

99082005007000

Patent attorney, apply for admission

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/6000428/L100009>

| Modul | Sachverhalt |
|-------------------------------|--------------------------------------|
| Leistungsschlüssel | 99082005007000 |
| Leistungsbezeichnung I | Patent attorney, apply for admission |
| Leistungsbezeichnung II | Patent attorney, apply for admission |
| Typisierung | 1 - Bund: Regelung und Vollzug |
| Quellredaktion | Sachsen |
| Freigabestatus Katalog | unbestimmter Freigabestatus |
| Freigabestatus Bibliothek | unbestimmter Freigabestatus |
| Begriffe im Kontext | |
| Leistungstyp | |
| Leistungsgruppierung | |
| Verrichtungskennung | |
| SDG-Informationsbereich | |
| Lagen Portalverbund | |
| Einheitlicher Ansprechpartner | |

Modul
Sachverhalt

Fachlich freigegeben am

Fachlich freigegeben durch

Handlungsgrundlage

- § 3 bis 4 [Patentanwaltsordnung (PAO)](<https://www.gesetze-im-internet.de/patanwo/BjNR005570966.html>) – Recht zur Beratung und Vertretung
 - § 5 Patentanwaltsordnung (PAO) – Zugang zum Beruf des Patentanwalts
 - § 6 Patentanwaltsordnung (PAO) – Technische Befähigung
 - § 7 Patentanwaltsordnung (PAO) – Ausbildung auf dem Gebiet des gewerblichen Rechtsschutzes
 - § 13 bis 19 Patentanwaltsordnung (PAO) – Zulassung zur Patentanwaltschaft
 - § 29 Patentanwaltsordnung (PAO) – Patentanwaltsverzeichnis
 - Gesetz über die Eignungsprüfung für die Zulassung zur Patentanwaltschaft (PAZEignPrG)

Teaser

You may only work as a patent attorney if you have been admitted to the patent attorney profession by the Chamber of Patent Attorneys. You must apply for admission.

Volltext

You may only work as a patent attorney if you have been admitted to the patent attorney profession by the Chamber of Patent Attorneys. You must apply for admission.

Patent attorneys may perform the following tasks:

- Advising on inventions, trade marks, designs, know-how, plant variety protection and the like
 - Filing applications for all industrial property rights
 - Prosecution of infringements of industrial property rights (unless representation by attorneys-at-law is required)
 - Representation before the German Patent and Trade Mark Office, the Federal Patent Court, the Federal Plant Variety Office and other international industrial property offices
 - Representation before the Federal Supreme Court in nullity proceedings

Modul

Sachverhalt

You will find a detailed list of the activities of patent attorneys on the website of the Chamber of Patent Attorneys.

Single point of contact

For these proceedings you can use the services of the Single Point of Contact. He or she will accompany you through the procedure, take care of the correspondence with all the offices responsible for your matter and will be at your side as a competent advisor.

Erforderliche Unterlagen

- completed application form with questionnaire
 - Copy of the patent assessor certificate
 - Proof of professional liability insurance (minimum insurance sum: EUR 250,000 for each insured event) or a provisional confirmation of cover in the original
 - Proof of payment of the registration fee
 - If you are in a permanent employment relationship with a company:
 - Employment contract
 - Declaration of exemption by the employer
 - if applicable, proof of the acquisition of academic degrees (e.g. publicly certified copy of the doctorate certificate)
 - if you did not complete your training with a self-employed patent attorney: Proof of six months' work with a self-employed patent attorney

Voraussetzungen

You can only be admitted as a patent attorney if you have

- have obtained the qualification to practise as a patent attorney, or
- you have passed the qualifying examination for admission to the profession of patent attorney as a national of a member state of the EU or the EEA.

You have obtained the qualification for the profession

Modul

Sachverhalt

of patent attorney if the following points apply:

- You have acquired the technical qualification, i.e. you have
 - successfully completed a scientific or technical university degree, and
 - you have worked in a practical technical capacity for at least one year or can prove that you have acquired the required practical technical experience in another way.
- A scientific or technical university degree completed abroad also counts towards the qualification if it is recognised in Germany or is equivalent to the degree in Germany.
- You have passed the examination on the required legal knowledge.
- You have been trained by a patent attorney or a patent assessor. If you were trained with a patent attorney or patent assessor in a firm, you must also have worked for a patent attorney in a firm for at least six months.
- You have supplemented your training with studies in general law at a German university.

For more information on the patent attorney examination and details on the practical technical work required for qualification as a patent attorney and what is recognised as such, please visit the website of the German Patent and Trade Mark Office.

Admission to the patent attorney profession is refused in the following cases:

- You have forfeited a fundamental right according to the decision of the Federal Constitutional Court.
- You have been convicted of a criminal offence and are therefore not qualified to hold public office.
- You have been disqualified from practising as a patent attorney or from practising as a lawyer by a final judgement that was passed not more than eight years ago.
- A final decision has been taken against you in proceedings on a judge's charge for dismissal or in

Modul
Sachverhalt

disciplinary proceedings for removal from the service of the administration of justice or from the service as a member of the patent office.

- You have been guilty of conduct which renders you unworthy of the profession of patent attorney.
- You are fighting the free democratic basic order in a punishable manner.
- You are not only temporarily incapable of practising the profession of patent attorney for health reasons.
- You are engaged in an activity which is incompatible with the profession of patent attorney and which may jeopardise confidence in your independence.
- You are in a state of financial collapse. For example, no insolvency proceedings may have been opened against you.
- You are a judge, civil servant, professional soldier or temporary soldier, unless you are working in an honorary capacity or your rights and duties are suspended.

Kosten

Admission fee: EUR 300.00

Verfahrensablauf

You apply for admission as a patent attorney in writing on the form provided.

- Compile the application documents and submit them to the Chamber of Patent Attorneys.
- The Chamber of Patent Attorneys will check whether you meet all the requirements for admission. If the examination result is positive, you will receive an invitation to the swearing-in ceremony.
- The swearing-in ceremony takes place at the office of the Chamber of Patent Attorneys in Munich. After the swearing-in ceremony, you will receive an admission certificate. Only then are you allowed to use the professional title "Patentanwalt" or "Patentanwältin".

Upon admission, you become a member of the Chamber of Patent Attorneys and are entered in the electronic register of patent attorneys.

Bearbeitungsdauer

several weeks

| Modul | Sachverhalt |
|------------------------------|--|
| Frist | |
| weiterführende Informationen | |
| Hinweise | |
| Rechtsbehelf | The legal remedy is governed by Sections 94a et seq. of the German Patent Attorneys Act (PAO) (more details on the procedure in the notification). |
| Kurztext | |
| Ansprechpunkt | |
| Zuständige Stelle | |
| Formulare | |
| Ursprungsportal | |