

K oznámeniu č. 475/2010 Z. z.

Implementing Regulations to the European Patent Convention

of 5 October 1973

as amended by decision of the Administrative Council of the European Patent Organisation

of 26 October 2010

Article 1

1. Rule 36(1) of the Implementing Regulations to the EPC shall read as follows:

“(1) The applicant may file a divisional application relating to any pending earlier European patent application, provided that:

- (a) the divisional application is filed before the expiry of a time limit of twenty-four months from the Examining Division's first communication under Article 94, paragraph 3, and Rule 71, paragraph 1 and 2, or Rule 71, paragraph 3, in respect of the earliest application for which a communication has been issued, or
- (b) the divisional application is filed before the expiry of a time limit of twenty-four months from any

communication in which the Examining Division has objected that the earlier application does not meet the requirements of Article 82, provided it was raising that specific objection for the first time.”

Article 2

(1) This decision shall enter into force on 26 October 2010.

(2) Without prejudice to Article 3 of decision CA/D 2/09 of the Administrative Council, Rule 36, paragraph 1, as amended by Article 1 of this decision, shall apply to divisional applications filed on or after 1 April 2010.

Done at The Hague, 26 October 2010