

## Submission of Information by Third Parties

# Germany

Third parties may submit information regarding prior art which could prejudice the grant of the patent<sup>1</sup>. That person will not become a party to the proceedings before the German Patent and Trade Mark Office (DPMA). The submitted information will be communicated to the applicant. The submission will be reviewed by the DPMA *ex officio* and – if relevant – it will be considered during the search or examination procedure. Third party observations may also be submitted during opposition proceedings<sup>2</sup>.

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<sup>1</sup> Section 43 (3), second sentence, of the German Patent Act.

<sup>2</sup> Section 59 (5) of the German Patent Act.