

99092002128000

Druckschriften zur Beurteilung der Patentfähigkeit Ermittlung

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<https://fimportal.de/xzufi-services/580574/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99092002128000
Leistungsbezeichnung I	Druckschriften zur Beurteilung der Patentfähigkeit Ermittlung
Leistungsbezeichnung II	Submit search request for preliminary assessment of protectability of a patent application
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Ermittlung (128)
SDG-Informationsbereich	Rechte des geistigen Eigentums (Antrag auf Erteilung eines Patents, Anmeldung einer Marke, einer Zeichnung oder eines Gebrauchsmusters, Erwerb einer

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	Lizenz für die Vervielfältigung)
Lagen Portalverbund	Patente und geistiges Eigentum (2100500)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	02.08.2023
Fachlich freigegeben durch	Federal Ministry of Justice (BMJ)
Handlungsgrundlage	https://www.gesetze-im-internet.de/patg/_43.html
Teaser	If you want a rough estimate of whether your invention filed as a patent is new and inventive before you file for examination, you can file a request for search.
Volltext	If you wish, you can file a search request for your application before you file your request for examination, for which a fee will be charged. In this case, the protectability of your filed invention will be assessed and substantiated in a detailed search report. This report also contains the documents that may be relevant for the examination of the patentability of your invention.
Erforderliche Unterlagen	You do not have to submit any documents other than the documents to be submitted with the patent application, in particular an understandable abstract of the technical disclosure including a designation of the invention.
Voraussetzungen	You would like to obtain a rough assessment of whether your invention, which has already been applied for as a patent, is new and inventive via the search request, which is subject to a fee.
Kosten	The current costs can be found in the cost information sheet on fees and expenses of the German Patent and Trademark Office and the Federal Patent Court.
Verfahrensablauf	If you wish, you can file a search request for your patent application before you file your request for examination, subject to a fee: • Go to the website of the German Patent and Trademark Office (DPMA) and open the option "Forms

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and more" under the tab "Service". Then click on "Patents."

- Download the "Request for the grant of a patent" and enter all the information you have, for example your personal and address details and the designation of your invention. You can fill in the form directly on the computer or print it out and edit it by hand. Note: Under item 7 of this form you will find the option "Search request - Determination of prior art without examination (Sec. 43 Patent Law)". If you have any questions, you can also contact the Central Customer Service of the DPMA.
- Tick the checkbox "Search request". Note: The search request requires a patent application.
- Sign the form and send it with your attachments to the address indicated in the form.
- In addition to sending it by mail or fax, the DPMA also offers you the option of electronic transmission.
- Transfer the search fee due.
- You will receive a detailed search report, including documents that may be relevant for the examination of the patentability of your invention.
- If the search request is filed before or at the same time as the request for examination, the search will be carried out first and a preliminary assessment will be made as to whether the invention applied for is protectable and whether the application is sufficient.

Bearbeitungsdauer

Frist

- Payment of the search request fee: within 3 months after receipt of the search request.

weiterführende Informationen

<https://www.dpma.de/patente/index.html>
<https://www.dpma.de/recherche/dpmaregister/index.html>
<https://depatisnet.dpma.de>

Hinweise

Rechtsbehelf

No legal remedy is given.

Kurztext

- Printed matter for assessing patentability Determination
- after filing a patent application and transfer of the application fees, a search request with costs can be

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filed before the request for examination if desired

- the protectability of the filed invention is assessed and substantiated in a detailed search report
- search report contains documents which may be relevant for the examination of the patentability of the invention
- responsible: German Patent and Trademark Office (DPMA)

Ansprechpunkt

Zuständige Stelle

Formulare

Ursprungsportal

Druckschriften zur Beurteilung der Patentfähigkeit Ermittlung, Druckschriften zur Beurteilung der Patentfähigkeit Ermittlung