

Regulations on the content of certificates, applications and requests in the procedure of the protection of inventions, as well as the manner of filing the application and publication of inventions

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Subject matter

Article 1

This regulation closely prescribes the kind of pledge data entered in the register of the competent authority, contents of the request for the entry of the transfer of right, license and pledge and annexes are prescribed to be filed with those requests, the contents of the expert opinion for the confidential inventions, manner of filing the application for the protection of invention, annexes filled with the request for the grant of rights and their contents, contents and manner of the description of the invention, conditions for the issuing of a sample of the deposited biological material, re-depositing of the biological material as well as the manner of submitting the list of sequences disclosed in the description of the invention, form and content of the patent claims, contents of the abstract, presentation and characteristic of drawing, manner of referring to the previously filed application, the form of the document in the application, contents of the research report, when the technical preparations for the patent application are considered completed, the contents of the publication of the patent application, content of the document on the granted right, data on the granted right published in the Official Gazette, contents of the patent document, data on the request for the grant of certificate entered in the Register of Patents and published and contents of data on the revoked right published in the Official Gazette.

Kind of information on the pledge entered in the Register of the competent authority

Article 2

Data on the pledge entered in the Register of the competent authority are the following:

- 1) Data on the pledger and pledgee if those are not the same persons: name, surname, address of the natural person or the title and seat of the legal person;
- 2) Data on the pledge creditor: name, surname, address of the natural persons or title and seat of the legal person;
- 3) Number of the application and register number of the granted right;
- 4) Data on the claim secured by the civil pledge with the notification of the basic and maximum amount;
- 5) Data that the settlement procedure has been initiated;
- 6) Notice on the prohibition of the alienability, if it has been provided in the pledge contract.

Contents of the request for the entry of transfer of right arising from the patent application or granted right

Article 3

Request for the entry of the transfer of right arising from the patent application or granted right contains:

- 1) Application number or register number of patent or petty patent;
- 2) The following data on the assignor of the application or the holder of right, about the person to whom the right is transferred and their representatives, if they have them: name, surname and address of the natural person or title and seat of the legal person;
- 3) Designation that the person from point 2) of this article is the person submitting the claim;
- 4) Designation that the entry of the transfer of patent or petty patent is requested or the right arising from the application or the designation of right is requested to be entered;
- 5) Signature of the submitter requesting entry of the transfer of right or his representative.

Enclosures filed with the request for the transfer of rights

Article 4

If the transfer of right arising from the application or the granted right comes out of the contract on the transfer of rights, with the request from the article 3 from this Regulations, as the proof on the legal basis of the transfer of right arising from the application, or the granted right whose entry is requested, the following shall be filed:

- 1) Original of the contract on the transfer of rights from the application, or the granted right or the certified photocopy of that document, or
- 2) Original of the excerpt from the contract on transfer, with the certificate of the competent authority that the excerpt is identical to the contract, signed by the contracting parties or the certified photocopy of that document, or
- 3) Original of the statement on transfer signed by the competent parties or certified photocopy of that document.

If the transfer of rights from the application or the granted right is the result of the merger of the foreign legal persons, with the request from paragraph 1 of this article, original or the certified photocopy of the document issued by the competent authority certifying merger of the legal persons shall be submitted.

If the transfer of rights arising from the application, or the granted right resulted as the basis of the law or court decision, or the administrative act, with the request from paragraph 1 of this article, one shall file the original or the certified photocopy of the court decision, or other document certifying that change, for the foreign persons.

If the documents, from paragraphs 1-3 of this article, are in a foreign language, the translation into Serbian language certified by the court interpreter shall be submitted.

Contents of the request for the entry of the license on the right arising from the application or the invention of granted right

#### Article 5

Request for the entry of license for the right arising from the application of the invention or the granted right contains:

- 1) Application number or the registration number of patent or petty patent;
- 2) The following data on the applicant or the holder of right or the licensee and their representatives, if they have them; name, surname and address of the natural person or title and seat of the legal person;
- 3) Designation which person from point 2 of this article is the person submitting the request;
- 4) Data on the kind of license (exclusive or non-exclusive license);
- 5) Time of duration of the license;
- 6) Designation that the entry of license on the patent or petty patent or the right arising from the application is requested;
- 7) Signature of the person filing a request for the entry of license or his representative.

Enclosures filed with the request for the entry of license

#### Article 6

With the request from article 5 of this Regulation, as the proof of the legal ground of entry of the license on the right arising from application of the invention or the granted right, it shall be submitted:

- 1) Original of the license contract, signed by the contracting parties or the certified photocopy of that document, or
- 2) Original of the excerpt from the license agreement with the data on the parties in the contract and rights that are the subject matter of the license with the confirmation of the competent authority that the excerpt is identical to the contract, or certified photocopy of that document.

If the documents from paragraph 1 of this article are in foreign language, the translation into Serbian language shall be submitted certified by the court interpreter.

Content of the request for entry of pledge on the right arising from the application for the invention or the granted right

#### Article 7

Request for the entry of pledge on the right arising from the application for the invention, or the granted right, contains:

- 1) application number or registration number;
- 2) the following data on the holder of application or the holder of right, or the lender and debtor if they are not the same persons, about the pledge creditor and their representatives if they have them: name, surname and address of the natural person or title and seat of the legal person;
- 3) designation which person from point 2) of this article is submitting the request;
- 4) designation that the entry of pledge on the patent or petty patent or the right arising from the application is requested;
- 5) signature of the person submitting the request for the entry of pledge or his representative.

#### Enclosures filed with the request for the entry of pledge

##### Article 8

With the request from article 7 of this Regulation, as the proof of the legal grounds of entry of the pledge on the right arising from the application or granted right, the following shall be submitted:

- 1) original of the contract on pledge signed by the contracting parties or the certified photocopy of that document, or
- 2) original of the excerpt from the pledge contract signed by the contracting parties or the certified photocopy of that document.

If the pledge on the right arising from the application, or granted right, resulted on the basis of the court decision or administrative act, with the request from article 7 of this Regulations, the original or certified photocopy of the court decision or administrative act shall be filed, for foreign persons.

If the documents from paragraph 1 and 2 of this article are in a foreign language, their translation into Serbian language shall be submitted which shall be certified by the court interpreter.

#### Content of the expert opinion for the secret inventions

##### Article 9

The expert opinion of the competent authority, if the applied for, secret invention fulfills legal conditions for the patent protection or petty patent protection, contains:

- 1) number of request for the issue of the expert opinion;
- 2) sign in accordance with the International Patent Classification (henceforward: IPC);
- 3) opinion if the applied invention fulfills conditions stated in the request from point 1) of this article.

#### Manner of filing the application for the protection of invention

## Article 10

Patent application or petty patent application shall be filed in writing or in electronic form.

Patent application or petty patent application in written form shall be filed in three copies, directly or by mail.

Patent application or petty patent application in electronic form shall be filed by using the service of filing electronic application available through the internet page of the competent authority.

In the course of filing the application in compliance with paragraph 3 of this article, the applicant uses the qualified electronic signature.

If the application is filed in compliance with paragraph 3 of this article, in the same way the enclosures filed with the request for the grant of right shall be submitted.

Enclosures with the application filed in compliance with the paragraph 3 of this article are considered to be the original documents, and the applicant, by signing the application using the qualified electronic signature certifies the identicalness of the enclosed documentation in the electronic form with the original documentation.

If the application contains the list of the nucleotides, or amino-acid sequences, submitted in writing, that list shall be submitted also in the electronic form or on the electronic carrier.

Enclosures filed with the request for the grant of right and their content

## Article 11

With the request for the grant of right, the following shall be submitted:

- 1) Proof on the paid republic administrative fee or proof on the basis of which the exception from the payment of the republic administrative fees is requested;
- 2) Power of attorney, if the request is filed through the representative;
- 3) Declaration on the joint representative, if there are more persons submitting the claim, signed by all submitting the claim;
- 4) Declaration of the inventor, in case when he does not wish to be mentioned in the claim;
- 5) Declaration on the basis of the acquisition of right for the filing of request, if the person filing the request is not the inventor or is not the only inventor;
- 6) Signed transcription of the first application or the previous applications, if the priority right has been requested in compliance with the law regulating patents;
- 7) Certificate on the exhibiting of the invention at the international exhibition, if the invention has been exhibited, in compliance with the law regulating patents;
- 8) Proof on the depositing of the biological material, if that material has been deposited;
- 9) Statement that the list of the nucleotide, or amino-acid sequences in the electronic form is identical to the list of sequences disclosed in the description of the invention, if the application includes the list of sequences.

## Content of the description of the invention

### Article 12

The description of the invention contains:

1. Field of the art that the invention refers to;
2. The defined problem for whose technical solution the patent or petty patent protection is sought;
3. State of the art (survey and analysis of the known solutions of the defined problem), exposed in the scope in which it has been known to the applicant, and which is necessary to the understanding of the invention and the examination of the application, with the statement of the patent documents and other sources referring to the described state of the art;
4. The presentation of the essence of the invention so that the technical problem and its solution is possible to understand, as well as the presentation of the novelty of the invention in relation to the state of the art;
5. Short description of the drawings of the drawing, if they exist;
6. The detailed description of at least one way for the realization of the invention, with the statement of the examples of the realization with the reference to the drawing if it exists;
7. Manner of the industrial and other implementation of the invention, if it is not obvious from the description of the invention or the nature of the invention.

## Manner to describe the invention

### Article 13

The description of the invention is composed in a manner and in a sequence stated in the article 12 of this Regulation, except when, due to the nature of the invention, some other manner and sequence enable better understanding and more rational presentation of the invention.

Parts of description from paragraph 1 of this article are stated with the appropriate sub-titles.

Technical solution of a certain problem disclosed in the description of the invention is determined in such a way that the expert in a certain field can realize it.

All essential characteristics of the invention are presented in such a way as to exclude arbitrariness and assumptions.

If the invention refers to a construction, and it is shown in a drawing, after the detailed description of the construction solution with the reference to the marked elements of the invention from the drawing, as the proof of the feasibility, the manner of functioning of the essential elements and the construction as a whole is described.

If the invention refers to a substance, composition or biological material, in the description of the invention, their physical, chemical and biological characteristics are stated, or all essential characteristics of the invention which are proved by the examples of realization.

If the invention refers to a procedure, all its essential phases and characteristics are stated, so that the feasibility of the realization is possible to be understood as a whole, and it is proven by the examples of realization.

#### Manner to describe the invention for the applications in the field of biotechnology

##### Article 14

If the invention from the field of biotechnology refers to biological material not available to the public, and in the patent application it was not possible to describe it, so that the expert in the field can realize it, it shall be considered that the invention has been described completely and clearly:

- 1) If the patent application contains all information about the characteristics of the deposited biological material which are known to the applicant;
- 2) If in the patent application, the title and address of the competent depository institution are stated along with the number under which the biological material has been deposited and the date of depositing.

Data from paragraph 1, point 2 of this article can be submitted subsequently, in the term of three months from the date of filing the request for the grant of the priority right and at the latest until the day of filing the request to publish the application earlier, in compliance with the law regulating patents.

#### Conditions for the issuing of the sample of deposited biological material

##### Article 15

The sample of the deposited biological material is issued under the condition that the request is filed:

- 1) Till the publication of the patent application by the applicant or a person authorized by him;
- 2) In the period between the patent application publication and the passing of a decision on the patent grant, by every person filing the request. Exceptionally, the applicant may request that the sample of the deposited biological material is issued only to the independent expert;
- 3) After passing the decision on the patent grant, regardless if the patent has been revoked, by every person filing the request.

The sample of the deposited biological material is issued only if:

- 1) The request is submitted to the competent authority in two copies, on the prescribed form;
- 2) On the request, the competent authority has certified that the patent application has been filed in which the applicant referred to the deposited biological material, as well as that the person filing the request fulfills the conditions from paragraph 1 of this article.

The sample of the deposited biological material is issued if the person filing the request files the statement that during the term of validity of the patent, the requested sample of the deposited biological material or material obtained from that sample shall not:

- 1) Be made available to the third parties;
- 2) Be used otherwise except exclusively in the experimental and R&D purposes, but with the agreement of the applicant or the holder of patent.

At the request of the applicant, in the case when the application has been refused or the procedure has been suspended from some other reason, the deposited biological material is issued only to the independent expert in the term of 20 years from the date of filing the patent application, in compliance with paragraph 3 of this article.

If the person filing the request uses the issued sample of the deposited biological material on the basis of the compulsory license or compulsory license in public interest, the authorization from paragraph 3, point 2) from this article is not necessary.

The requests by the applicant from paragraph 1 point 2) and paragraph 4 of this article shall be filed before the end of the technical preparations for the publication of the patent application.

### Re-depositing of the samples of the biological material

#### Article 16

If the deposited biological material is no longer available at the authorized depository institution where it had been deposited, the person depositing the material can again deposit the biological material in the term of three months from the day when he received the information from the authorized depository institution that the originally deposited biological material has become inaccessible under conditions prescribed by the Law on the Ratification of the Budapest Treaty on the International Grant of the Deposit of Microorganisms for the Sake of Patenting (“Official Gazette FRY-International Treaties”, number 3/93). In the case of the repeated depositing of the biological material, the depositor shall submit the signed declaration that the re-deposited biological material is identical as the originally deposited biological material.

The depositor furnishes to the competent authority, in the term of four months from the day of re-depositing, a certificate on the depositing of biological material, issued by the competent depository institution which contains the number of the patent application, or patents that the deposit refers to.

#### List of sequences in the patent application



## Article 17

If the patent application contains the disclosure of one nucleotide or amino-acid sequence or more of them, the description of the invention contains the list of sequences. The list of sequences not contained in the description of the invention, or not enclosed during the filing of the patent application is not considered to be part of the description.

The list of nucleotides or amino-acid sequences, as a rule, is given in a form prescribed by the standards of the World Intellectual Property Organization.

## Form and content of the patent claims

### Article 18

Patent claim defines an invention with regard to technical characteristics.

Each patent claim is formulated in one sentence.

Patent claims, as a rule, contain:

- 1) Introductory part, where shall be stated the expression determining the subject matter of protection according to the invention and technical characteristics necessary to define subject matter of protection, but which in mutual combination belong to the state of the art;
- 2) The characteristic part of the claim, preceded by the expression “characterized by”, where the technical characteristics of the invention are stated for whom the patent protection is requested in combination with the technical characteristics of the state of the art from point 1) of this paragraph.

Patent claims are in the form of independent and dependent patent claims.

Independent patent claim contains essential characteristics of the invention.

Patent claim can contain more than one independent patent claim in the same category (product, procedure, device or utilization), if the subject matter of the application includes:

- 1) More mutually connected products;
- 2) Various utilizations of product or device;
- 3) Variable solutions of a certain problem, if the variations can not be encompassed in one patent claim.

With the patent claim, where the essential characteristics of product are stated it is possible to establish one or more claims referring to the specific manners of realization of that invention.

Patent claim that includes all characteristics of another patent claim (dependent patent claim) contains, if possible at the beginning, reference to that patent claim, and then special characteristics are stated in it. Dependent patent claim can refer to some other dependent patent claim. Dependent patent claims that refer to one or more preceding patent claims shall be

grouped so that it is easy to determine the connection of mutually dependent patent claims and it is possible to understand their meaning clearly.

Patent claims are marked in a list by Arabic numbers.

Patent claims, with regard to the technical characteristics of the invention, do not refer to, unless necessary, the part of the description of the invention or the drawing.

If the patent application contains drawing, elements of the invention stated in the patent claims, are marked by the reference denotations identical to denotations on the drawing itself, written in between brackets.

Reference denotations can not be understood as the limitation of the claims.

### Form of the request for the unity of invention

#### Article 19

When more than one invention is claimed in the patent application, the requirement of unity of invention is fulfilled only when there is a technical relationship among the inventions involving one or more identical or corresponding special technical characteristics.

The expression “special technical characteristics” denotes technical characteristics contributing that each of the mentioned inventions, observed as a whole, changes the existing state of the art.

The estimation whether more inventions have been mutually connected in such a way as to make the single inventive concept, is decided upon regardless whether the inventions have been defined in the separate patent claims, or as variations in the framework of one patent claim.

### Content of the abstract

#### Article 20

Abstract contains the name of the invention and a short content of the essence of the invention stated in the description of the invention, patent claims and the drawing. Short contents indicate the state of the art that the invention refers to, and it is composed in such a way as to enable clear understanding of a certain problem, the essence of the technical solution to that problem, and the basic way of the implementation of the invention. If it is necessary, a chemical formula is stated in the abstract, which, from all the formulas stated in the application is considered best in the characterization of the invention.

Abstract does not contain statements concerning the arbitrary characteristics and values of the invention, nor the statements concerning the theoretical possibilities of implementation.

If the applications contain drawing, the applicant should mark the drawing or exceptionally, more drawings that he proposes for the publication in the abstract. The competent authority can

decide to publish one or more other drawings if he considers them better to characterize the invention.

The elements of the invention stated in the abstract and shown in the drawing are followed by the reference signs placed in parentheses.

If necessary, the competent authority can modify the abstract.

Abstract is composed so that it can be used efficiently as the search instrument in certain state of the art, in particular it may be used to estimate the need for the insight into the complete application.

Abstract contains 150 words at the most.

## Appearance and characteristics of the drawing

### Article 21

Drawing is a collection of drawings. Drawings are given in the form of the technical drawing, except when some other manner is necessary to present the invention (for example: photography of metallographic structures, microphotography of tissues, cells, etc.)

The drawing is attached on special sheets of paper.

The drawings are performed according to the rules of technical drawing, in orthogonal projection with the necessary number of cross-sections, and if necessary in axonometric, or isometric projection, etc. The drawings can be performed in the manner of schemes with the use of symbols standardized for certain state of the art.

The dimensions of the working space of the sheets of paper that contain the drawing can not be larger than 26.2 x 17 cm.

The sheets do not contain the drawn frames limiting the working space for the drawing. Minimal margins on the upper side of the page are 2.5cm, on the left side 2.5cm, on the right side 1.5cm and on the bottom of the page 1cm.

The drawing is performed so that:

- 1) The drawn lines are black, easy to observe, that can not be erased, and the space between the lines is not colored or toned, as not to reduce visibility;
- 2) Cross-sections are cross-hatched in a way not to hinder the visibility of the lines and reference signs;
- 3) The ratio and clarity of the drawing are such that in the reproduction with the decrease of visibility  $\frac{2}{3}$  all the details are clearly seen;
- 4) All numbers, letters and reference signs on the drawings are simple and clear and not put into brackets, underlined, not rounded, etc.
- 5) It is performed by means for technical drawing;

- 6) All elements shown in the drawing are proportional among themselves, except when disproportions are necessary for the greater clarity of drawings;
- 7) Height of the letters and numbers is not less than 0.32cm;
- 8) One sheet of paper of drawing can contain more drawings; if one drawing, as a whole, is performed on two or more sheets of paper, parts of the drawings on different sheets are performed in such a way that the whole drawing can be composed without covering or overlapping certain parts of drawing from different sheets. Drawings on one sheet are composed one below the other, mutually clearly separated, but without large empty space between them. If drawings are not distributed in such a way, they are placed one next to another, so that the first drawing is on the left side of the drawing. The drawings are numerated by Arabic numbers, regardless the numeration of the pages;
- 9) Reference signs placed in the description of the invention and patent claims are identical to the designating marks on the drawing and vice versa, so that the same elements in the whole application are marked by the same reference signs;
- 10) Drawings do not contain dimensions, values of the parameters and textual parts, except when necessary, short words like; “water”, “steam”, “open”, “close”, “cross-section A-A”.

#### Manner of referring to the earlier application

##### Article 22

If the applicant, along with the request for the grant of right, referred to an earlier application, instead of furnishing the description of the invention, he must state for that application:

- 1) Filing date of the application;
- 2) Number of the earlier application;
- 3) State where the earlier application has been filed;

If in the earlier application, the description or some drawings have been changed, that shall be specially emphasized.

The certified copy of the earlier application, shall be submitted in the term of two months from the date of filing of the application, by the authority where it had been filed.

If the earlier application is not in Serbian language, the applicant submits the translation of the application certified by the court interpreter.

#### Form of the documents making up the application

##### Article 23

The parts of the application (description of the invention, patent claims, drawing and abstract) shall be submitted in such a way as to be suitable for copying and scanning. The sheets of paper can not be crumbled and torn, and they must not be folded.

The sheets of paper have the format A4 (29.7 x 21 cm) of white color, smooth, without shine, durable, flexible and long lasting. Every sheet is used so that the upper and lower side of the sheet are the shorter sides of the format (so called – “high format”).

The sheets are mutually connected so that they are easy to thumb through, extract and re-connect.

Minimal allowed margins on the sheets that do not contain the drawing are the following: upper, right and lower side of the sheet have 2 cm margins and the left part of the sheet has 2.5 cm margin.

Recommended maximum margins on the sheets that do not contain the drawing are: upper and lower side of the sheet 4 cm and right and lower side of the sheet 3cm. The application is filed with sheets with empty margins.

The application shall be filed on sheets with empty margins.

All sheets containing description of the invention, patent claims and abstract in the application are numerated in a growing row in Arabic numbers inserted on the top of the page in the middle.

All sheets of the drawing of the invention must be numerated in a growing row in Arabic numbers, first stating the serial number of the sheet through the total number of the sheets containing drawing.

Request for the grant of right, description of the invention, patent claims and abstracts shall be submitted in printed form. Graphic symbols, denotations, chemical and mathematical formulas, if necessary, shall be entered by hand in a manner that they can not be easily erased.

The distance between the rows of printed text is 1.5 spacing.

The size and color of letters in the text is such that the text is easy to read, the height of capital letters in the text is not smaller than 0.21 cm and the color is black that can not be erased.

The request for the grant of right, description of the invention, patent claims and abstracts do not contain drawings.

The description of the invention, patent claims and abstract can contain chemical or mathematical formulas and the description of the invention and abstract - tables.

Patent claims can contain tables if the essence of the claim is such that it is desirable to use tables. Tables or chemical and mathematical formulas are shown in the “landscape format”, if in the “portrait format” they can not be shown in a satisfactory way. Sheets on which the tables and chemical and mathematical formulas are shown in the “landscape format” are shown in order that the heading of the tables or formulas is on the left side of the sheet.

The value of the physical units is shown in the units of the international system of units (SI). For mathematical, chemical and molecular formulas and atomic masses, symbols are used as well as technical expressions and expressions accepted and usual in the appropriate state of the art.

Terminology, signs, and symbols are used persistently in the entire text of the application.

Text of the application shall be submitted with the minimum number of mistakes, without additions, crossing or writing between the rows.

#### Form of the documents filed afterwards

##### Article 24

Provisions of the article 12-23 of this Regulation are applied to the later submissions replacing parts of the application of the invention. Those submissions shall be filed to the competent authority in the same way as the application.

Subsequently submitted documents to be communicated to third persons or connected with two or more applications shall be submitted in a number appropriate to the number of persons to whom they are to be communicated, or the number of applications that they refer to.

Submissions that are subsequently filed must be signed. If the submission is not signed, the competent authority shall invite the person filing the submission to sign it in the appropriate time limit, counted as five days from the date of the reception of the invitation. The submission signed in that term, keeps the reception date, to the contrary, it is considered as not being filed.

#### Marking the application and the request

##### Article 25

After the receipt of the application, the competent authority connects the application and puts on its back hologram sticker with the serial number. The number of the application consists of a capital letter P for the patent application or capital letters MP for the petty patent application. After the number of the application, the horizontal line is inserted, the four digits' mark of the year in which the application has been filed, the dash and the four digits' serial number of the application received in the course of the year. The number of the application has four characters. If the number of the application has less than four digits, the appropriate number of zeros shall be inserted.

The number of the requests for the grant of certificate on supplementary protection consists of capital letters SDZ, horizontal line, four-digit mark of the year when it had been filed, dash and four-digit serial number of the application received in the course of the year. The number of the application has four characters. If it is less than four-digit number, an appropriate number of zeros shall be inserted.

The filing date of the application or the request for the grant of certificate is marked in such a manner that the day and the month are marked in two digits and the year in four digits' number.

#### Content of the search report

## Article 26

Search report contains:

- 1) Number of the patent application;
- 2) Data on the applicant; name, surname, address of the natural person or title and seat of the legal person;
- 3) Granted filing date of the application;
- 4) Priority date of the patent application;
- 5) Designation if the complete or partial search report has been elaborated;
- 6) Reasons for elaborating partial search report;
- 7) Designation of IPC classes in which the application has been classified;
- 8) Names of bases in which the search report has been performed;
- 9) Documents considered in the state of the art; category and date when the document has been made available to the public;
- 10) Other data if necessary.

Search report is published together with the patent application or subsequently.

The competent authority shall accept the search report performed by the authority for the international search in compliance with the Law on the Ratification of the Patent Cooperation Treaty, with the regulations for the enforcement of the Patent Cooperation Treaty – PCT (“Official Gazette FRY – International Treaties”, no. 3/96).

## Preparation of patent application for publication

### Article 27

The competent authority makes the patent application available to the public by publishing data about the application in the Official Gazette of the competent authority (henceforward: Official Gazette), and the description of the invention, patent claims and abstract and drawing, if there is any, are published in the electronic form.

Technical preparations for the publication of the patent application are considered finished for every following number of the Official Gazette, 15 days before the publication of the Official Gazette.

## Contents of the publication of the patent application

### Article 28

Publication of the patent application contains:

- 1) Number of the patent application;
- 2) Granted filing date of the application;
- 3) Title of the invention in Serbian and in English;
- 4) IPC number;

- 5) Data on the requested priority right: date, application number and state in which the filed application serves as the ground for the grant of priority right;
- 6) Data on the exhibiting of the invention at the international exhibition;
- 7) Data on the applicant: name and surname and address of the natural person or the title and seat of the legal person;
- 8) Data on the inventor: name, surname and address or the designation that the inventor does not wish to have his name mentioned in the application;
- 9) Data on the representative, name, surname and address of the natural person or title and seat of the legal person;
- 10) Number of the basic application or basic patent for the supplementary application;
- 11) Number of original patent application for divisional application;
- 12) Number of the application from which the application originates;
- 13) Abstract with the characteristic picture of drawing, if the drawing exists;
- 14) Data on the changes referring to the patent application: change of the name and address, or title and seat, transfer of right, license and pledge, statute changes originating at the applicant, licensee or pledgee and other data significant for the legal status of the application.

Apart from the data mentioned in paragraph 1 of this article, for the international applications, the publication of the patent application contains:

- 1) Number and filing date of the international patent application;
- 2) Number and date of the international publication of the international patent application;
- 3) Other data if necessary.

Published patent application contains serial number identical to the serial number of the filed patent application followed by a capital letter A (for example: RS 20050001A), and

- 1) If the patent application is published together with the search report, after the serial number and the capital letter A, number 1 is added;
- 2) If the patent application is published without the search report after the serial number and the letter A, number 2 is added.

If the search report is published later after the serial number of the patent application and the letter A, number 3 is added and published along with the:

- 1) Patent application number;
- 2) IPC classification.

Data from paragraphs 1-3 and paragraph 5 of this article are marked by INID codes for the identification of bibliographic data about patents and certificate for supplementary protection established by the World Intellectual Property Organization (henceforward: INID codes).

Contents of the document on the granted right

Article 29



Document on the granted right contains:

- 1) Registration number on patent or petty patent;
- 2) Data on the holder of right: name, surname and address of the natural person and title and address of the legal person;
- 3) Data about the inventor;
- 4) Title of the invention;
- 5) Issuing date of the document.

The document on the granted right is the integral part of the appropriate patent document and shall be submitted to the holder of right with the appropriate patent document.

### Publication on the granted right

#### Article 30

The competent authority makes available to the public the granted right, by publishing data in the Official Gazette, issuing the patent document and publishing in the electronic form the final version of the text of all parts of the application.

### Data published on the granted patent

#### Article 31

The following data are published in the Official Gazette about the granted patent:

- 1) Patent registration number;
- 2) Patent application number;
- 3) Granted filing date of the application;
- 4) Title of the invention, in Serbian and English language;
- 5) IPC sign;
- 6) Data on the granted priority right: date, application number and state in which the filed application serves as the ground for the grant of priority right;
- 7) Data on the holder of patent: name, surname and address of the natural person and seat of the legal person;
- 8) Data about the inventor, name, surname and address or designation that the inventor does not wish to be mentioned;
- 9) Data about the representative: name, surname and address of the natural person or the title and seat of the legal person;
- 10) Publication date of the patent application;
- 11) Number of the basic application or basic patent for the patent of addition patent application;
- 12) Number of the original application for the divisional patent application;
- 13) Data about changes referring to the granted patent: change of the name and address or title and seat; transfer of right; license and pledge; statutory changes occurring with the

holder of patent, user of license or pledgee and other data significant for the legal status of patents;

14) Other data if necessary.

Apart from the data mentioned in paragraph 1 of this article, data on the granted right from the international application also imply:

- 1) Number and filing date of the international patent application;
- 2) Number and filing date of the international publication of the international patent application;
- 3) Other data if necessary.

The termination of validity of the granted patent is published with the following data:

1. Registration number;
2. Data on the holder of patent: name, surname and address of the natural person or title and seat of the legal person;
3. Termination date of the patent;
4. Other data if necessary.

Data prescribed in articles 1-4 of this article are marked by INID codes.

The published patent is marked by a serial number identical to the registration number of patent followed by a capital V in Latin letters, after which number 1 is entered.

Patent published in the changed form is marked by a serial number identical to the registration number of patent followed by a capital V in Latin letters, after which number 2 is entered.

The first page of the patent document with changes of bibliographic data is marked by a serial number identical to the registration patent number followed by a capital V in Latin letters, after which number 8 is entered.

Patent document with changes of technical mistakes is marked by a serial number identical to the registration number of patent followed by a capital V in Latin letters, after which number 9 is entered.

#### Data published on the granted petty patent

##### Article 32

The following data are published in the Official Gazette about the granted petty patent:

- 1) Registration number of petty patent;
- 2) Petty patent application number;
- 3) Granted filing date of the application;
- 4) Title of the invention in Serbian and English;
- 5) Sign according to the IPC;
- 6) Data on the granted priority right: date, application number, and state where the application serving as the grounds for the grant of priority right has been filed;

- 7) Data on the holder of petty patent: name, surname and address or designation that the inventor does not wish to have his name mentioned;
- 8) Data about the inventor: name and surname and address of the natural person or the title and seat of the legal person;
- 9) Data about the representative: name and surname and address of the natural person or title and seat of the legal person;
- 10) Number from the original application for the divisional application;
- 11) Number of the application from which the application has been transformed;
- 12) Data about the changes referring to petty patent: change of the name and address or title and seat; transfer of right, license and pledge; status changes occurring with the holder of petty patent, licensee or pledgee and other data relevant for the legal status of petty patent;
- 13) Data on the examination of the granted petty patent;
- 14) Other data if necessary.

Apart from the data mentioned paragraph 1 of this article, referring to the granted right from the international application, the following is also mentioned:

- 1) Number and filing date of the international patent application;
- 2) Number and filing date of the international publication of the international patent publication;
- 3) Other data if necessary.

About the termination of validity of the granted petty patent, the following is published:

- 1) Registration number of petty patent;
- 2) Data on the holder of petty patent: name, surname and address of the natural person and title and seat of the legal person;
- 3) Termination date of the petty patent;
- 4) Other data if necessary.

Data prescribed in paragraphs 1-4 of this article are marked by INID codes.

The published petty patent is marked by a serial number identical to the registration number of petty patent followed by a capital Latin letter U, after which number 1 is entered.

Petty patent published in the changed shape is marked by a serial number identical to the registration number of petty patent followed by a capital Latin letter U after which number 2 is entered.

### Contents of the patent document

#### Article 33

Patent document contains:

- 1) Designation that patent document is issued;
- 2) Registration number of patent or petty patent;

- 3) Designation according to the IPC;
- 4) Publication date of information about the granted right;
- 5) Data on the holder of right: name, surname and address of the natural person and title and seat of the legal person;
- 6) Data about the inventor: name and surname and address or designation that the inventor does not wish to have his name mentioned in the patent document;
- 7) Data about the representative: name and surname and address of the natural person or title and seat of the legal person;
- 8) Title of the invention;
- 9) Filing date of the application;
- 10) Data on the granted priority right: date, application number and state in which the application has been filed serving as the grounds for the granting of priority right;
- 11) Publication date of the patent application;
- 12) Description of the invention, patent claims, drawing, if any, and abstract.

Data from the paragraph 1 of this article are marked by INID codes.

Data on the request for the grant of certificates entered in the Register of Patents

#### Article 34

Data on the request for the grant of certificates entered in the Register of patents are:

- 1) Number of the request for the grant of certificate;
- 2) Filing date of the request;
- 3) Data on the person filing the request: name and surname and address of the natural person and title and seat of the legal person;
- 4) Number and date of the permission to put the product into the channels of commerce and title of the product mentioned in the permission;
- 5) Number and date of the first permission to put the product into the channels of commerce.

Data on the certificate that are published

#### Article 35

The data on the certificate that are published in the Official Gazette are the following:

1. Data on the holder of the certificate: name and surname and address of the natural person and title and seat of the legal person;
2. Data about the representative: name, surname and address of the natural person and title and seat of the legal person;
3. Number of the basic patent;
4. Number and date of the license to put the product into the channels of commerce and name of the product mentioned in the license;

5. Number and date of the first license to put the products into the channels of commerce and name of the product mentioned in the license;
6. Number and date of the first license to put the products into the channels of commerce;
7. Term of validity of the certificates.

Data from paragraph 1 of this article are marked by INID codes.

The published request for the grant of certificate is marked by a serial number identical to the registration number of the certificates followed by a capital Latin letter I after which the number 1 is inserted.

The published certificate is marked by a serial number identical to the registration number of the certificate followed by a capital Latin letter I after which the number 2 is inserted.

### Contents of the data on the revoked right

#### Article 36

About the revoked right, the following is published:

- 1) Number of the application;
- 2) Data about the holder of right: name, surname, address of the natural person or seat and address of the legal person;
- 3) Registration number;
- 4) Filing date of the application;
- 5) Data on the granted priority right: date, application number and state where it was first published;
- 6) Data and enacting clause of the decision on revocation.

### Termination of validity of the regulation

#### Article 37

On the date of the entry into force of this regulation, the Regulation on the contents of public registers, certificates, applications and requests in the procedure of the protection of inventions, as well as the kind of data, manner of filing the application and publication of inventions is no longer valid (Official Gazette RS no. 113/12 and 73/16).

### Entry into force

#### Article 38

This Regulation enters into force on the eight day from the date of publication in the “Official Gazette of the Republic of Serbia”.

