

99082005007000

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/27386/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99082005007000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Patent attorney; application for admission
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	27.02.2025

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Fachlich freigegeben durch	Bundesministerium der Justiz und für Verbraucherschutz
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/patanwo/_3.html">https://www.gesetze-im-internet.de/patanwo/_3.html</a> <a href="https://www.gesetze-im-internet.de/patanwo/_3.html">https://www.gesetze-im-internet.de/patanwo/_3.html</a> <a href="https://www.gesetze-im-internet.de/patanwo/_13.html">https://www.gesetze-im-internet.de/patanwo/_13.html</a> <a href="https://www.gesetze-im-internet.de/patanwo/_13.html">https://www.gesetze-im-internet.de/patanwo/_13.html</a> <a href="https://www.gesetze-im-internet.de/eupag/_1.html">https://www.gesetze-im-internet.de/eupag/_1.html</a> <a href="https://www.gesetze-im-internet.de/eupag/_1.html">https://www.gesetze-im-internet.de/eupag/_1.html</a>
Teaser	Do you want to work as a patent attorney? Then you must apply to the Chamber of Patent Attorneys for admission as a patent attorney.
Volltext	<p>As a patent attorney, you may perform the following tasks in particular:</p> <ul style="list-style-type: none"> <li>• advise on inventions, patents, utility models, trademarks, designs, topographies or plant variety rights;</li> <li>• register industrial property rights;</li> <li>• prosecute infringements of industrial property rights if representation by attorneys-at-law is not required;</li> <li>• represent your clients before the following institutions: <ul style="list-style-type: none"> <li>• German Patent and Trademark Office,</li> <li>• Federal Patent Court,</li> <li>• Federal Plant Variety Office,</li> <li>• Federal Supreme Court in nullity proceedings.</li> </ul> </li> </ul> <p>You must apply for admission at the Chamber of Patent Attorneys. The Chamber of Patent Attorneys will examine your application. If you meet all the requirements, you will be issued a certificate of admission and you will be allowed to work as a "patent attorney".</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Required document/s <ul style="list-style-type: none"> <li>• Main application: completed application form</li> <li>• completed questionnaire on the application for admission</li> <li>• officially certified copy of the patent certificate</li> </ul> </li> </ul>

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- officially certified copies of your academic degrees and titles
- Copy of identity card
- Signed curriculum vitae in tabular form with photograph
- Original proof of professional liability insurance
  - Minimum sum insured: EUR 250,000 for each insured event or a provisional cover note
- if you are in a permanent employment relationship with a company:
  - Copy of the employment contract and
  - Original declaration of exemption from the employer
- if you did not complete your training with a freelance patent attorney:
  - Proof of six months' work experience with a freelance patent attorney

## Voraussetzungen

You will only be admitted as a patent attorney if you

- have obtained the qualification for this profession in accordance with the Patent Attorney Act or
- you are a national of a member state
  - of the European Union (EU),
  - the European Economic Area (EEA) or
  - Switzerland can present a certificate from the German Patent and Trade Mark Office (DPMA) stating that
- your professional qualifications acquired abroad include the knowledge required for practicing the profession of patent attorney in Germany or
- you have passed the aptitude test for admission to the patent attorney profession.

You have acquired the qualification for the profession of patent attorney in accordance with the Patent Attorney Act if the following points apply:

- You have acquired the technical qualification. This means that you have
  - successfully completed a scientific or technical university degree, also possible abroad, provided that the degree was recognized in the Federal Republic of

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Germany or its equivalence was established by the DPMA and the competent supreme state authority,

- have spent at least one year in practical technical work or have acquired the required practical technical experience in some other way.

- You have completed training in the field of industrial property protection: for at least 34 months in Germany, of which at least 26 months with a patent attorney or a patent assessor; the DPMA may credit up to 12 months of training in the field of industrial property protection completed abroad; alternatively, you may have worked as a patent clerk for at least 10 years;

- You have completed a degree in general law at a university.

- You have passed the examination on the required legal knowledge.

- If you were not trained by a patent attorney, you must have worked for a patent attorney for at least 6 months after the examination.

You will not be admitted to the patent bar in the following cases:

- You have forfeited a fundamental right according to the decision of the Federal Constitutional Court.

- You are not qualified to hold public office as a result of a criminal conviction.

- You have been excluded from the patent attorney profession by a final judgment handed down no more than 8 years ago.

- A final decision has been taken against you in proceedings for dismissal by a judge or in disciplinary proceedings for removal from office in the administration of justice or at the DPMA.

- You are guilty of conduct which makes you appear unworthy of the profession of patent attorney.

- You have committed a criminal offense against the free democratic basic order.

- For health reasons, you are not only temporarily incapable of properly practicing the profession of patent attorney.

- You are exercising an activity that is incompatible

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with the profession of patent attorney, in particular with your position as an independent organ of the administration of justice, or that may jeopardize confidence in your independence.

- You are in financial difficulties. For example, insolvency proceedings must not have been opened against you.

- You are
  - a judge,
  - a civil servant,
  - professional soldier or temporary soldier,

unless you are working in an honorary capacity or your rights and duties are suspended.

## Kosten

Fee: 300 EUR

## Verfahrensablauf

You submit the application for admission as a patent attorney by post to the Chamber of Patent Attorneys:

- Visit the website of the Chamber of Patent Attorneys and download the application form and the questionnaire.
- Print out both documents, fill in all the details and sign both documents by hand.
- Send the application for admission, the questionnaire and the required documents by post 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 a personal swearing-in ceremony. This will take place at the office of the Chamber of Patent Attorneys in Munich.
- Once you have been sworn in, you will receive a certificate of admission. From this point onwards, you may use the professional title "Patent Attorney".

Once you have been admitted, you are a member of the Chamber of Patent Attorneys and will be entered in the electronic register of patent attorneys once you

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	have been sworn in.
Bearbeitungsdauer	The admission procedure usually takes several weeks from the time of application.
Frist	There is no deadline.
weiterführende Informationen	<a href="https://www.patentanwalt.de/de/patentanwaelte/berufsbild.html">https://www.patentanwalt.de/de/patentanwaelte/berufsbild.html</a> <a href="https://www.patentanwalt.de/de/patentanwaelte/berufsbild.html">https://www.patentanwalt.de/de/patentanwaelte/berufsbild.html</a> <a href="https://www.patentanwalt.de/files/pak/pdf/pa/zulassung/17_06_Mehr%20zur_Zulassung_Patentanwalt.pdf">https://www.patentanwalt.de/files/pak/pdf/pa/zulassung/17_06_Mehr%20zur_Zulassung_Patentanwalt.pdf</a> <a href="https://www.patentanwalt.de/files/pak/pdf/pa/zulassung/17_06_Mehr%20zur_Zulassung_Patentanwalt.pdf">https://www.patentanwalt.de/files/pak/pdf/pa/zulassung/17_06_Mehr%20zur_Zulassung_Patentanwalt.pdf</a> <a href="https://www.dpma.de/dpma/wir_ueber_uns/weitere_aufgaben/patentanwaltsausbildung/pruefung/index.html">https://www.dpma.de/dpma/wir_ueber_uns/weitere_aufgaben/patentanwaltsausbildung/pruefung/index.html</a> <a href="https://www.dpma.de/dpma/wir_ueber_uns/weitere_aufgaben/patentanwaltsausbildung/pruefung/index.html">https://www.dpma.de/dpma/wir_ueber_uns/weitere_aufgaben/patentanwaltsausbildung/pruefung/index.html</a> <a href="https://www.dpma.de/dpma/wir_ueber_uns/weitere_aufgaben/patentanwaltsausbildung/index.html">https://www.dpma.de/dpma/wir_ueber_uns/weitere_aufgaben/patentanwaltsausbildung/index.html</a> <a href="https://www.dpma.de/dpma/wir_ueber_uns/weitere_aufgaben/patentanwaltsausbildung/index.html">https://www.dpma.de/dpma/wir_ueber_uns/weitere_aufgaben/patentanwaltsausbildung/index.html</a>
Hinweise	There are no indications or special features.
Rechtsbehelf	<ul style="list-style-type: none"> <li>• Opposition</li> <li>• Action before the Higher Regional Court</li> </ul>
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal