should also be accompanied by an *affidavit* signed before a person authorized for this purpose (attorney, notary). The *affidavit* must be made by a person knowing personally the stated facts and must show adequate reasons for the failure to file the international application within the priority period.

**FEES<sup>1</sup>****(Currency: New Israeli sheqel)**

Filing fee . . . . .	2,047
Claim fee for the 51 <sup>st</sup> and each subsequent claim . . . . .	525
Application size fee for each additional 50 sheets that exceed 100 sheets . . . . .	256
Filing a request for an extension of time, for each month of extension or part thereof . . . . .	205
Filing a request to amend a specification . . . . .	716
Renewal fees:	
— before the expiry of three months from the date of grant of the patent:	
(a) for the whole period of validity of the patent . . . . .	12,280
(b) for the period of six years from the international filing date (due three months after grant) . . . . .	819
— before the expiry of the 6 <sup>th</sup> year from the international filing date, for the following four years . . . . .	1,637
— before the expiry of the 10 <sup>th</sup> year from the international filing date, for the following four years . . . . .	2,456
— before the expiry of the 14 <sup>th</sup> year from the international filing date, for the following four years . . . . .	4,093
— before the expiry of the 18 <sup>th</sup> year from the international filing date, for the following two years . . . . .	5,731
Fee for restoration of the right of priority . . . . .	None

**How can payment of fees be effected?**

Fees may be paid:

- 1) by deposit at any branch of the Israeli Postal Bank, in New Israeli sheqels, into the Office post office account (No. 0-24145-2), preferably using a deposit slip which may be obtained from the Office. Payment by bank transfer is not recommended. The Office cannot accept responsibility if the sum received after deduction of bank charges is incorrect, if the fee is late due to delay, or if insufficient information is forwarded to identify the application. The receipt of payment must be filed with the Office;
- 2) through the Government web site for on line payments: <http://ecom1.gov.il/patents>. The site is in Hebrew. A copy of the receipt must be forwarded to the Office.

<sup>1</sup> A 40% reduction in the fee will be applicable for applications first filed in Israel for an individual applicant or for a corporate entity with a turnover of less than ILS 10 million in the last calendar year.

חוק הפטנטים, התשכ"ז-1967  
PATENTS LAW, 5727-1967

# בקשה בינלאומית לפטנט - שלב לאומי

## INTERNATIONAL PATENT APPLICATION - NATIONAL PHASE

שם המבקש, מענו, ת.ז. - ולגבי גוף מאוגד - ח.פ., מקום התאגדותו

Name and address of applicant, and, in case of body corporate, place of incorporation

NAMES OF INVENTORS:

שמות הממציאים:

ששמה הוא:

Owner, by virtue of

בעל אמצאה מכח

of an invention, the title of which is:

(בעברית)

(Hebrew)

(באנגלית)

(English)

*בקשת חלוקה - Application for Division		*בקשת פטנט מוסף - Application for Patent of Addition		*דרישת דין קדימה Priority Claim		
מבקשת פטנט from Application		*לבקשה/לפטנט to Patent/Appl.		מספר/סימן Number/Mark	תאריך Date	מדינת האיגור Convention Country
מס' _____ dated _____ מיום		מס' _____ dated _____ מיום				
<p>*יפוי כח: כללי/מיוחד - רצוף בזה / עוד יוגש P.O.A.: general / specific - attached / to be filed later- הוגש בענין _____ Has been filed in case _____</p>						
<p>המען למסירת הודעות ומסמכים בישראל Address for Service in Israel</p> <p>_____</p> <p>_____</p> <p>_____</p>						
<p>חתימת המבקש Signature of Applicant</p>				<p>INT. APP. PCT/ INT. FIL. DATE INT. PUBL. WO/</p>		<p>מס' בקשה בינ"ל תאריך הגשה בינ"ל מס' פרסום בינ"ל</p>
<p>DATE :</p>				<p>תאריך :</p>		

YOUR REFERENCE:

סימוכין שלך:

Delete whatever is inapplicable

\*מחק את המיותר

(2 November 2006)