

99092004000000

Register a utility model

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<https://fimportal.de/xzufi-services/6000510-99092004000000/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99092004000000
Leistungsbezeichnung I	Register a utility model
Leistungsbezeichnung II	Register a utility model
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	
Fachlich freigegeben am	

Modul	Sachverhalt
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • §§ 4 bis 8 Gebrauchsmustergesetz (GebrMG)
Teaser	The utility model is very similar to a patent. It is also referred to as the "little brother" of the patent.
Volltext	<p>Application for registration of a utility model according to §§ 4 ff. Utility Model Act (GebrMG)</p> <p>The utility model is very similar to a patent. It is also referred to as the "little brother" of the patent.</p> <p>Utility models serve to protect technical inventions.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Application form • Technical description with Description of the state of the art, Structure and advantage of the invention, if applicable, one or more technical drawings • Presentation of the protective claims, i.e. what is new about the invention and what exactly the utility model protection is being applied for <p>Tip: Detailed information on the information required in a utility model application, including examples, can be found in a leaflet which you can download from the DPMA Internet portal.</p>
Voraussetzungen	<ul style="list-style-type: none"> • Novelty (the invention must not belong to the state of the art) • inventive step (a person skilled in the relevant technical field must not readily come up with the corresponding solution) • industrial applicability
Kosten	<p>Registration fee</p> <ul style="list-style-type: none"> • for paper registration: EUR 40,00 • for electronic application: EUR 30,00 • Payment within three months of application <p>Please note! In the event of non-payment, your application will be deemed cancelled.</p> <p>Renewal fees</p>

Modul

Sachverhalt

- for the 4th to 6th year of protection: EUR 210,00
- for the 7th and 8th year of protection: EUR 350,00
- for the 9th and 10th year of protection: EUR 530,00

As for most IP procedures, you can apply for legal aid from the German Patent Office for the application and maintenance of a patent in justified cases.

Verfahrensablauf

Anyone can apply for intellectual property rights themselves. In principle, it is up to you whether or not you seek the help of a patent attorney. However, please bear in mind that mistakes when drafting the invention description usually lead to delays or cannot be corrected at all.

- If you intend to apply for the invention abroad, you should consult a patent attorney now.
- If you are not resident in the Federal Republic of Germany, you must be represented by an attorney.

You can search for a patent attorney in your area on the Internet portal of the Chamber of Patent Attorneys.

Application

- You can obtain the application form from the above-mentioned office or on the Internet (Forms & Online Services).
- It is also possible to apply for IP rights online. For more information, please visit the website of the German Patent and Trade Mark Office (DPMA).
- Submit the completed application with the required documents to the above-mentioned offices in paper form (two copies) or electronically and pay the application fee.
- You will receive a receipt stating the file number and the filing date.

Examination

The German Patent and Trade Mark Office (DPMA) will examine your application to determine whether the basic requirements for a utility model application are met and whether the application fulfils the formal criteria.

Modul

Sachverhalt

Unlike the patent application procedure, your utility model application is not examined for novelty or inventive step, which considerably shortens the procedure.

Register entry

- Once the registration procedure has been completed, the German Patent and Trade Mark Office enters the utility model in a register - the register for utility models - and publishes the entry in the Patent Gazette.
- The effect of utility model protection begins with the registration.

Because the application is not examined for novelty and inventive step, the utility model is much more vulnerable to attack than a patent. The probability that cancellation proceedings requested by third parties will be successful is therefore higher.

Bearbeitungsdauer

Duration of proceedings • Registration procedures for utility models take an average of three to four months.

Frist

Term of protection • initially three years, then extension to a maximum of ten years for a fee

weiterführende Informationen

Hinweise

Rechtsbehelf

Kurztext

Ansprechpunkt

Zuständige Stelle

Formulare

Ursprungsportal