

Guide

Guide for filling in the Patent Application form

The numbering below corresponds to the box numbers in the Patent Application Form.

1. The application fee is DKK 3000. If more than 10 patent claims, we will charge you an additional fee of DKK 300 for each patent claim in excess of 10. Fees shall be paid when filing the application. Refund of fees is not possible. This also applies if you withdraw the application or, for other reasons, the application is not granted. You can ask for a supplementary novelty search of your Danish application, i.e. an ITS (International Search Type). The search is conducted by a PCT authority of your choice. When filing a Danish application, you can choose among three PCT authorities: Nordic Patent Institute (NPI), the Swedish Patent and Registration Office (PRV) or the European Patent Office (EPO).

2. This box is for your own purpose.

3. You must fill in this box if the application is a PCT application entering into the national phase in Denmark.

4. Individuals as well as companies may be stated as applicants. Several applicants may apply jointly.

For practical reasons the DKPTO will forward all correspondence to the applicant whose name appears first on the application form. This applicant will automatically be considered empowered to receive correspondence on behalf of the other applicants. If another applicant than the one listed first on the application form should be the contact to the DKPTO and the one who is entitled to receive correspondence on behalf of the other applicants, you must indicate this by underlining the name in question on the application form.

For communication purpose, please also state telephone No., e-mail address and fax No. Provided that you have appointed a representative c.f. point 5, all communication will be with the representative.

4a. If the applicant is not the inventor, it must be clearly stated, that the applicant is entitled to the invention, that the applicant has informed the inventor(s) about the filing of an application and that the inventor(s) agree to this. You must do that by marking the box. In certain cases, we may require further documentation.

5. If someone else shall represent you during the processing of the application, you must inform us about the name and address of this representative. Power of attorney must be enclosed; a form can be obtained from the DKPTO.

6. Only natural persons can be inventors. You may state more than one inventor in case the invention is made jointly by two or more inventors.

7. The title of the invention must be clear and concise. The intention is not that the title should disclose the invention, but rather to give an impression of the content of the application. Fanciful names in the title are not allowed e.g. the trademark of the product.

8. You should only fill in this box if you previously have filed a patent application or the like for the same or partly the same invention in this country or abroad. You can claim priority from a previous application, provided that the new application is filed within one year from filing the first application. If you want to claim priority from a previous application when filing the application, you must within three months send a priority declaration and stipulate the application number, filing date (priority date)

and filing country. Furthermore, you must within 16 months from the priority date forward a copy of the first application (the priority document). However, the priority document is not to be forwarded if the priority declaration originates from a previous Danish application or from a PCT application entering into the national phase in Denmark.

9. Provided that you wish the application to include samples of deposited biological material, please note that special rules apply for the depositing of biological material. Please consult the Patent Handbook, part C, chapter 2, enclosure 3. Depositing might be necessary if the invention is to be sufficiently clearly stated in the application.

10. Where the application contains sequences of ten or more nucleotides or four or more amino acids, the application must include a sequence listing. Sequence lists must be presented according to a specific standard, please consult the Patent Handbook, part C, chapter 2, enclosure 4.

11. If the application results from division or excision of a previously filed application (parent application), we can, by virtue of enclosures in the parent application, acknowledge the filing date (effective date) of the previous application. However, it is your responsibility to request for such an earlier effective date. In order to meet the requirements of acknowledging the application as a result of division or excision, you must at the time of filing the application inform us about this and state the parent application number.

12. Special rules apply to the presentation of the description (including patent claims), the drawings and the abstract. For details, please consult "Vejledning til brug ved ansøgning om patent". Description, abstract and drawings, if any, must be included when filing the application. Please notice that if description and drawings (if any) are missing, the actual filing date might be affected. When filing a PCT application entering into the national phase in Denmark, the description must be a certified translation of the international application including abstract. This translation must be included when filing the application. Further enclosures do not have to be included when filing the application. However, please read point 8 about priority documents.

13. If you previously sent the application by fax, please mark the box.

14. The Application Form must be signed by the applicant (or applicants if more than one). If a representative has been appointed, the representative is entitled to sign on behalf of the applicant.

15. The novelty search and patentability examination can be conducted on the basis of description, patent claims and abstract written in Norwegian, Swedish or English. Please consult the Patent Handbook, annex PDK 3.1.A, 4.2-10.

16. Please mark this box if you wish the processing of the application and the correspondence to be in English. If English is not selected, the processing of the application will be in Danish.

17. The signature must be in bold letters.
Please contact us if you have any further questions.