INTELLECTUAL PROPERTY OFFICE
(LUXEMBOURG)

AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:
Office: Intellectual Property Office (Luxembourg)
L77: Law of May 27, 1977, implementing the PCT
R78: Grand-Ducal Regulations of May 25, 1978
## SUMMARY

**Designated (or elected) Office**

**LU INTELLECTUAL PROPERTY OFFICE (LUXEMBOURG)**

### Summary of requirements for entry into the national phase

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Time limits applicable for entry into the national phase:</strong></td>
<td>Under PCT Article 22(1): 20 months from the priority date</td>
</tr>
<tr>
<td></td>
<td>Under PCT Article 39(1)(a): 30 months from the priority date</td>
</tr>
<tr>
<td><strong>Translation of international application required into:</strong></td>
<td>English, French or German</td>
</tr>
<tr>
<td><strong>Required contents of the translation for entry into the national phase:</strong></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>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), abstract</td>
</tr>
<tr>
<td><strong>Is a copy of the international application required?</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>National fee:</strong></td>
<td>Currency: Euro (EUR)</td>
</tr>
<tr>
<td></td>
<td>Filing fee: EUR 40</td>
</tr>
<tr>
<td></td>
<td>Third annual fee: EUR 33</td>
</tr>
<tr>
<td><strong>Exemptions, reductions or refunds of the national fee:</strong></td>
<td>No filing fee is payable if the international application was filed with the Intellectual Property Office (Luxembourg) as receiving Office.</td>
</tr>
<tr>
<td><strong>Special requirements of the Office (PCT Rule 51bis):</strong></td>
<td>Name and address of the inventor if they have not been furnished in the “Request” part of the international application⁴</td>
</tr>
<tr>
<td></td>
<td>Deed of assignment of the priority rights where the applicants are not identical⁴</td>
</tr>
<tr>
<td></td>
<td>Appointment of an agent if the applicant is not resident in the European Economic Area</td>
</tr>
<tr>
<td><strong>Who can act as agent?</strong></td>
<td>Any patent agent registered to practice in Luxembourg or any member of the Luxembourg Bar, as well as any patent agent registered in a member State of the European Economic Area</td>
</tr>
<tr>
<td><strong>Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?</strong></td>
<td>Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests</td>
</tr>
</tbody>
</table>

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1 Must be furnished or paid within one month after the expiration of the time limit applicable under PCT Article 22 or 39(1).
2 However, a translation of the claims into German or French is required where the application is submitted in English.
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.

(1 July 2022)
THE PROCEDURE IN THE NATIONAL PHASE

LU.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).

LU.02 FEES (MANNER OF PAYMENT). The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex LU.I.

LU.03 NAME AND ADDRESS OF THE INVENTOR. Unless they have been indicated in the “Request” part of the international application, the name and address of the inventor must be furnished. For details, see the model for such a designation (not an official form) in Annex LU.II. Legalization is not required. For time limits, see the Summary.

LU.04 ASSIGNMENT OF PRIORITY RIGHTS. Where the priority of an earlier application is claimed and the applicant(s) in that application is (are) not identical with the applicant(s) of the international application, an assignment of the priority rights must be furnished. For details, see the model for such assignment (not an official form) in Annex LU.III. Legalization is not required. For time limits, see the Summary.

LU.05 ANNUAL FEES. Annual fees are payable for the third and each subsequent year following the international filing date. Payment must be made before the expiration of the month containing the anniversary of the international filing date. It is to be noted that an annual fee which is due within the 30-month time limit applicable under PCT Article 39(1)(a) can be paid without surcharge up to the expiration of the 30-month time limit. Payment of annual fees can still be made within six months after the due date, together with the surcharge for late payment. For the amounts, see Annex LU.I.

LU.06 AMENDMENT OF THE APPLICATION; TIME LIMITS. The applicant may amend the title of the invention, description, claims and drawings within one month from the expiration of the time limit applicable under PCT Article 22 or 39(1), provided that the subject matter of the application is not broadened thereby. Amendments must be made by means of replacement sheets or by means of entirely new documents filed in three copies and are subject to the payment, within the same time limits, of an administrative fee (see Annex LU.I).

LU.07 REVIEW UNDER PCT ARTICLE 25. 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 decision. The Council of State will then decide on the appeal.

LU.08 Reestablishment of rights (restitutio in integrum) may be requested where the applicant, in spite of due care required by the circumstances having been taken, has failed to observe a time limit. An application for reestablishment must state the grounds on which it is based and must be filed within one year from the expiration of the time limit which has not been observed. If the application for reestablishment is accepted, the applicant will have to pay a reestablishment (restitutio in integrum) fee and a fee for publication of the decision of restitutio in integrum in the Official Journal.
EXCUSE OF DELAYS IN MEETING TIME LIMITS. Where annual fees have not been paid within the prescribed time limits (see paragraph LU.05) for reasons beyond applicant’s control, restoration may be requested within 20 months from the loss of rights. The request must set out the reasons beyond the applicant’s control that have caused the delay in payment. If a favorable decision is taken on the request for restoration, the applicant will be permitted to pay the annual fees and surcharges which have become due together with the restoration fee and the fee for publication of the decision of restoration in the Official Journal (see Annex LU.I).
FEES

(Currency: Euro)

Fees payable in advance to the Administration de l’Enregistrement et des Domaines

Filing fee ................................................................. 40

Annual fees:
— for the 3rd year ....................................................... 33
— for the 4th year ....................................................... 41
— for the 5th year ....................................................... 52
— for the 6th year ....................................................... 66
— for the 7th year ....................................................... 82
— for the 8th year ....................................................... 99
— for the 9th year ....................................................... 115
— for the 10th year ..................................................... 131
— for the 11th year ..................................................... 148
— for the 12th year ..................................................... 165
— for the 13th year ..................................................... 180
— for the 14th year ..................................................... 198
— for the 15th year ..................................................... 213
— for the 16th year ..................................................... 230
— for the 17th year ..................................................... 246
— for the 18th year ..................................................... 262
— for the 19th year ..................................................... 281
— for the 20th year ..................................................... 300

Surcharge for late payment of the annual fee ........................................... 20

Fee for amendment of the title of the invention, the description, the claims, and the drawings
before a designated Office (PCT Article 28 or 41) ............................................. 7

Restoration fee/reestablishment (restitutio in integrum) fee .................................... 25

How can payment of fees be effected?

All fees relating to patents in Luxembourg are payable by wire transfer to the post office account (CCPL) of the beneficiary Ministère de l’Économie, Office de la propriété intellectuelle, L-2914 Luxembourg:

    IBAN: LU91 1111 7125 0540 0000
    BIC: CCPLLULL

All payments should give the filing number (national patent), respectively publication number (European and international patents), the name of the patent holder, the filing date of the patent and the nature of the fee (upon payment of an annual fee for maintenance in force, it is imperative to specify the patent year). Where payment relates to an invoice, it is sufficient to state the number, date and originator of the invoice.
Désignation de l'Inventeur
Designation of the Inventor

(1) Je soussigné
I, the undersigned

agissant en qualité de déposant — de mandataire du déposant —
acting as applicant — agent for the applicant —

(2)

(3) de l'invention concernant:
in respect of the invention concerning:

designe comme inventeur(s):
 designate as inventor(s):

1. Nom et prénoms
   Name and first names
   Adresse
   Address
2. Nom et prénoms
   Name and first names
   Adresse
   Address
3. Nom et prénoms
   Name and first names
   Adresse
   Address

J'affirme la sincérité des indications susmentionnées et déclare en assumer l'entièrre responsabilité.
I declare the above particulars to be true and assume full responsibility for them.

.................................................. le .............................................. 19

..................................................

(Signature)

(1) Nom, prénoms, firme, adresse / Name, first names, firm, address.
(2) Nom, prénoms et adresse du déposant / Name, first names and address of applicant.
(3) Titre de l'invention comme dans la demande de brevet / Title of invention as in the patent application.

(July 1994)
CESSION DES DROITS DE PRIORITÉ
ÜBERTRAGUNG DER PRIORITÄTSRECHTE
ASSIGNMENT OF PRIORITY RIGHTS

Je (Nous) soussigné(s)/Ich (Wir) Unterzeichnete(r)/I (We) the undersigned

(Nom et adresse du déposant de la première demande)
(Name und Anschrift des Erstanmelders)
(Name and address of the first applicant)

ayant déposé une demande (de brevet) en
der (die) eine (Patent) Anmeldung eingereicht habe(n) in
who filed a (patent) application in

(pays/Land/country)
le/am/on

(date/Datum/date)
sous le numéro/unter dem Aktenzeichen/under number

concernant l’invention/betreffend die Erfindung/relating to the invention

(titre/Titel/title)
declare (declarons) avoir autorisé et autoriser par la presente
erkläre(n) hiermit, dass ich (wir) ermächtigt habe(n) und hiermit ausdrücklich ermächtige(n)
declare that I (we) have authorized and hereby authorize

(nom et adresse du déposant de la demande internationale)
(Name und Anschrift des PCT-Anmelders)
(name and address of PCT applicant)

à se prevalevoir du droit de priorité prévu à l’article 4 de la Convention de Paris du 20 mars 1883, telle que revisee, aux fins de la
procédure de délivrance d’un brevet luxembourgeois pour l’invention qui fait l’objet de la demande internationale conformément au
Traité de coopération en matière de brevets
die in Artikel 4 der Pariser Übereinkunft vom 20. März 1883, in ihrer abgeänderten Fassung, vorgesehenen Prioritätsrechte in
Anspruch zu nehmen, im Hinblick auf die Erteilung eines luxemburgischen Patents für die Erfindung, welche Gegenstand der gemäss
dem Zusammenarbeitsvertrag auf dem Gebiet des Patentwesens eingereichten internationalen Patentanmeldung ist
to claim the priority right provided for in Article 4 of the Paris Convention of March 20, 1883, as amended, with regard to the issue of
a Luxembourg patent for the invention which forms the subject of the international application under the Patent Cooperation Treaty

(numero de publication internationale/internationale Veröffentlichungsnummer/international publication number
déposee le/eingereicht am/filed on

(date de dépôt international/internationales Anmeldedatum/international filing date)
Fait à/Geschehen zu/Done at
le/am/on

(lieu/Ort/place)

(Signature/Unterschrift/Signature)

(July 1994)
POUVOR

Je (Nous) soussigné(s)/Ich (Wir) Unterzeichnete(r)/I (We) the undersigned

VOLLMACHT

autorisé(e) par la présente
bevollmächtigt(n) hiermit
do hereby authorize

AUTHORIZATION

à me (nous) représenter et à agir en mon (notre) nom auprès du Service luxembourgeois de la propriété intellectuelle aux fins de la procedure de délivrance d'un brevet luxembourgeois pour l'invention
mich (uns) vor dem luxemburgischen Amt für geistiges Eigentum zu vertreten und für mich (uns) zu handeln, im Hinblick auf die Erteilung eines luxemburgischen Patentes für die Erfindung
to represent me (us) and to act for me (us) at the Luxembourg Intellectual Property Office with regard to the issue of a Luxembourg patent for the invention

(titre/Titel/title)
qui fait l'objet de la demande internationale conformément au Traité de coopération en matière de brevets:
welche Gegenstand der gemäß dem Zusammenarbeitvertrag auf dem Gebiet des Patentwesens eingereichten internationalen Patent-
anmeldung ist:
which forms the subject of the international application under the Patent Cooperation Treaty:

(nom de publication internationale)
(internationale Veröffentlichungsnummer)
(international publication number)
déposée le/eingereicht am/filed on)

(date de dépôt international)
(internationales Anmeldedatum)
(international filing date)
Fait à/Geschehen zu/Done at le/on/am
(lieu/Ort/place)

(Signature/Unterschrift/Signature)

(July 1994)