



Brief and important information for our users

Newsflash 2005/20

25-07-2005 Amendments in the Austrian Patent Law

This is to inform you that some changes have been made to the Austrian Patent law, and have been in force since 1 July 2005. This will result in the inclusion of new kind codes in the bibliographic data. The first publications under the new law are expected in August 2005.

The new kind codes are as follows:

- A1** Publication of application with search report
- A2** Publication of application without search report
- A3** Publication of search report
- A4** As for A2 but published on the same day as the B document.
The code A4 indicates that, in contrast to an A2 document, there is no corresponding A3 document that can be expected.
- A8** Corrected title page of Austrian A document
- A9** Complete reprint of Austrian A document
- B** Published on the 25th of each month under current law
- B** About 2 000 - 3 000 old documents treated under the old law but published on the 15th of each month under the new law
- B1** Patent
- B2** Patent amended after opposition
- B8** Corrected title page of Austrian B document
- B9** Complete reprint of Austrian B document

As of this date, some other major changes will also be implemented:

- Until now Austrian laid open applications were only available on request. In future they will all be published.
- A publications will be issued 18 months after the filing date
- Having previously had a pre-grant opposition system, the Austrian Patent Office will now implement a post-grant opposition system, under which the opposition period will expire two months after the date of grant. The publication date of B documents will be the same as the date of grant, and not six weeks after grant as it is at present.
- The new publication numbers will start with 500001. This will clearly distinguish them from the old series, according to which the latest number is now 412749. These new numbers will be applied to A1/A2/A4 documents, whilst current A documents will make use of the filing number as publication identification. All subsequent publications (A3, A8, A9, B, B1, B2, B8, and B9) will maintain the same number as the corresponding A1/A2/A4 document.

Note:

The Austrian utility model law remains unchanged.