

99082005007000, 99082005007000

# Patent attorney Admission

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/9335011/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99082005007000, 99082005007000
Leistungsbezeichnung I	Patent attorney Admission
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Rechtspflege (082)
Verrichtungskennung	Zulassung (007)
SDG-Informationsbereich	
Lagen Portalverbund	Anerkennung ausländischer Berufsqualifikationen (1040400), Prüfung und Nachweise für Sachkunde und Sicherheit (2120300), Befähigungs- und Sachkundenachweise (2010200)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	13.09.2018
Fachlich freigegeben durch	Lower Saxony Ministry of Justice
Handlungsgrundlage	<a href="http://www.gesetze-im-internet.de/patanwo/BJNR005570966.html#BJNR005570966BJNG000100311">http://www.gesetze-im-internet.de/patanwo/BJNR005570966.html#BJNR005570966BJNG000100311</a> <a href="http://www.gesetze-im-internet.de/patanwo/_5.html">http://www.gesetze-im-internet.de/patanwo/_5.html</a> <a href="http://www.gesetze-im-internet.de/patanwo/_6.html">http://www.gesetze-im-internet.de/patanwo/_6.html</a> <a href="http://www.gesetze-im-internet.de/patanwo/_7.html">http://www.gesetze-im-internet.de/patanwo/_7.html</a> <a href="http://www.gesetze-im-internet.de/patanwo/BJNR005570966.html#BJNR005570966BJNG000502140">http://www.gesetze-im-internet.de/patanwo/BJNR005570966.html#BJNR005570966BJNG000502140</a> <a href="https://www.gesetze-im-internet.de/eupag">https://www.gesetze-im-internet.de/eupag</a> <a href="http://www.gesetze-im-internet.de/patanwo/BJNR005570966.html#BJNR005570966BJNG000100311">http://www.gesetze-im-internet.de/patanwo/BJNR005570966.html#BJNR005570966BJNG000100311</a>
Teaser	You may only work as a patent attorney if you have been admitted as a patent attorney by the Chamber of Patent Attorneys. You must apply for admission.
Volltext	<p>Patent attorneys may perform the following tasks:</p> <ul style="list-style-type: none"> <li>• Advice on inventions, trademarks, designs, know-how, plant variety protection and the like</li> <li>• Registration of all industrial property rights</li> <li>• Prosecution of infringements of industrial property rights (unless representation by attorneys-at-law is required)</li> <li>• Representation before the German Patent and Trademark Office, Federal Patent Court, Federal Plant Variety Office and other international IP authorities</li> <li>• Representation before the Federal Supreme Court in nullity proceedings</li> </ul> <p>Patent attorneys may only act if they have been admitted to the patent bar by the competent authority. Admission must be applied for.</p> <p><a href="http://www.patentanwalt.de/downloads/pa/PAK_BB_1.pdf">http://www.patentanwalt.de/downloads/pa/PAK_BB_1.pdf</a>  <a href="http://www.patentanwalt.de/downloads/pa/PAK_BB_1.pdf">http://www.patentanwalt.de/downloads/pa/PAK_BB_1.pdf</a></p>

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### Erforderliche Unterlagen

- Copy of the patent certificate,
    - Transcripts of academic degrees and titles or publicly certified transcripts if academic degrees and titles are not included in the patent assessment certificate,
    - If applicable, proof of six months' employment with a freelance patent attorney pursuant to Section 5 (2) of the German Patent Attorney Act (PAO),
    - If applicable, employment contract and declaration of release from the employer, if there is a permanent employment relationship with a company,
    - Proof of professional liability insurance or a provisional confirmation of cover, in each case in the original (minimum sum insured 250,000.00 euros for each insured event)
- [http://www.gesetze-im-internet.de/patanwo/\\_5.html](http://www.gesetze-im-internet.de/patanwo/_5.html)  
[http://www.gesetze-im-internet.de/patanwo/\\_5.html](http://www.gesetze-im-internet.de/patanwo/_5.html)

### Voraussetzungen

Only those persons may be admitted as patent attorneys who

- is qualified for the profession of patent attorney or
- has passed the aptitude test for admission to the patent attorney profession as a national of an EU or EEA member state.

The qualification for the profession of patent attorney has been obtained if the following points apply:

- Acquisition of the technical qualification, i.e. the applicant has
  - successfully completed a scientific or technical university degree and
  - has completed at least one year of practical technical work or can prove that the required practical technical experience has been acquired in another way.
- A scientific or technical university degree completed abroad is also valid for the qualification if it is recognized in Germany or is equivalent to the degree in Germany.
- Passing the examination on the required legal knowledge

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- Training with a patent attorney or a patent assessor. If the training was provided by a patent attorney or a patent assessor in a firm, the applicant must also have worked for a patent attorney in a law firm for at least six months.
- Supplementing the training by studying general law at a German university

Admission to the patent bar will be refused in the following cases:

- Forfeiture of a fundamental right according to the decision of the Federal Constitutional Court
- Criminal conviction and therefore no ability to hold public office
- exclusion from the patent attorney profession or from the legal profession as a result of a final judgment handed down no more than eight years previously
- a final decision in proceedings for dismissal by a judge or in disciplinary proceedings for removal from the administration of justice or from service as a member of the Patent Office
- culpable conduct as a result of which the applicant appears unworthy of the profession of patent attorney
- Fighting the free democratic basic order in a punishable manner
- not only temporary health reasons that lead to the inability to exercise the profession of patent attorney
- engaging in an activity which is incompatible with the profession of patent attorney and which may jeopardize confidence in independence
- financial collapse. For example, insolvency proceedings must not have been opened against the applicant.
- the applicant is a judge, civil servant, professional soldier or temporary soldier, unless he or she is working in an honorary capacity or his or her rights and duties are suspended.

## Kosten

Fees are charged in accordance with the fee regulations of the responsible body.

## Verfahrensablauf

The competent authority checks whether all

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requirements for admission have been met.

If the result of the examination is positive, the applicant will receive an invitation to be sworn in. The swearing-in ceremony takes place at the office of the competent authority in Munich. After the swearing-in ceremony, a certificate of admission is issued. The professional title "Patent Attorney" may only be used from this point onwards.

Upon admission, the applicant becomes a member of the Chamber of Patent Attorneys and is entered in the electronic register of patent attorneys after being sworn in.

**Bearbeitungsdauer**

3 Monat(e)  
 § Section 30 (2) of the German Patent Attorney Act (PAO)

**Frist**

The admission procedure is usually completed within two months of the application being submitted.

**weiterführende Informationen**
**Hinweise**

Helpful links:  
<http://www.dpma.de/amt/aufgaben/patentanwaltsausbildung/pruefung/index.html>  
<http://www.dpma.de/amt/aufgaben/patentanwaltsausbildung/wegueberdieausbildung/technisches/naturwissenschaftsstudium/index.html>  
[http://www.patentanwalt.de/downloads/pa/Zulassung\\_PA\\_2.pdf](http://www.patentanwalt.de/downloads/pa/Zulassung_PA_2.pdf)  
<http://www.dpma.de/amt/aufgaben/patentanwaltsausbildung/pruefung/index.html>  
<http://www.dpma.de/amt/aufgaben/patentanwaltsausbildung/wegueberdieausbildung/technisches/naturwissenschaftsstudium/index.html>  
[http://www.patentanwalt.de/downloads/pa/Zulassung\\_PA\\_2.pdf](http://www.patentanwalt.de/downloads/pa/Zulassung_PA_2.pdf)

**Rechtsbehelf**
**Kurztext**

Patent attorney admission

Patent attorneys may only work if they have been

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	<p>admitted to the patent bar.</p> <p>Admission must be applied for.</p> <p>The Chamber of Patent Attorneys is responsible for this</p>
Ansprechpunkt	<p>Responsibility lies with the Chamber of Patent Attorneys.</p> <p>This procedure can also be handled by a "Single Point of Contact". The "Single Point of Contact" is a special service offered by the municipalities and the state for service providers.</p> <p><a href="https://service.niedersachsen.de/dlp/ea">https://service.niedersachsen.de/dlp/ea</a></p> <p><a href="https://service.niedersachsen.de/dlp/ea">https://service.niedersachsen.de/dlp/ea</a></p>
Zuständige Stelle	Responsibility lies with the Chamber of Patent Attorneys.
Formulare	
Ursprungsportal	Patentanwältin/Patentanwalt Zulassung, Patent attorney Admission