

INDUSTRIAL PROPERTY OFFICE OF THE SLOVAK REPUBLIC

(*ÚRAD PRIEMYSELNÉHO VLASTNÍCTVA*)

AS

DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Industrial Property Office of the Slovak Republic

PA: [Act No. 435/2001 Coll. on Patents, Supplementary Protection Certificates and on Amendments of Other Acts \(The Patent Act\)](#), as amended¹

UM: [Act No. 517/2007 Coll. on Utility Models and on Amendments of Some Acts](#), as amended¹

AF: [Act No. 145/1995, Coll. on Administrative Fees](#), as amended¹

AP: [Act No. 71/1967 Coll. on Administrative Procedures](#), as amended¹

MF: [Act No. 495/2008 Coll. on Maintenance Fees for the Patent, Maintenance Fee for the European Patent with Effects for the Slovak Republic and the Maintenance Fee for the Supplementary Protection Certificate for Medicinal and Plant Protection Products and on Amendments of Some Acts](#), as amended¹

¹ The text of the laws may be obtained on the Internet at: www.upv.sk or www.indprop.gov.sk.

SUMMARY**Designated
(or elected) Office****SUMMARY****SK****INDUSTRIAL PROPERTY OFFICE
OF THE SLOVAK REPUBLIC****SK****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:	Slovak
Required contents of the translation for entry into the national phase:	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: Euro (EUR) For patents: Filing fee: ¹ - where the application is filed by an inventor or co-inventors: EUR 30 - where the application is filed by an applicant other than the inventor or by applicants other than the co-inventors: EUR 60 For utility models: Filing fee: ¹ - where the application is filed by an inventor or co-inventors: EUR 34 - where the application is filed by an applicant other than the inventor or by applicants other than the co-inventors: EUR 68
Exemptions, reductions or refunds of the national fee:	The filing fee is reduced by 50% where the application is filed by electronic means.

[Continued on next page]

¹ Must be paid within the time limit applicable under PCT Article 22 or 39(1) or, if not paid within that time limit, within 15 days from the receipt of the invitation to pay the filing fee.

SUMMARY**Designated
(or elected) Office****SUMMARY****SK****INDUSTRIAL PROPERTY OFFICE
OF THE SLOVAK REPUBLIC****SK***[Continued]*

Special requirements of the Office
(PCT Rule 51*bis*):²

Document(s) relating to the applicant's entitlement to apply for and be granted a patent if the applicant is not an inventor³

Translation of the international application for a patent in three copies

Translation of the international application for a utility model in three copies

Where the validity of the priority claim is relevant to the determination of whether the invention concerned is patentable, the Office may invite the applicant to furnish a translation of the priority document into the Slovak language or one of the official languages of the EPO, at the option of the applicant

Applicants who are not citizens of a Contracting State to the Agreement on the EEA, or who have neither a residence nor a place of business in a Contracting State to the Agreement on the EEA, must be represented by an attorney-at-law or a patent attorney registered in the Slovak Republic

Who can act as agent?

Applicants who are citizens of a Contracting State to the Agreement on the EEA, or who have a residence or place of business in a Contracting State to the Agreement on the EEA, may appoint any person to act as such.

Applicants who are not citizens of a Contracting State to the Agreement on the EEA, or who have neither a residence nor a place of business in a Contracting State to the Agreement on the EEA, must be represented by an attorney-at-law or a patent attorney registered in the Slovak Republic.

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

Yes, the Office applies the "due care" criterion to such requests

² 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.

³ This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

- SK.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). If the translation furnished to the Office contains only the description, the Office will invite the applicant to furnish the missing parts and will excuse the late furnishing, provided that the scope of the disclosure contained in the translation furnished to the Office is not broadened thereby.
- SK.02 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex SK.I.
- AP Art. 17(3) SK.03 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model is given in Annex SK.II.
- MF Art. 5
8 SK.04 **ANNUAL FEES.** The fees for maintaining the patent in force are due for each year of the validity of the patent (see Annex SK.I). [The first maintenance fee for the patent is payable upon invitation, within three months from the date of the decision on patent grant, for the period from the filing of the patent application including the year of the decision on grant; for each subsequent year of validity of the patent, the fees are due, without invitation, prior to the expiration of the preceding year of validity. If payment is not made within this time limit, it can still be made within six months from the due date, with a 100% surcharge.](#)
- PA Art. 43(1) SK.05 **REQUEST FOR EXAMINATION.** A patent will be granted only after examination as to patentability which may be requested by the applicant or by a third party. There is no special form for the request.
- PA Art. 43(2) SK.06 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within 36 months from the international filing date.
- PCT Art. 28
41
PA Art. 45 SK.07 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may make amendments to the description, claims and drawings, until the decision granting the patent becomes definitive, provided that the subject matter of the amended application does not exceed the scope of the application as originally filed.
- PCT Art. 25
PCT Rule 51 SK.08 **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 request for rejudgment of that decision may be filed within 30 days from the date of the notification of this decision.
- PCT Art. 24(2)
48(2)
PA Art. 51(1)
51(3)
51(4) SK.09 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Time limits fixed by the Office for a certain action may be extended upon request. This request must be accompanied by a special fee for extension of time limits (see Annex SK.I).
- PA Art. 51(2)
51(3) SK.10 **FURTHER PROCESSING.** If a party to the proceedings before the Office has failed to comply with the time limit set by the Office for performing an act, he is entitled to ask the Office for further processing and, at the same time, perform the omitted act within two months from the receipt of the Office's decision issued as a consequence of failure to comply with the time limit. The request must be accompanied by a special fee ([see Annex SK.I](#)).
- PA Art. 52(1)-(3) SK.11 **RESTITUTIO IN INTEGRUM.** If, in spite of all due care required by the circumstances having been taken, a party to the proceedings before the Office has failed to comply with the statutory time limit or the time limit set by the Office for performing an act,

where a consequence of non-performance of the act is the suspension of the proceedings or another right is lost, he is entitled to ask the Office for *restitutio in integrum* and at the same time perform the omitted act within two months from the removal of the cause for which he could not perform the act but no later than 12 months from the expiry of the non-complied time limit. The request must be accompanied by a special fee. The party to the proceedings shall justify the request and state particularly the facts which had prevented the performance of the act. Statements submitted after the expiry of any of the time limits set shall not be taken into consideration by the Office when making a decision about the request.

PCT Art. 4.3
43
44 SK.12 **UTILITY MODEL.** If the applicant wishes to obtain utility model registration in the Slovak Republic on the basis of an international application

PCT Rule 4.12
49bis.1
(a), (b)
76.5 (i) instead of a patent or
(ii) in addition to a patent,

UM. Art. 57 subject to what is said in paragraph 16, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

SK.13 If the international application is for a utility model instead of a patent (see the case referred to in paragraph SK.12), the requirements are basically the same as for patents except that the applicant is not required:

- (i) to make a request for examination and
- (ii) to pay **annual** fees.

Instead of annual fees, extension fees are due for utility models. The due date and amounts are indicated in Annex SK.I. By payment of extension fees the term of protection (**which is four years from the filing date**) may be extended twice, for a period of three years (**up to a total term of protection of ten years from the filing date**).

PA. Art. 58(3)
UM Art. 57(1) SK.14 If the international application is for both a utility model and a patent (see the case referred to in paragraph SK.12(ii)), the applicant must, within the time limit applicable for the entry into the national phase, comply with the following requirements:

- (i) **furnish the international application (one copy for a patent, one copy for a utility model)**
- (ii) **furnish the translation of international application in three copies for the patent and in three copies for the utility model.**

The requirement (ii) may still be complied with within a time limit fixed in an invitation by the Office, if not already complied with within the time limit applicable for the entry into the national phase.

The applicant must pay two filing fees for both the patent and the utility model. The filing fee must be paid when filing the application or within 15 days from the receipt of the invitation to pay the filing fee.

PCT Art. 7(2)(ii) SK.15 Where, in either of the cases referred to in paragraph SK. 12, the international application does not contain drawings, the Office will invite the applicant to furnish drawings within a time limit fixed in the invitation.

UM. Art. 35 SK.16 Where an applicant has filed a national or a European patent application for a European patent valid in the Slovak Republic, and subsequently files a utility model application concerning the same subject matter as the earlier patent application, he/she may claim the filing date of that earlier patent application provided the utility model application is filed within two months from the date on which the decision on the patent application becomes final, or, if no such decision has been taken, before the end of the tenth year from the date of filing of the patent application. Any priority which is claimed in the earlier patent application will also apply to the subsequent utility model application.

FEES

(Currency: Euro)

Patents

Filing fee:¹

- where the application is filed by an inventor or co-inventors 30
- where the application is filed by an applicant other than the inventor or by applicants
other than the co-inventors 60

Fee for registration of the assignment of an application to another applicant 30

Fee for requesting examination:

- basic fee 116
- additional fee for each claim in excess of 10 20

Fee for the second and subsequent extensions of the time limit 20

Fee for further processing 66

Fee for *restitutio in integrum* 166

Fee for issue of patent **specification** not exceeding 10 pages 66

- for each additional page 10

Annual fees:

- for the 3rd year 66
- for the 4th year 82.50
- for the 5th year 99.50
- for the 6th year 116
- for the 7th year 132.50
- for the 8th year 149
- for the 9th year 165.50
- for the 10th year 199
- for the 11th year 232
- for the 12th year 265.50
- for the 13th year 298.50
- for the 14th year 331.50
- for the 15th year 365
- for the 16th year 398
- for the 17th year 464.50
- for the 18th year 531
- for the 19th year 597
- for the 20th year 663.50

Utility models

Filing fee:¹

- where the application is filed by an inventor or co-inventors 34
- where the application is filed by an applicant other than the inventor or by applicants
other than the co-inventors 68

¹ The filing fee is reduced by 50% where the application is filed by electronic means.

Extension of validity of a utility model registration ²	
— for the first time for three years	150
— for the first time for three years within six months after the expiration of the validity of a utility model .	300
— for the second time for three years	300
— for the second time for three years within six months after the expiration of the validity of a utility model	600

How can payment of fees be effected?

The payment of fees must be effected in the following currency: Euro (EUR). All payments must indicate the application number (national, if already known; international, if the national application number is not yet known), the name of the applicant and the category of fee being paid.

Payment must be effected to the account No. 7000060750/8180 of the Industrial Property Office of the Slovak Republic:

Bank name:	State Treasury Radlinského 32 810 05 Bratislava
Name of the account:	Depozitný účet ÚPV SR BB
IBAN code:	SK49 8180 0000 0070 0006 0750
BIC code	SPSRSKBA
Constant Symbol:	0558

“Variable symbol” is used to identify the payment. It is created by the 10-digits numerical code as follows: 1 plus 9-digits application number assigned by the Office (e.g. 1007482000 is variable symbol for the patent application No. PP 748-2000, 1500032007 is a “variable symbol” for patent application No. PP 50003-2007).

For further information on payment of maintenance fees and payment of fees for utility models, please see: www.upv.sk/?patents-maintenance-fees and www.upv.sk/?administrative-fees-utility-models

² If the utility model was entered in the Register of utility models after the expiration of its validity, the Office will invite the applicant to pay the fee for extension of validity within two months from the issuance of the certificate.

PLNÁ MOC/POWER OF ATTORNEY

Podpísaný (meno a priezvisko alebo plný názov spoločnosti):

The undersigned (first name and family name or full name of the company):

.....

(číslo, miesto, krajina):

residing at (street, number, locality, country):

.....

štátna príslušnosť:

citizenship:

zamestnanie:

profession:

pracovisko (zamestnávateľ):

place of employment (employer):

splnomocňuje pána

appoints Mr.

aby ho zastupoval vo veci jeho medzinárodných prihlášok v Slovenskej republike

to represent him in connection with his international applications in the Slovak Republic

.....
Podpis (a pečiatka) - Signature (and seal)

Dátum/Date

.....

(Bez legalizácie - No legalization)