# Patent Administrators Final Exam 2004 questions & answers

- 1. 1. Please prepare an EPO Form 1200 (a blank form is provided) which is to be sent to the European Patent Office, together with an amended set of claims, to effect entry into the European Regional Phase of a PCT Patent Application. You should make use of the information given on the front page of a published PCT Patent Application (Annex 1) and also the following:
  - (a) The person who will be handling the application in the regional phase will be Peter Paul Smith, an attorney in your firm (the same firm as that which handled the application in the International phase).
  - (b) The representative's reference is PPS/P12345EP.
  - (c) A decision has been made to seek protection only in the following states: France, Germany and Albania.
  - (d) The applicant (your firm's client) wishes to keep the fees payable to the EPO to a minimum.
  - (e) All fees due to the EPO are to be automatically paid using your firm's Deposit Account No. 28001010 and any reimbursement should be to the same account.
  - (f) Your firm's international phone and fax numbers are +44 113 200 0100 and +44 113 200 0101 respectively.

### Answer: See completed Form 1200

### Total (8 Marks)

- 2 A European Patent application, designating Italy, Spain and the United Kingdom, was filed on 10 September 2003 claiming priority from a UK Patent Application filed on 11 September 2002. The European application was published with a search report (A1 publication) on 25 March 2004.
  - (a) What fees become payable as a result of the publication?
  - (b) What is the deadline for payment of these fees, and why have you chosen this date?
  - (c) Would the position regarding fees be any different if all states had been designated?

# Answers

| <b>(a)</b> | Examination and 3 designation fees   | (2 marks) |
|------------|--|-----------|
| <i>(b)</i> | 27 September 2004. 6 months from publication gives 25 September<br>Saturday. Next non-excluded day is Monday 27 September. | (3marks)  |
| (c)        | Need to pay for 7 designations.  | (1 mark)  |

Total (6 marks)

3) You have received a communication dated 2 February 2004 from the European Patent Office notifying you of a decision refusing the European Patent Application

i) What is the last date for filing the notice of Appeal?ii) What is the last date for filing the statement in support of the Appeal?

Explain your reasoning

#### Answer s

| i)  | The ten-day rule applies to the calculation of the due dates. | (1 mark) |
|-----|---|----------|
|     | February 2004 plus 10 days gives 12 February 2004             | (1 mark) |
|     | Plus 2 months gives 12 April 2004                             | (1 mark) |
|     | The EPO is closed on 12 April 2004 (Easter Monday)            | (1 mark) |
|     | The date for filing the notice becomes 13 April 2004          | (1 mark) |
| ii) | Plus 4 months gives 12 June 2004                              | (1 mark) |
| )   | The EPO is closed on 12 Jun 2004 (Sat)                        | (1 mark) |
|     | The date for filing the statement becomes 14 June 2004        | (1 mark) |

### Total (8 marks)

4. The reply to a communication from the European Patent Office, after taking into account the 10-day rule, is due tomorrow (2 Apr 2004). Your client now tells you that they cannot provide the necessary information in time. What actions can you take and by when?

#### **Answers**

| (1 mark) |
|----------|
| (1 mark) |
| (1 mark) |
| (        |

Total (4 marks)

5) You have received a communication from the European Patent Office under Rule 51(4) informing you of the text in which the EPO intends to grant the Patent.

What types of fees are now payable to EPO and what documents must be filed?

#### Answers

| Grant and Printing Fees                     | (2 marks) |
|---|-----------|
| Translations of the Claims                  | (1 mark)  |
| into two official languages                 | (1 mark)  |
| not used as the language of the proceedings | ( 1 mark) |

Total (5 marks)

6 (a). What documents must be lodged at the UK Patent Office to register a European Patent recently granted in German and designating UK?

| Answer (a) | PF54/77                        | (1 mark)  |
|------------|--------------------------------|-----------|
|            | Certified translation          | (1mark)   |
|            | in duplicate                   | (1 mark)  |
|            | UK address for service/PF51/77 | (1 mark)  |
|            |                                | (4 marks) |

6 (b) What are the deadlines for filing these documents?

### Answer (b)

Translations - 3 months after mention of Grant in European Patent Bulletin(2marks)Address - no set period(1 mark)

(3 marks)

### Total (7 marks)

- 7. You have just received a P Ren 5-Overdue Renewal communication from the British Patent Office in connection with a UK Patent whose grant date was 9 December 2003 and whose application date was 20 January 2000.
  - (a) By what date can the patent be renewed as of right, and why have you chosen this date?
  - (b) If that date is missed, what is the latest date for applying for restoration under Section 28, and why have you chosen this date?

### Answers

(a) 9 Sep 2004. Normal renewal date is 3 months from grant. Payable with fee up to 6 months afterwards.

(4 marks)

(b) (10 October 2005. 19 months from normal due date gives 9 Oct 2005 which is a Sunday. Next non-excluded day is the following day (Monday).

(4 marks)

Total (8 marks)

- 8. You are handling a UK Examination Report dated 3 Nov 2003 and giving 6 months for reply.
- (a) What is the due date for reply?

Answer 04-May-04

(b)

- Explain how you chose this date. (1 mark)
- Answer 6 months 3 May 2004 is Bank Holiday Monday. Postpone to Tue 4 May 2004

(2 marks)

| (c)<br><u>Answer</u> | Is an extension of time possible, and if so, how?<br>Controller's discretion<br>PF52/77<br>Explanation of circumstances  | (1mark)<br>(1 mark)<br>(1 mark) |
|----------------------|--|---------------------------------|
|                      |  | Total (6 marks)                 |
| · ·                  | hich forms are associated with a UK Divisional when there is no priority   | 7                               |
| Answer               | PF1/77 Request for Grant<br>PF7/77 Statement of Inventorship   | (1mark)<br>(1mark)              |
|                      | PF9/77 Preliminary Examination and Search<br>PF10/77 Substantive Examination   | (1mark)<br>(1mark)<br>(1mark)   |
|                      | Total  | (4 marks)                       |
|                      | . Is voluntary amendment of a UK Patent Application possible before the d Preliminary Examination?   | e Search                        |
| Answer (             | a) No  | (1 mark)                        |
|                      | You have amended the description and claims of an unpublished UK P lication in response to the Search Report.  | atent                           |
|                      | at is the filing deadline for the amended claims to be included when the activity of the second | A-                              |
| Answer               | Before preparations for publication are complete   |                                 |
| (ii) Are             | these amendments to the description published in the A-Specification?  | (1 mark)                        |
| <u>Answer</u>        | No   |                                 |
|                      |  | (1 mark)                        |

Total (3 marks)

**11.** You are working for a firm which is registered for value added tax (VAT) and you are preparing an invoice for clients in respect of work in connection with a UK Patent Application. The items to be charged on the invoice are as follows:

| Professional time for preparing and revising the patent specification | £1600 |
|---|-------|
| Standard (service) charge for filing the application                  | £300  |
| Typing, photocopying etc  | £100  |
| Official fees   | £100  |

How much VAT at 17.5% should be charged in the following circumstances:

- (a) If the client is in the UK and is registered for VAT?
- (b) If the client is in the UK and is not registered for VAT?
- (c) If the client is in Japan?
- (d) If the client is in Germany and is registered for VAT?

# Answers

| a. | £350 | (1 mark) |
|----|------|----------|
| b. | £350 | (1mark)  |
| с. | Nil  | (1mark)  |
| d. | Nil  | (1mark)  |

# Total (4marks)

- 12. (a) When is the first renewal fee payable on a UK Registered Design?
  - (b) At what intervals are renewal fees payable on a UK Registered Design?
  - (c) What is the maximum life of a UK Registered Design?

### Answers

| <b>(a)</b> | 5 years from the application (registration) date. | (2 marks) |
|------------|---|-----------|
| <b>(b)</b> | 5 year intervals.                                 | (1 mark)  |
| (c)        | 25 years  | (1 mark)  |

# Total (4 marks)

- 13 For each of the following features of design protection, state whether it applies to: (1) a Registered Design only; (2) a Design Right only; (3) neither type of protection; or (4) both types of protection:
  - a. Infringement by similar design and no proof of copying required.
  - (b) No renewal fees payable.
  - (c) Protects shape and configuration.
  - (d) Protects surface appearance.
  - (e) Licences must be made available throughout the lifetime of the right.

### Answers

| <i>(a)</i> (1) | (1 mark) |
|----------------|----------|
| (b) (2)        | (1 mark) |
| (c) (4)        | (1 mark) |
| (d) (1)        | (1 mark) |
| (e) (3)        | (1 mark) |

#### Total (5 marks)

- 14. You are filing a new PCT Application. The Applicant is a UK resident and citizen. Which are the competent:
- (i) Receiving Office (s);

(ii) International Search Authority;

(iii) International Preliminary Examination Authority?

#### Answers

| (i)  | UK; European Patent Office; International Bureau | (3 marks) |
|------|--|-----------|
| (ii) | European Patent Office                           | (1 mark)  |
| (ii) | European Patent Office                           | (1mark)   |
|      |  |           |

Total (5 marks)

**15.** On 26 Mar 2004 you filed a new PCT Application through the UK Patent Office claiming priority of a UK Patent Application dated 26 Mar 2003.

(a) What types of fees are payable to the Receiving Office? (Amounts of fees are not required)

| Answer (a) | Transmittal Fees          | (1 mark) |
|------------|---------------------------|----------|
|            | Search Fees               | (1 mark) |
|            | International Filing Fee  | (1 mark) |
|            | Fee for Priority Document | (1 mark) |

(4 marks)

(b) What are the deadlines for payment, excluding any extensions of time, and how are these calculated?

| Answer (b) | Transmittal, Search and Filing - 26 Apr 2004 | (1 mark) |
|------------|--|----------|
|            | 1 month after Application                    | (1mark)  |
|            | <b>Priority Documents - 26 Jul 2004</b>      | (1mark)  |
|            | 16 months after first priority               | (1mark)  |

(4 marks)

Total (8 marks)

- 16. You have received a letter dated 4 Mar 2004 from the PCT Receiving Office inviting you to furnish the abstract within 1 month.
- 16 (a). When must the missing abstract be supplied?

| <u>Answer (a)</u> | 5 Apr 2004 (4 Apr 2004 is Sunday)     |
|-------------------|---------------------------------------|
|                   | [NB. There is no 10-day rule for PCT] |

6 (b) Is any extension of time available?

Answer (b)

#### **On request**

(1 mark)

(2 marks)

Total (3 marks)

You have received instructions from your client to enter the PCT National Phase in USA and EPC.
 Priority Details for application are: 31 August 2001 GB and 16 August 2002 GB.
 International Filing Date: 30 August 2002.

What are the latest dates you can enter the National Phase in these countries?

#### Answers

| USA | 29-Feb-2004 ( 30 months from earliest priority) | (2 marks) |
|-----|---|-----------|
| EPC | 31-Mar-2004 (31 months from earliest priority)  | (1 mark)  |

# Total (3 marks)

18. Who must sign the assignment (transfer document) of a patent or patent application in:

- (a) UK
- (b) European Patent Office
- (c) PCT?

| Answer | <b>(a)</b> | Both parties | (1 mark) |
|--------|------------|--------------|----------|
|        |            | Both parties | (1 mark) |
|        | (c)        | Assignor     | (1 mark) |

Total (3 marks)

19. You have recently acquired a new client. What action is required to ensure that you receive all official communications relating to the client's existing UK patents and patent applications?

### <u>Answer</u> File PF/51/77 Change of Agent

(1 mark)

20. In order to be in the best position to restore by the *restitutio in integrum* procedure a European patent application which has been inadvertently allowed to lapse, a firm of patent attorneys should be able to demonstrate that it has taken reasonable care in its choice of employees entrusted with the relevant duties. Give four other criteria which the firm should meet.

# Answer

- 1)
   A detailed knowledge of the provisions of the European Patent Convention and its interpretation.

   (1 mark)
- 2) The availability in the firm of relevant literature such as the Official Journal of the EPO. (1 mark)
- 3) Such office systems as are capable of ensuring that failure to adhere to time limits shall not occur. (1 mark)
- 4) Instruction of employees in detail as to their duties. (1 mark)
- 5) Regular supervision of employees to ensure duties performed correctly (1 mark)

Total (5 marks)

An das Europäische Patentamt



# Eintritt in die europäische Phase (EPA als Bestimmungsamt oder ausgewähltes Amt)

Entry into the European phase (EPO as designated or elected Office)

# Entrée dans la phase européenne (l'OEB agissant en qualité d'office désigné ou élu)

|           |     |  |  |                               | -   |              |   | eigne ou olu,  |
|-----------|-----|--|--|-------------------------------|---|--------------|---|--|
|           | nic | uropäische Anmeldenummer<br>cht bekannt, PCT-Aktenzeich<br>CT-Veröffentlichungsnummer  | en oder                                      | Europe<br>known<br>numbe      | an application number, or, if not<br>, PCT application or publication<br>r  | bi           | revet européen  | t de la demande de<br>ou, à défaut, numéro<br>de publication PCT   |
|           |     | ichen des Anmelders oder V<br>ax. 15 Positionen)   |  | Applica<br>(max. 1            | nt's or representative's reference<br>5 spaces)   | <br>R(<br>(1 | éférence du der<br>5 caractères ou  | nandeur ou du mandatair<br>espaces au maximum)   |
| $\square$ | 1.  | Anmelder<br>Die Angaben über den (di<br>Anmelder sind in der inter<br>Veröffentlichung enthalter<br>Internationalen Büro nach<br>internationalen Veröffentlic<br>vermerkt worden.<br>Änderungen, die das Inter | e)<br>nationalen<br>oder vom<br>der<br>chung | Ind<br>ap<br>int<br>by<br>int | oplicant<br>dications concerning the<br>plicant(s) are contained in the<br>ernational publication or recorded<br>the International Bureau after the<br>ernational publication.<br>anges which have not yet been | 1.           | Les indicatio<br>mandeur(s) f<br>international<br>par le Burea<br>publication i | ons concernant le(s) de-<br>igurent dans la publicatio<br>e ou ont été enregistrée<br>u international après la<br>nternationale. |
|           |     | Büro noch nicht vermerkt<br>auf einem Zusatzblatt ang<br><b>Zustellanschrift</b><br>(siehe Merkblatt II, 1)  | nat, sind                                    | rec<br>are<br>Ad              | sorded by the International Bureau<br>set out on an additional sheet.<br>dress for correspondence<br>to Notes II, 1)  |              | été enregistri<br>national sont<br>additionnelle.                               | ır la correspondance   |
|           | 2.  | Vertreter  | 2  | . Rej                         | presentative  | 2.           | Mandataire  |  |
|           |     | Name (Nur einen Vertrete<br>der in das europäische Pate<br>eingetragen und an den zu<br>wird)  | entregister                                  | rep<br>the                    | me (Name only one<br>resentative who will be listed in<br>Register of European Patents and<br>vhom notification will be made)   |              | mandataire, o<br>Registre euro  | juer <b>qu' un seul</b><br>qui sera inscrit au<br>péen des brevets et<br>cation sera faite)                                      |
|           |     | Geschäftsanschrift   |  | Ado                           | dress of place of business  |              | Adresse prof  | essionnelle  |
|           |     | Telefon  |  | Tele                          | phone   |              | Téléphone   |  |
|           |     | Telefax Telex  |  | Fax                           | Telex   |              | Téléfax   | Télex  |
| ]         |     | Weitere(r) Vertreter auf Zus   | atzblatt                                     | Add<br>addi                   | itional representative(s) on<br>tional sheet  |              | Autre(s) mand<br>additionnelle  | ataire(s) sur une feuille  |
| 3         | 8.  | Vollmacht  | 3.   | Aut                           | norisation  | 3.           | Pouvoir   |  |
| ]         |     | Einzelvollmacht ist beigefüg   | t.   | Indiv                         | vidual authorisation is attached.   |              | Un pouvoir spe  | écial est joint.   |
| ]         |     | Allgemeine Vollmacht ist reg<br>unter Nummer:  | istriert                                     |                               | eral authorisation has been<br>itered under No:   |              | Un pouvoir géi<br>sous le nº :  | néral a été enregistré   |
| ]         | i   | Allgemeine Vollmacht ist ein<br>aber noch nicht registriert.   |  | A ge<br>filed,                | neral authorisation has been<br>but not yet registered.   |              | Un pouvoir gér<br>mais n'est pas  | éral a été déposé,<br>encore enregistré.   |
| ]         | (   | Die beim EPA als PCT-Anme<br>eingereichte Vollmacht schlie<br>drücklich die europäische Ph   | ßt aus-                                      | as P(                         | authorisation filed with the EPO<br>CT receiving Office expressly<br>des the European phase.  |              | agissant en qua<br>au titre du PCT  | éral déposé à l'OEB<br>alité d'office récepteur<br>s'applique expressé-<br>e européenne.   |

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| <br>     |   |                  |  |                            |  |
|----------|---|------------------|--|----------------------------|--|
| <b>▲</b> | <ol> <li>Prüfungsantrag<br/>Hiermit wird die Prüfung der A<br/>dung gemäß Art. 94 EPÜ bear<br/>Die Prüfungsgebühr wird (wur<br/>entrichtet.</li> </ol>  | tragt.           | <b>Request for examination</b><br>Examination of the application under<br>Art. 94 EPC is hereby requested.<br>The examination fee is being (has<br>been, will be) paid.                          | 4.                         | Requête en examen<br>Il est demandé que soit examinée<br>la demande de brevet conformément<br>à l'art. 94 CBE. Il est (a été, sera)<br>procédé au paiement de la taxe<br>d'examen.   |
|          | Prüfungsantrag in einer zugela<br>Nichtamtssprache<br>(siehe Merkblatt III, 5.2) :  | ssenen           | Request for examination in an admissible non-EPO language (see Notes III, 5.2) :   |                            | Requête en examen dans une langue<br>non officielle autorisée<br>(voir notice III, 5.2) :  |
|          |   |                  |  | -                          |  |
| 5.       | Abschriften<br>Zusätzliche Abschrift(en) der im<br>ergänzenden europäischen<br>Recherchenbericht angeführter<br>Schriftstücke wird (werden)<br>beantragt.   |                  | <b>Copies</b><br>Additional copy (copies) of the<br>documents cited in the<br>supplementary European search<br>report is (are) requested.  | 5.                         | <b>Copies</b><br>Prière de fournir une ou plusieurs<br>copies supplémentaires des<br>documents cités dans le rapport<br>complémentaire de recherche<br>européenne.   |
|          | Anzahl der <b>zusätzlichen</b> Sätze<br>Abschriften   | von              | Number of <b>additional</b> sets of copies   |                            | Nombre de jeux <b>supplémentaires</b><br>de copies   |
| <br>6.   | Für das Verfahren vor dem EP<br>bestimmte Unterlagen  | A 6.             | Documents intended for pro-<br>ceedings before the EPO   | 6.                         | Pièces destinées à la procédure<br>devant l'OEB  |
| 6.1      | <ol> <li>Dem Verfahren vor dem EPA als<br/>Bestimmungsamt (PCT I) sind<br/>gende Unterlagen zugrunde zu</li> </ol>  | fol-             | Proceedings before the EPO as<br>designated Office (PCT I) are to be<br>based on the following documents:  |                            | La procédure devant l'OEB agissant<br>en qualité <b>d'office désigné</b> (PCT I) doit<br>se fonder sur les pièces suivantes :  |
|          | die vom Internationalen Büro ve<br>öffentlichten Anmeldungsunte<br>lagen (mit allen Ansprüchen,<br>Beschreibung und Zeichnungen)<br>gegebenenfalls mit den geänder<br>Ansprüchen nach Art. 19 PCT | )r-              | the <b>application documents pub-<br/>lished</b> by the International Bureau<br>(with <b>all</b> claims, description and<br>drawings), where applicable with<br>amended claims under Art. 19 PCT |                            | les <b>pièces de la demande publiée</b><br>par le Bureau international (avec<br><b>toutes</b> les revendications, la descrip-<br>tion et les dessins), éventuellement<br>avec les revendications modifiées<br>conformément à l'article 19 du PCT |
|          | soweit sie nicht ersetzt werde<br>durch die beigefügten<br>Änderungen.  | en               | unless replaced by the <b>amend-</b><br>ments enclosed.  |                            | dans la mesure où elles ne sont pas<br>remplacées par les <b>modifications</b><br>jointes.   |
|          | Falls nötig, sind Klarstellungen a<br>einem Zusatzblatt einzureichen!   | uf               | Where necessary, clarifications must<br>be submitted on a separate sheet!  |                            | Le cas échéant, des explications<br>doivent être jointes sur une feuille<br>additionnelle!   |
| 6.2      | 2 Dem Verfahren vor dem EPA als<br>ausgewähltem Amt (PCT II) sin<br>gende Unterlagen zugrunde zu le   | d fol-           | Proceedings before the EPO as<br>elected Office (PCT II) are to be<br>based on the following documents:  |                            | La procédure devant l'OEB <b>agissant</b><br>en qualité d'office élu (PCT II) doit<br>se fonder sur les pièces suivantes :   |
|          | die dem internationalen vorläu:<br>Prüfungsbericht zugrunde gele<br>Unterlagen, einschließlich seine<br>eventuellen Anlagen<br>(Solche Anlagen müssen immer<br>beigefügt werden)                  | aten             | the documents on which the inter-<br>national preliminary examination<br>report is based, including its<br>possible annexes<br>(Such annexes must always be filed)                               | r<br>i<br>8<br>(           | es pièces sur lesquelles se fonde le<br>apport d'examen préliminaire<br>nternational, y compris ses<br>nnexes éventuelles<br>De telles annexes sont toujours<br>g joindre)   |
|          | soweit sie nicht ersetzt werde<br>durch die beigefügten <b>Ände-</b><br>rungen.   | n                | unless replaced by the <b>amend-</b><br><b>ments</b> enclosed.   |                            | dans la mesure où elles ne sont<br>pas remplacées par les<br><b>modifications</b> jointes.   |
|          | Falls nötig, sind Klarstellungen au<br>einem Zusatzblatt einzureichen!  |                  | Where necessary, clarifications must<br>be submitted on a separate sheet!  | d                          | e cas échéant, des explications<br>oivent être jointes sur une feuille<br>dditionnelle!  |
|          | Sind dem EPA als mit der internat<br>nalen vorläufigen Prüfung beauf-<br>tragten Behörde <b>Versuchsbericht</b><br>zugegangen, dürfen diese dem Ve<br>fahren vor dem EPA zugrunde gel<br>werden.  | <b>e</b> i<br>r- | If the EPO as International Prelimi-<br>nary Examining Authority has<br>received <b>test reports</b> , these may be<br>used as the basis of proceedings<br>before the EPO.                       | d<br>pi<br><b>ra</b><br>co | i l'OEB, agissant en qualité<br>'administration chargée de l'examen<br>réliminaire international, a reçu des<br><b>ipports d'essais</b> , ceux-ci peuvent<br>onstituer la base de la procédure<br>evant l'OEB.                                   |

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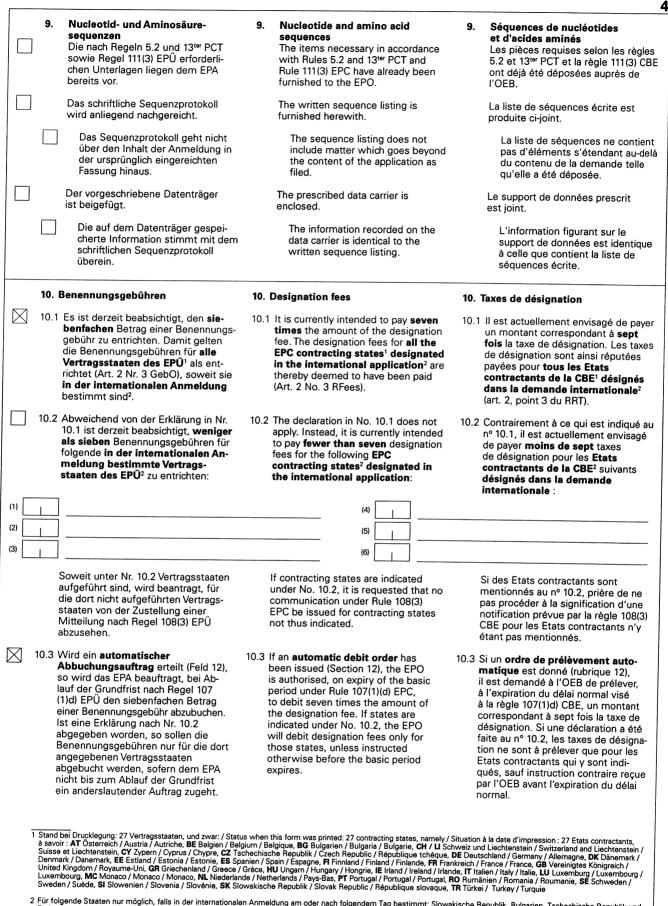
.

| 7  | 7. Übersetzungen<br>Beigefügt sind die nachfolgend<br>angekreuzten Übersetzungen in einer<br>der Amtssprachen des EPA (Deutsch,<br>Englisch, Französisch):   | <ol> <li>Translations<br/>Translations in one of the official<br/>languages of the EPO (English,<br/>French, German) are enclosed as<br/>crossed below:</li> </ol>   | 7. Traductions<br>Vous trouverez, ci-joint, les<br>traductions cochées ci-après dans<br>l'une des langues officielles de l'Ol<br>(allemand, anglais, français) :   |
|----|--|--|--|
|    | <ul> <li>Im Verfahren vor dem EPA als<br/>Bestimmungsamt oder<br/>ausgewähltem Amt (PCT I + II):</li> </ul>  | <ul> <li>In proceedings before the EPO<br/>as designated or elected Office<br/>(PCT I + II):</li> </ul>  | <ul> <li>Dans la procédure devant l'OEB<br/>agissant en qualité d'office<br/>désigné ou élu (PCT I + II):</li> </ul>   |
|    | Übersetzung der <b>ursprünglich</b><br>eingereichten internationalen<br>Anmeldung (Beschreibung, An-<br>sprüche, etwaige Textbestandteile in<br>den Zeichnungen), der veröffent-<br>lichten Zusammenfassung, und<br>etwaiger Angaben über biologisches<br>Material nach Regel 13 <sup>bis</sup> .3 und<br>13 <sup>bis</sup> .4 PCT | Translation of the <b>international</b><br><b>application</b> (description, claims,<br>any text in the drawings) <b>as</b><br><b>originally filed</b> , of the abstract as<br>published and of any indication<br>under Rule 13 <sup>bis</sup> .3 and 13 <sup>bis</sup> .4 PCT<br>regarding biological material | Traduction de la <b>demande inter-<br/>nationale telle que déposée</b><br><b>initialement</b> (description, revendi<br>tions, textes figurant éventuelle-<br>ment dans les dessins), de l'abrég<br>publié, et de toutes indications<br>visées aux règles 13 <sup>bis</sup> .3 et 13 <sup>bis</sup> .4<br>du PCT concernant le matériel<br>biologique |
|    | Übersetzung der <b>prioritäts-</b><br>begründenden Anmeldung(en)   | Translation of <b>the priority appli-</b><br>cation(s)   | Traduction de la (des) <b>demande(</b><br>ouvrant le droit de priorité   |
|    | Es wird hiermit erklärt, daß die<br>internationale Anmeldung in ihrer<br>ursprünglich eingereichten<br>Fassung eine vollständige<br>Übersetzung der früheren An-<br>meldung ist (Regel 38(5) EPÜ)  | It is hereby declared that the<br>international application as<br>originally filed is a complete<br>translation of the previous<br>application (Rule 38(5) EPC)  | Il est déclaré par la présente que<br>la demande internationale telle<br>que déposée initialement est une<br>traduction intégrale de la demanc<br>antérieure (règle 38(5) CBE)   |
|    | • Zusätzlich im Verfahren vor dem<br>EPA als Bestimmungsamt (PCT I):   | <ul> <li>In addition, in proceedings before<br/>the EPO as designated Office<br/>(PCT I):</li> </ul>   | <ul> <li>De plus, dans la procédure devar<br/>l'OEB agissant en qualité d'office<br/>désigné (PCT I) :</li> </ul>  |
|    | Übersetzung der nach Art. 19 PCT<br><b>geänderten Ansprüche</b> nebst<br>Erklärung, falls diese dem<br>Verfahren vor dem EPA zugrunde<br>gelegt werden sollen (siehe Feld 6)   | Translation of <b>amended claims</b><br>and any statement under Art. 19<br>PCT, if the claims as amended are<br>to form the basis for the procee-<br>dings before the EPO<br>(see Section 6)   | Traduction des <b>revendications</b><br><b>modifiées</b> et de la déclaration faite<br>conformément à l'article 19 du PCT<br>si la procédure devant l'OEB doit<br>être fondée sur les revendications<br>modifiées (voir la rubrique 6)   |
|    | <ul> <li>Zusätzlich im Verfahren vor dem<br/>EPA als ausgewähltem Amt<br/>(PCT II):</li> </ul>   | <ul> <li>In addition, in proceedings before<br/>the EPO as elected Office (PCT II):</li> </ul>   | <ul> <li>De plus, dans la procédure devant<br/>l'OEB agissant en qualité d'office<br/>élu (PCT II) :</li> </ul>  |
|    | Übersetzung der <b>Anlagen zum</b><br>internationalen vorläufigen<br>Prüfungsbericht   | Translation of any annexes to the<br>international preliminary exami-<br>nation report   | Traduction des <b>annexes du</b><br>rapport d'examen préliminaire<br>intemational  |
| 8. | Biologisches Material 8.<br>Die Erfindung bezieht sich auf bzw.<br>verwendet biologisches Material, das<br>nach Regel 28 EPÜ hinterlegt worden<br>ist.   | <ul> <li>Biological material<br/>The invention relates to and/or uses<br/>biological material deposited under<br/>Rule 28 EPC.</li> </ul>  | 8. Matière biologique<br>L'invention concerne et/ou utilise<br>de la matière biologique, déposée<br>conformément à la règle 28 CBE.  |
|    | Die <b>Angaben nach Regel 28(1)c)</b><br><b>EPÜ</b> (falls noch nicht bekannt, die<br>Hinterlegungsstelle und das (die)<br>Bezugszeichen [Nummer, Symbole<br>usw.] des Hinterlegers) sind in der<br>internationalen Veröffentlichung oder in<br>der gemäß Feld 7 eingereichten Über-<br>setzung enthalten auf:                     | The <b>particulars referred to in</b><br><b>Rule 28(1)(c) EPC</b> (if not yet known,<br>the depository institution and the<br>identification reference(s) [number,<br>symbols etc.] of the depositor) are<br>given in the international publication<br>or in the translation submitted under<br>Section 7 on:  | Les <b>indications visées à la règle</b><br><b>28(1)c) CBE</b> (si non encore connues,<br>l'autorité de dépôt et la (les)<br>référence(s) d'identification (numéro ou<br>symboles etc.) du déposant) figurent<br>dans la publication internationale ou<br>dans une traduction produite con-<br>formément à la rubrique 7 à la / aux:                 |
|    | Seite(n) / Zeile(n)  | page(s) / line(s)  | page(s) / ligne(s)   |
|    |  |  |  |
|    | Die <b>Empfangsbescheinigung(en)</b><br>der Hinterlegungsstelle  | The <b>receipt(s) of deposit</b> issued by the depositary institution  | Le(s) <b>récépissé(s) de dépôt</b> délivré(s)<br>par l'autorité de dépôt   |
| ]  | ist (sind) beigefügt   | is (are) enclosed  | est (sont) joint(s)  |
| ]  | wird (werden) nachgereicht   | will be filed at a later date  | sera (seront) produit(s) ultérieurement  |
| ]  | Verzicht auf die Verpflichtung des<br>Antragstellers nach Regel 28(3) EPÜ<br>auf gesondertem Schriftstück  | Waiver of the right to an undertaking<br>from the requester pursuant to<br>Rule 28(3) EPC attached.  | Renonciation, sur document distinct,<br>à l'engagement du requérant au titre<br>de la règle 28(3) CBE.   |

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2 Für folgende Staaten nur möglich, falls in der internationalen Anmeldung am oder nach folgendem Tag bestimmt: Slowakische Republik, Bulgarien, Tschechische Republik und Estland: 1. Juli 2002, Slowenien: 1. Dezember 2002, Ungarn: 1. Januar 2003 und Rumänien: 1. März 2003. / For the following states this is possible only if they are designated in the international application on or after the stated date: Slovak Republic, Bulgaria, Czech Republic and Estonia: 1 July 2002, Slovenia: 1 December 2002, Hungary: 1 January 2003 and Romania: 1 March 2003. / En ce qui concerne les Etats suivants seulement si la désignation a été effectuée dans la demande internationale à la date suivante ou à une date ultérieure: République slovaque, Bulgarie, République tchèque et Estonie: 1\* juillet 2002, Slovénie: 1\* décembre 2002, Hongrie: 1\* janvier 2003 et Roumanie: 1\* mars 2003.

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| $\triangleleft$  | 11.                           | Erstreckung des europäischen<br>Patents  | 11                     | . Extension of the European patent  | 11                               | . Extension des effets du brevet<br>européen  |
|------------------|-------------------------------|--|------------------------|---|----------------------------------|---|
|                  |                               | Bei Zahlung der Erstreckungs-<br>gebühr(en) gilt diese Anmeldung auch<br>als wirksamer Erstreckungsantrag für<br>die in der internationalen Anmeldung  |                        | On payment of the extension fee(s)<br>this application is also deemed to be<br>a request for extension to all the<br>"extension states" designated in the   |                                  | La taxe (Les taxes) d'extension<br>payée(s), la présente demande<br>est également réputée être une                                    |
|                  |                               | bestimmten »Erstreckungsstaaten«.<br>Es ist beabsichtigt, diese Gebühr(en)   |                        | international application. It is intended<br>to pay the fee(s) for the following  | t                                | demande d'extension à tous les<br>«Etats autorisant l'extension»<br>désignés dans la demande  |
|                  |                               | für folgende Staaten zu entrichten:  |                        | states:   |                                  | internationale. Il est envisagé de<br>payer la taxe (les taxes) d'extensio<br>pour les Etats suivants;                                |
|                  | SI                            | Slowenien 1)   |                        | Slovenia 1)   |                                  | Slovénie <sup>1)</sup>  |
|                  | LT                            | Litauen  |                        | Lithuania   |                                  | Lituanie  |
| _                | LV                            | Lettland   |                        | Latvia  |                                  | Lettonie  |
|                  | AL                            | Albanien   |                        | Albania   |                                  | Albanie   |
|                  | RO                            | Rumänien <sup>1)</sup>   |                        | Romania <sup>1)</sup>   |                                  | Roumanie <sup>1)</sup>  |
|                  | MK                            | Ehemalige jugoslawische  |                        | Former Yugoslav Republic  |                                  | Ex-République yougoslave  |
| 7                |                               | Republik Mazedonien  |                        | of Macedonia  |                                  | de Macédoine  |
| E<br>2<br>P<br>S | n ce q<br>8 févri<br>Platz fü | veine and non-inflinta kins is possible only if they are i<br>uit concerne la Slovénie et la Roumanie, seulemen<br>ler 2003 (Roumanie).<br>r Stataen, mit denen »Erstreckungsabkommen« n<br>or Statae with which «stension aureements" ent | t si la de<br>ach Druc | Ien Anmeldung bis 30. November 2002 (Slowenien) o<br>ted in the international application up to 30 November<br>isignation a été effectuée dans la demande internation<br>klegung dieses Formblatts in Kraft treten und die in de<br>proe after this form has been printed and which were o<br>antreront en vigueur après l'impression du présent form | 2002 (i<br>nale jus<br>er interi | Slovenia) or 28 February 2003 (Romania). /<br>qu'au 30 novembre 2002 (Slovénie) ou jusqu'au<br>nationalen Anmeldung bestimmt waren. / |
|                  | 12.                           | Automatischer Abbuchungsauftrag<br>(Nur möglich für Inhaber von beim<br>EPA geführten laufenden Konten)  |                        | Automatic debit order<br>(for EPO deposit account holders   |                                  | Ordre de prélèvement automatie<br>(uniquement possible pour les   |
|                  |                               | Das EPA wird beauftragt, nach Maß-   |                        | only)   |                                  | titulaires de comptes courants<br>ouverts auprès de l'OEB)  |
|                  | ç                             | gabe der Vorschriften über das auto-   |                        | The EPO is hereby authorised, under the Arrangements for the automatic  |                                  | Par la présente, il est demandé à<br>l'OEB de prélever du compte cours  |
|                  | r                             | natische Abbuchungsverfahren fällige   |                        | debiting procedure, to debit from the   |                                  | ci-dessous les taxes et frais venan   |
|                  |                               | Gebühren und Auslagen vom<br>Intenstehenden laufenden Konto  |                        | deposit account below any fees and costs falling due. For <b>designation</b>  |                                  | échéance, conformément à la régle   |
|                  |                               | bzubuchen. In Bezug auf die Benen-   |                        | fees, see Section 10.3. The EPO is  |                                  | mentation relative au prélèvement<br>automatique. Pour les taxes de   |
|                  | r                             | ungsgebühren wird auf Feld 10.3  |                        | also authorised, on expiry of the basic   |                                  | désignation, se reporter à la rubrie  |
|                  | v                             | verwiesen. Das EPA wird ferner be-<br>uuftragt, die <b>Erstreckungsgebühren</b>  |                        | period for paying the <b>extension fees</b> ,   |                                  | 10.3. Il est en outre demandé à l'O   |
|                  |                               | ür jeden in Feld 11 angekreuzten   |                        | to debit those fees for each of the<br>"extension states" marked with   |                                  | de prélever, à l'expiration du délai<br>normal prévu pour leur paiement, le   |
|                  |                               | Erstreckungsstaat« bei Ablauf der  |                        | a cross in Section 11, unless   |                                  | taxes d'extension pour chaque «E  |
|                  | b<br>b                        | Brundfrist zu ihrer Zahlung abzu-<br>Juchen, sofern ihm nicht bis dahin ein  |                        | instructed otherwise before the said period expires.  |                                  | autorisant l'extension» coché à la  |
|                  | a                             | nderslautender Auftrag zugeht.   |                        | penod expires.  |                                  | rubrique 11, sauf instruction contrai<br>reçue avant l'expiration de ce délai.  |
|                  | N                             | lummer und Kontoinhaber  |                        | Number and account holder   |                                  | Numéro et titulaire du compte   |
| 13               | <b>3</b> . E<br>b             | ventuelle <b>Rückzahlungen</b> auf das<br>eim EPA geführte laufende Konto  | 13.                    | Any <b>reimbursement</b> to EPO deposit   | 13.                              | Remboursements éventuels à  |
|                  |                               | Jummer und Kontoinhaber  |                        | Number and account holder   |                                  | effectuer sur le compte courant<br>ouvert auprès de l'OEB   |
|                  |                               |  |                        |   |                                  | Numéro et titulaire du compte   |
| 14               |                               | nterschrift(en) des (der)<br>nmelder(s) oder Vertreters  | 14.                    | <b>Signature(s)</b> of applicant(s) or representative   | 14.                              | <b>Signature(s)</b> du (des) demandeur(s)<br>ou du mandataire   |
|                  | 0                             | rt / Datum   |                        | Place / Date  |                                  | Lieu / Date   |
|                  |                               | ir Angestellte (Art. 133(3) EPÜ)<br>it allgemeiner Vollmacht:  |                        | For employees (Art. 133(3) EPC)<br>having a general authorisation:  |                                  | Pour les employés (art. 133(3) CBE<br>disposant d'un pouvoir général :  |
|                  | Fü<br>m                       | it angementer vonmacht.  |                        |   |                                  |   |
|                  | m                             |  | I                      | No  | I                                | N°  |

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