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Reference	Application No./Patent No. 17893857.7 - 1126 PCT/UA2017000024
Applicant/Proprietor Mobimods LLC	

Entry into the European phase before the European Patent Office

The following information describes the procedural steps required for entry into the European phase before the European Patent Office (EPO) as designated/elected Office. You are advised to read it carefully because failure to take the necessary action in due time can lead to a loss of rights.

1. The above mentioned international patent application has been given the **European application No. 17893857.7**. This application number is to be used in correspondence with the EPO.
2. Applicants **without a residence or their principal place of business** in an EPC Contracting State may themselves initiate European processing of their international applications, provided they do so before expiry of the 31st month from the priority date.

During the European phase before the EPO as designated or elected Office, however, such applicants **must** be represented by a professional representative (Art. 133(2) and Art. 134(1) and (8) EPC).

Where, at the expiry of the time period laid down in Rule 163(5) EPC, the requirements of Article 133(2) EPC have not been complied with, the European patent application will be **refused**, pursuant to Rule 163(6) EPC.

Please note that a professional representative authorised to act before the EPO and who acted for the applicant during the international phase does not automatically become the representative for the European phase. Applicants are therefore strongly advised to appoint in good time any representative they wish to initiate the European phase for them; otherwise the EPO has to send all communications directly to the applicant.

3. Applicants **with a residence or their principal place of business** in an EPC Contracting State are not obliged to appoint for the European phase a professional representative authorised to act before the EPO. However, in view of the complexity of the procedure it is recommended that they do so.
4. Applicants and professional representatives are also strongly advised to initiate the European phase using **EPO Form 1200**. It is available free of charge from the EPO or via the EPO website at www.epo.org. Similarly, it can be generated using the Online Filing software, obtainable free of charge from the EPO, or the new online filing (CMS). The use of the form is not compulsory.

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5. Applicants wishing to use an address for correspondence which is different from the address of their seat or residence are advised to indicate this address in section 1 of EPO Form 1200. When acting as designated or elected Office, the EPO will accept an address for correspondence only if no professional representative must be or is appointed (Art. 133 and 134 EPC). This address must be the applicant's own address and must be located in an EPC Contracting State. Any address for correspondence accepted for the procedure in the international phase which does not fulfil those conditions will not be accepted in the procedure before the EPO in the European phase.
6. To enter the European phase before the EPO as designated or elected Office (Art. 22(1) and (3) and 39(1) PCT), the **following acts** must be performed by the applicant within **31 months** from the date of filing of the international application or (where applicable) the earliest priority date:
- a) Supply a translation of the international application into an EPO official language, if the International Bureau did not publish the application in such language (Art. 22(1) PCT and R. 159(1)(a) EPC);
 - b) Specify the application documents, as originally filed or as amended, on which the European grant procedure is to be based (R. 159(1)(b) EPC);
 - c) Pay the filing fee and, where applicable, the additional fee for a European patent application comprising more than 35 pages (R. 159(1)(c) EPC, Art. 2(1), items 1, 1a Rules relating to Fees (RFees));
 - d) Pay the search fee where a supplementary European search report has to be drawn up (R. 159(1)(e) EPC);
 - e) Pay the designation fee if the time limit laid down in Rule 39(1) EPC (i.e. six months after publication of the international search report) has expired before the 31-month period pursuant to Rule 159(1) EPC (R. 159(1)(d) EPC);
 - f) File the written request for examination and pay the examination fee if the time limit laid down in Rule 70(1) EPC has expired before the 31-month period pursuant to Rule 159(1) EPC (R. 159(1)(f) EPC);
 - g) Pay the renewal fee in respect of the third year, if the fee has fallen due (see Rule 51(1) EPC) before expiry of the 31-month period pursuant to Rule 159(1) EPC (R. 159(1)(g) EPC);
 - h) File, where applicable, the certificate of exhibition referred to in Article 55(2) and Rule 25 EPC (R. 159(1)(h) EPC);
 - i) Pay the claims fees for the sixteenth and each subsequent claim when the application documents on which the European grant procedure is to be based comprise more than fifteen claims (R. 162(1) EPC). A higher amount is payable for the 51st and each subsequent claim (Art.2(1), item 15 RFees).

If either the translation of the international application or the request for examination is not filed in time, or if the filing fee, the additional fee, the search fee, the designation fee or the examination fee is not paid in due time, the application shall be deemed to be withdrawn (R. 160(1) EPC).

7. Making payments

For payments made via deposit account, please note that as from 1 December 2017 debit orders will only be carried out if filed in an electronically processable format (xml), using an accepted means of filing as laid down in the Arrangements for deposit accounts (ADA), published in a Supplementary publication to the Official Journal.

All relevant information related to the modes of payment of fees to the EPO can be retrieved from the EPO website at "**Making Payments**".

Information concerning fee amounts

Procedural fees are usually adjusted every two years, on even years, with effect from 1 April. Therefore, before making a payment, parties should verify the amounts actually due on the date of payment using the applicable version of the Schedule of fees and expenses, published as a Supplement to the Official Journal of the EPO, available on the EPO website (www.epo.org) at www.epo.org/schedule-of-fees. The "Schedule of fees" table allows the viewing, downloading and searching of individual fee amounts, both current and previous.

8. Restoration of priority right

Where the international application contains a priority claim to an earlier application and it has been filed within two months from the expiration of the 12-month priority period, a request for restoration before the EPO as designated Office (R. 49*ter*.2 PCT) applies under the following circumstances:

- a) No request for restoration filed before the receiving Office (RO) during the international phase (R. 26*bis*.3 PCT)
- b) Negative decision by the RO irrespective of the criterion applied (due care/unintentionality)
- c) Positive decision by the RO based on the unintentionality criterion.

For a request to be admissible, it must be filed and the requisite fee must be paid (R. 49*ter*.2(b)(iii) and R. 49*ter*.2(d) PCT, Art.2(1), item 13 RFees) within the one-month time limit under R. 49*ter*.2(b)(i) PCT for filing the request, which starts from the expiry of the 31-month time limit pursuant to Rule 159(1)EPC and Article 22(3) or 39(1)(b) PCT or, where applicable, from the date on which an effective request for early processing (Art. 23(2) or 40(2) PCT) is filed ('Notice from the European Patent Office dated 21 February 2013 concerning the request for early processing', OJ EPO 2013, 158). The request for restoration also needs to state the reasons for the failure to file the international application within the priority period (Rule 49*ter*.2(b)(ii) PCT).

9. If the applicant had appointed a representative during the application's international phase, the present Form will be sent to the representative, asking him to inform the applicant accordingly. All subsequent communications will be sent to the applicant, or - if the EPO is informed of his appointment in time - to the applicant's European representative.
10. For more details about time limits and procedural acts before the EPO as designated or elected Office, see the EPO brochure Euro-PCT Guide: PCT procedure at the EPO. This brochure, the list of professional representatives before the EPO, Form 1200 and details of the latest fees are available on the EPO website (www.epo.org).

11. Programme for accelerated prosecution of European patent applications - "PACE"

Applicants wishing to accelerate proceedings before the EPO as designated or elected Office may request accelerated prosecution under the PACE programme (Notice from the European Patent Office dated 30 November 2015 concerning the programme for accelerated prosecution of European patent applications - "PACE", OJ EPO 2015, A93).

Receiving Section