



**European
community**

BACKGROUND INFORMATION

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ESTABLISHMENT OF A EUROPEAN PATENT

After three years of meetings, a 19-nation working party has agreed in Luxembourg on the establishment of a European patent. The draft convention and draft resolutions formulated at the final meeting on June 30, if approved by a diplomatic conference at Munich next year, will enable an inventor to acquire a patent valid in all the countries in place of a national patent.

The 19 countries are: Austria, Belgium, Britain, Denmark, Finland, France, Germany, Greece, Holland, Ireland, Italy, Liechtenstein, Luxembourg, Monaco, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, and Yugoslavia.

The draft convention sets up a European Patent Organization with headquarters in Munich. The patents granted by the EPO will be regarded as national patents in the contracting states.

Patenting will involve four stages: examination for deficiencies and a simultaneous innovation search, depth examination, and opposition and appeal proceedings.

Applications will be filed at an EPO branch office in The Hague, and subsequently published. In practice, the result of the innovation search will probably be published at the same time. There is a deadline

for publication of 18 months after the filing of an application. After a patent is granted, opposition may be lodged during a period of nine months.

The official EPO languages will be English, French and German, but applicants may file in their own language if this is different.

The EPO administrative council will be able to amend the implementing regulations by a two-thirds majority.

The experts' conference decided that the International Patent Institute in The Hague should be incorporated into the European Patent Organization and renamed the Search Directorate General.

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