

## Re-examination systems

### Norway

According to Section 52 d of the Norwegian Patents Act,<sup>1</sup> a request for an administrative review may only be filed on the grounds that the patent has been granted in contravention of the requirements (patentability criteria) in Sections 1 and 2, or Section 8, second paragraph, third to fifth sentence. However, a request for administrative review may not be filed on the grounds that the patent has been granted to another party than the party who is entitled to the invention, cf. Section 1, first paragraph. If the Norwegian Industrial Property Office (NIPO) finds that the patent has been granted in contravention of Sections 1 and 2, or Section 8, second paragraph, third to fifth sentence, the patent shall be declared invalid if the grounds for such invalidity cannot be remedied through an amendment of the patent. The patent may only be maintained in amended form if the patent holder agrees with the amendments that the Norwegian Industrial Property Office intends to make. A decision to declare a patent fully or partly invalid shall take effect from the date on which the patent application was filed.

A request for administrative review filed on the grounds that the patent has been granted in contravention of the requirements in Section 8, second paragraph, third to fifth sentence, can only be submitted to NIPO on 1 July 2019 or later.

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<sup>1</sup> Norwegian Patent Act, as entered into force January 1, 2008, as amended.