

# GUIDE TO COMPLETING THE PATENT APPLICATION FORM (FORM NO.1)

- The applicant must firstly indicate the type of patent they wish to obtain from the Intellectual Property Office of Ireland (IPOI) by ticking the relevant box.

*A Full Term Patent has a duration of 20 years; a Short Term Patent has a duration of 10 years. An indication of the preliminary fees associated with these applications is given below.*

| TYPE OF PATENT | FILING FEE | SEARCH FEE | GRANT FEE | 3 <sup>rd</sup> YR RENEWAL FEE | 4 <sup>th</sup> YR RENEWAL FEE |
|----------------|------------|------------|-----------|--------------------------------|--------------------------------|
| FULL TERM      | € 125      | €200       | €64       | €60                            | €90                            |
| SHORT TERM     | € 60       | N/A        | €30       | €30                            | €45                            |

*There are other statutory fees payable if there is a need to amend applications or extend time limits. Annual patent renewal fees which must be paid from the third year in order to keep a patent in force. A list of statutory fees is available at [www.patentsoffice.ie](http://www.patentsoffice.ie)*

## 1. Applicant(s)

- The full name and address of the applicant(s) (first name followed by surname) should be entered here. *(A separate sheet is available for additional applicants if all names cannot fit here).*
- The address must include the country of the applicant.
- The nationality of the applicant should be entered. *This is used for statistical purposes.*
- The telephone number (with prefix) and the email address of the applicant should be entered clearly.
- If no legal representative [Note 2] or no other address for service [Note 3] is required, you should list the applicant to whom correspondence is to be sent as the first applicant.

## 2. Legal Representative

This section should be completed if the applicant has retained the services of an agent (e.g. patent agent/attorney or solicitor) to act on their behalf in relation to the patent application. *A list of patent agents is available on the Patent Office website.*

- The full name and address of the agent should be entered here.
- The address must include the name of the country in which the agent is based.
- The telephone number (with prefix) and the email address of the agent should be entered clearly.

## 3. Address for service

This section should be completed if the applicant has not retained the services of an agent and wishes correspondence to be issued to a particular address that is not their address as listed in Note 1.

- *This address to which correspondence is to be sent can be any address within the EEA.*
- *Correspondence, sent to the address for service, will always be addressed to the applicant.*

**Email authorisation check box** - Marking this check box authorises the Intellectual Property Office of Ireland (IPOI) to send any correspondence relating to the application to the email address provided by the applicant. *This should only be checked if the applicant has a valid email account that is checked regularly.* *The Intellectual Property Office of Ireland (IPOI) shall not be held responsible if correspondence is not acted upon by the applicant due to the applicant's failure to access his/her email account on a regular basis.*

#### **4. Title of Invention**

This section should contain the title of the patent application.

- This title should be brief and indicate the matter to which the invention relates.
- The title appearing here must be the same as the title appearing in the front page of the specification. (Examples of titles include: “*An apparatus for manufacturing a snack food product*”, “*A beverage dispensing tap*” or “*A retaining device for a refuse bin*”, etc.)

#### **5. Declaration of Priority**

This section should be completed if an application in respect of the same invention was filed up to 12 months earlier in either Ireland, the European Patent Office, the World Intellectual Property Office or a country that is a party to the Paris Convention for the Protection of Industrial Property (member countries can be found on the Patents Office website).

- *In this instance, the filing date of the earlier application becomes the "priority date" of the new application.*
- *If there has been more than one earlier filing this can give rise to more than one priority date in respect of the Irish application. Time limits, which start to run from the date of priority, run from the earliest of such priority dates.*
- In this section the applicant should enter the country in which the previous application was filed, the date of filing of the previous application and the application number accorded the previous application.
- The applicant should provide a copy of these priority documents within 16 months of the earliest date of priority.

#### **6. Inventors**

The applicant(s) should indicate here if they are the sole/joint inventor(s) of the submitted invention by ticking the appropriate box.

- If the applicant(s) is/are not the sole/joint inventor(s), the other inventors should be listed with contact details to be filled in as per Note 1. *A separate sheet is available for additional inventors if all names cannot fit here.*

## 7. Statement of right to be granted a patent.

If the applicant(s) is (are) not the sole (joint) inventor(s), he/she (they) should indicate here how they obtained the right to be granted this patent from the inventor(s) by ticking the appropriate box.

- *This right to be granted a patent may come from an employment contract or a deed of assignment, etc.*

## 8. Divisional Application

This section should be completed if this application is being separated out of a previous application where more than one invention was disclosed.

- *A patent can be granted for one invention only. The separated out invention can be filed as a "divisional" application.*
- *This divisional application will keep the filing date of the original application, but is otherwise examined as an application in its own right.*
- The applicant should indicate if the current application is a divisional application using the check box provided. If the applicant indicates YES, then the details of the previous application (application number and date of filing) should be provided here.

## 9. Items accompanying this Request

This section must be completed to indicate the accompanying documentation and fees needed for a valid application.

- (a) Please ensure that the correct filing fee amount is entered here (i.e. €125 for a full term or €60 for a short term patent) and the box is ticked.

*A patent specification contains four component parts; (a) a description section, (b) a claims section, (c) a drawings section (if any) and (d) an abstract section. These sections must all conform to the formatting requirements (such as page size, minimum page margins, page numbering, line numbering etc.) that are discussed in the "Patent Application Guide" available on the Patents Office website.*

- (b) If a written description has been filed please tick this box.
- (c) If a written claims section has been filed please tick this box.
- (d) If drawings referred to in the description or claims have been filed please tick this box.
- (e) If an abstract has been filed please tick this box.

*The minimum requirement for a valid application is the submission of the description section. The applicant has 12 months from the date of filing to submit the abstract and claims sections.*

*If drawings are submitted with this description section on day one then please note that any amendment to these drawings or submission of new drawings at a later date will result in the filing date being changed to the date of submission of the new drawings.*

*The applicant is advised that examination cannot proceed until the description, claims, drawings (if any) and the abstract section have been received.*

- (f) As stated in Note 5, if priority has been claimed, a copy of these priority documents should be submitted within 16 months of the earliest priority date (the filing date of the previous application). If the priority documents are included, please tick this box.
- (g) If these priority documents are in a language other than English, a translation of the documents should be submitted within 21 months of the earliest priority date. If this translation is included, please tick this box.
- (h) If the applicant has retained the services of a legal representative (as indicated in Note 2), an "Authorisation of Agent" [Form No.5] document must be supplied. If this authorisation is included, please indicate so by ticking this box.
- (i) If the applicant has submitted a previous application at the Office and has retained the same patent agent for this application, indication can be given that a general "Authorisation of Agent" was submitted previously by ticking this box. The applicant should indicate the previous application number and its date of filing here also.
- (j) If you have identified other applicants on a separate sheet (in addition to those listed in Note. 1) please tick this box.
- (k) If you have identified other inventors on a separate sheet (in addition to those listed in Note. 6) please tick this box.

## **10. Signature**

This section must be completed with the applicant's (or patent agent's, if any) signature and his/her name in block capitals. If the applicant is a company, the person whose signs the form should indicate in which capacity they are signing for the company, i.e. director, secretary, etc. The form should be completed by indicating the date of submission of this application form.