



Important Notices of the German Patent and Trade Mark Office 2021

Please note: The links in the notices no longer work.

Table of contents

Notice of 1 January 2021 on the "version 2021" of the eleventh edition of the international Nice Classification (valid from 1 January 2021) and on the publication of the lists of classes and the alphabetical lists of goods and services in the Bundesanzeiger	3
Notice of 1 January 2021 concerning the entry into force of the 13th edition of the Locarno Classification (classification for registered designs).....	4
Notice of 5 January 2021 concerning the cooperation partners of the DPMA - Patent Information Centre Kassel has ceased its business activities	5
Notice of 21 January 2021 Chinese and German offices extend Patent Prosecution Highway (PPH) pilot	6
Notice of 3 February 2021 concerning the dates of the qualifying examination for patent attorneys I/2021 postponed due to the pandemic – DPMA announces new dates	7
Notice of 24 February 2021 Longer processing times in trade mark procedures	8
Notice of 6 April 2021 DPMA is massively expanding its Jena location	9
Notice of 14 April 2021 European cooperation in the field of trade mark law – harmonisation of the decision- making practices concerning new types of mark: examination of formal requirements and grounds for refusal	10
Notice of 17 May 2021 DPMAdirekt – New functions to prepare lists of goods and services in electronic trade mark filings	11

Notice of 7 June 2021

New service of the DPMA: online search support 12

Notice of 7 June 2021

DEPATISnet searches now even more convenient: new "Advanced" search mode 14

Notice of 7 September 2021

concerning the Second Act to Simplify and Modernise Patent Law (Zweites Gesetz zur Vereinfachung und Modernisierung des Patentrechts) of 10 August 2021 and the Act on Further Duties of the German Patent and Trade Mark Office and to Revise the Patent Costs Act (Gesetz über weitere Aufgaben des Deutschen Patent- und Markenamts und zur Änderung des Patentkostengesetzes) of 30 August 2021 15

Notice of 30 September 2021

Germany ratifies the Protocol on the Provisional Application of the Agreement on a Unified Patent Court 21

Notice of 10 November 2021

It is now even easier to apply for designs online: DPMAdirektWeb for designs with new functions..... 22

Notice of 1 January 2021

on the "version 2021" of the eleventh edition of the international Nice Classification (valid from 1 January 2021) and on the publication of the lists of classes and the alphabetical lists of goods and services in the Bundesanzeiger

On 1 January 2021, version 2021 of the eleventh edition of the "International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification)" (NCL 11-2020) entered into force.

In addition to the new editions of the Nice Classification, which are published every five years, there have been annual versions since 1 January 2013, which may provide for new entries or deletions and modifications of existing entries. They do not contain major structural amendments (changes of classes); these are reserved for the editions, which are issued every five years.

The version of the list of classes and the alphabetical lists of goods and services based on the Nice Classification to be applied from 1 January 2021 in procedures before the German Patent and Trade Mark Office (DPMA) pursuant to Section 19 of the Trade Mark Ordinance (Markenverordnung) has been published in the Bundesanzeiger (Federal Gazette – *Bundesanzeiger*).

The version of the list of classes and the alphabetical lists of goods and services published in the Bundesanzeiger is also available on our Trade Marks page "Goods and Services".

Notice of 1 January 2021

concerning the entry into force of the 13th edition of the Locarno Classification (classification for registered designs)

On 1 January 2021, the 13th edition of the International Classification for Industrial Designs (Locarno Classification) and the official list of goods for designs of 2021 (13) came into force for all design registrations.

The German translation of the product terms contained in the 13th edition of the Locarno Classification is part of the alphabetical list of goods for designs, which was published together with the list of the classes and subclasses by the German Patent and Trade Mark Office (DPMA) in the Federal Gazette (*Bundesanzeiger*).

The German Patent and Trade Mark Office has applied the 13th edition of the Locarno Classification to all design registrations since 1 January 2021. In addition, registered designs will be re-classified ex officio in the process of renewal if the classification of the product terms which are registered with respect to them has changed.

The Locarno Classification is reissued every two years. Major structural changes (changes of classes) are made in these editions only.

The official list of goods for designs is based on the currently valid edition of the Locarno Classification and also contains other permitted national entries. Updates with regard to new national entries, deletions and amendments to existing entries are carried out annually.

The current editions are also available on our webpage "Designs".

For searching existing product terms the DPMA offers an online search engine (in German).

For the electronic filing of design applications by means of DPMAdirektWeb, the current list of goods for designs is provided when selecting the product indication. The current version of the list of goods is also available for the DPMAdirektPro software, provided the update function of the software is used.

Notice of 5 January 2021**concerning the cooperation partners of the DPMA - Patent Information Centre Kassel has ceased its business activities**

The Kassel Patent Information Centre - GINo Gesellschaft für Innovation Nordhessen mbH - has discontinued its business activities as of 31 December 2020. The Patent and Trade Mark Centre Rhine-Main at the Technical University of Darmstadt will continue to be available to interested parties in Hessen as a patent information centre (internet address: www.patent-und-markenzentrum.de, e-mail: info@patent-markenzentrum.de).

Notice of 21 January 2021

Chinese and German offices extend Patent Prosecution Highway (PPH) pilot

Since 23 January 2012, patent applicants have been able to request accelerated examination of their applications at the German Patent and Trade Mark Office (DPMA) and at the China National Intellectual Property Administration (CNIPA). This option will continue to be available. The DPMA and CNIPA have extended the pilot programme's duration by a further three years until 22 January 2024.

The PPH allows the applicant to file a request for accelerated examination as soon as at least one patent claim has been found to be patentable by the partner office. The DPMA will then carry out an independent search on the basis of the partner office's work results. The applicant benefits from the sharing of work results between the offices. This can even further expand prior art search.

The DPMA has had a long-standing and close cooperation with CNIPA. In addition to the bilateral PPH agreement with CNIPA the DPMA takes part in the Global PPH pilot, in which 27 offices in total are participating.

More information on the PPH programme with CNIPA is available on our webpage "Patent Prosecution Highway".

Notice of 3 February 2021

concerning the dates of the qualifying examination for patent attorneys I/2021 postponed due to the pandemic – DPMA announces new dates

The qualifying examination for patent attorneys I/2021, which was to take place at the beginning of February 2021 and had to be postponed due to the pandemic, is rescheduled by the German Patent and Trade Mark Office (DPMA). The qualifying examination will be taking place from 22 to 25 March 2021 (written part) and 3 to 12 May 2021 (oral part). The examination will only be held if the pandemic situation generally improves.

The new examination dates are:

Written part:

22/23/24/25 March 2021

Oral part:

IA 3/4/5 May 2021

IB 3/4/5 May 2021

IC 10/11/12 May 2021

ID 10/11/12 May 2021

Notice of 24 February 2021

Longer processing times in trade mark procedures

At present, trade mark procedures are taking longer to process. This is due to a sharp rise in the number of applications and a significant increase in cancellation requests, combined with very tight staffing levels and pandemic-related restrictions. Please do not contact us with enquiries about the processing status in the current situation. This will help us to concentrate the available staff resources and focus on processing your requests.

Notice of 6 April 2021

DPMA is massively expanding its Jena location

German Patent and Trade Mark Office establishes 110 additional attractive jobs in Thuringia – DPMA President: an extremely high-profile location, both economically and technologically – patent examiners sought for Jena

The German Patent and Trade Mark Office (DPMA) will massively expand its Jena location in the coming years. It is planned to gradually create around 110 additional jobs, mainly for highly qualified staff in patent examination and the IT sector, at the Thuringia office. These are the plans developed by the DPMA senior management together with the Federal Ministry of Justice and Consumer Protection*. The expansion of the Jena office is linked to an important strategic decision: the establishment of three additional patent divisions at the location in Thuringia. As a result, the headcount of the Jena office will grow from roughly 230 to about 340.

So far, the Jena office has been in charge of designs, part of trade mark examination as well as the administration of registered trade marks. Patent applications are examined exclusively in Munich. In several stages, probably from the end of 2021, the DPMA will start setting up three patent divisions in Jena, where 93 examiners will work. Experienced colleagues from Munich will assist in the expansion, which is scheduled to be completed by the end of 2024. In autumn 2021, a recruitment drive will be launched for 15 new patent examiners to be hired in Jena. "Jena is an extremely high-profile location in the east of Germany, both economically and technologically. We want to present ourselves as an attractive and secure employer there and thus attract further highly qualified staff for our important duties," emphasises DPMA President Cornelia Rudloff-Schäffer, adding: "I am convinced that our customers will also benefit from the DPMA having an even stronger foothold in Jena."

The trade mark area at the Thuringia location will also be strengthened by additional colleagues from mid-year 2021; the external recruitment procedure is already underway. Further jobs in the trade mark area could be added from 2022. Six to eight new experts are to be hired for IT operations by the beginning of 2022.

The expansion in Jena has become possible thanks to the fact that the 2021 budget has provided the DPMA with an additional 169 posts. Currently, the office has roughly 2,800 staff in total at the Munich, Jena and Berlin locations.

*Only in German: Press release of Federal Ministry of Justice and Consumer Protection concerning the jobs in Thuringia;

Notice of 14 April 2021

European cooperation in the field of trade mark law – harmonisation of the decision-making practices concerning new types of mark: examination of formal requirements and grounds for refusal

Within the framework of what are referred to as convergence programmes, the trade mark offices of the EU member states and the European Union Intellectual Property Office (EUIPO) have been making considerable efforts to achieve effective harmonisation of their decision-making practices since 2012. The German Patent and Trade Mark Office (DPMA) has been actively involved in almost all convergence projects, also in the interests of its German users. The convergence programmes support transparency, legal certainty and the predictability of the decision-making practice.

Another convergence project in the trade mark sector has now been completed; the project concerns new types of mark: examination of formal requirements and grounds for refusal. Detailed information, explanations and examples are provided in the principles of Common Practice. A summary of the main results including examples is available in the Common Communication (https://www.dpma.de/docs/marken/gemeinsame_mitteilungen/en_cp11_cccp.pdf).

The Common Practice and the Guidelines will be implemented by the German Patent and Trade Mark Office from 1 June 2021.

Further information is also available on the website of EUIPO.

Notice of 17 May 2021

DPMAdirekt – New functions to prepare lists of goods and services in electronic trade mark filings

From now on, new functions to prepare lists of goods and services are available to trade mark applicants: The terms of goods and services available in a basket in DPMAdirektWeb are now sorted by topic, which creates and shows the links between the generic terms and the individual terms assigned to them. This allows a specific search for groups of goods and services, and it makes clear that a number of goods and services can be claimed with a few generic terms.

Prepare comprehensive lists with a few generic terms

If the trade mark is to identify a number of different goods and services, the use of overarching generic terms in the list of goods and services can be worth it. This creates a clear scope of protection for the trade mark that also helps to reduce processing times for the examination of the application.

Information on how to use the new functions

Detailed and useful information on how to use the new functions for the preparation of the lists of goods and services is available in the "WDVZ" section of DPMAdirektWeb. Further information is available on the "Classification" pages.

Notice of 7 June 2021

New service of the DPMA: online search support

Due to the coronavirus pandemic, the offices of the DPMA have been temporarily closed to the public. Hence, the DPMA introduces a new online service for the search options it offers on the Internet, which centres on the technical explanation of and individual support with our search tools. This interactive personal support with online searches is provided by the Berlin office.

How does online search support work?

The new online search support is an interactive service we offer. It helps you conduct searches concerning patents, utility models, trade marks and designs.

Online search support means you virtually meet search experts of the DPMA who provide individual support with your search and explain how best to use our tools and services. For example, our experts show you how to optimise your personal IP search in our databases. However, we do not provide legal advice.

How is online search support provided?

You contact the search room of the DPMA in Berlin to make an online appointment for your search (for contact details see below). Subsequently, you are sent an e-mail containing your access data and additional information.

While conducting the online search, you and our search expert can share screens, so we can demonstrate how to use our search tools and you can show us the difficulties you have with our web services.

Voice communication can be made via the audio function of the computer or via a telephone. It is also possible to communicate via chat.

There is *no video transmission* showing you or us. We *do not* have *access* to your computer or the data you saved.

What are the requirements for access to online search support?

To get online search support, you only need a computer with access to the Internet and an installed browser (e.g. Firefox, Chrome, Safari). Given their small displays, smartphones are not suitable to share screens.

If you do not use your computer audio function for voice communication, you additionally need a telephone.

We use Cisco's "Webex" software for online search support. You can participate without having to install a program on your computer. If a "Webex" app is already installed on your computer, you can use this app too.

In rare cases, special, restrictive settings of your browser, your virus scanner or your firewall can prevent the establishment of a connection. In these cases, please go to the website of Cisco "Webex".

Contact

Update on 24.01.2024

To make an appointment for an online assisted search or if you have any questions about this service, please contact the Customer Service of the DPMA.

Telephone: 089 2195-1000

E-mail: info@dpma.de

Notice of 7 June 2021

DEPATISnet searches now even more convenient: new "Advanced" search mode

The new "Advanced" search mode of DEPATISnet offers many options for customising the search form.

This additional search option offers more fields to select from than the "Basic search", but is not as complex as the "Expert" or "IKOFAX" search modes and offers many options for customising the search form.

First select "Advanced" under the item "Search" on the DEPATISnet homepage. A single-line input field appears with a drop-down list for selecting the field name (e.g. Inventor, Application date, etc.). Click the + button to add further input fields. Individual search fields can be linked by the Boolean operators "AND", "OR" and "NOT". Furthermore, there is a function to bracket search terms.

How the new search mode works

Example:

You are looking for German patents of the owner "Siemens" from the application year 2017. The patents are to include the keywords "Herstellung" or "Verfahren".

Input:

For the search field displayed select "Applicant/Owner" in the drop-down list and enter the name "Siemens". By clicking the + button you can add further input fields. To the left of the input fields is a drop-down list with the Boolean operators. The "AND" operator is set by default.

Select "Publication number" for the country, "Application date" for the time period and "Kind code" for patents and fill the input fields as indicated in the screenshot.

To enter the keywords "Herstellung" or "Verfahren", click the + button and also the () button, select "Search in full text" and enter "Herstellung". For "Verfahren", click the + button again and select "Search in full text". Click "OR" in the drop-down list of Boolean operators and start the search.

Notice of 7 September 2021

concerning the Second Act to Simplify and Modernise Patent Law (Zweites Gesetz zur Vereinfachung und Modernisierung des Patentrechts) of 10 August 2021 and the Act on Further Duties of the German Patent and Trade Mark Office and to Revise the Patent Costs Act (Gesetz über weitere Aufgaben des Deutschen Patent- und Markenamts und zur Änderung des Patentkostengesetzes) of 30 August 2021

The Second Act to Simplify and Modernise Patent Law (Second Patent Law Modernisation Act – Patentrechtsmodernisierungsgesetz) were promulgated in the Federal Law Gazette (BGBl. I p.3490) on 17 August 2021. The Act on Further Duties of the German Patent and Trade Mark Office and to Revise the Patent Costs Act were promulgated in the Federal Law Gazette (BGBl. I p.4074) on 7 September 2021.

The purpose of the Second Patent Law Modernisation Act is to simplify and modernise the Patent Act (Patentgesetz) and other IP laws. The amendments relevant to the procedures before the DPMA are contained in several articles. They concern overarching issues in the IP Acts and in the Ordinance Concerning the German Patent and Trade Mark Office (DPMA Verordnung, see A.1) as well as provisions in individual acts and ordinances and in the Act on International Patent Conventions (Gesetz über internationale Patentübereinkommen, see A.2 to A.5). In addition, there are fee amendments (see A.6).

The omnibus act will enter into force on 18 August 2021. Those amendments that require adjustments to the IT systems of the DPMA will enter into force on 1 May 2022.

The Act on Further Duties of the German Patent and Trade Mark Office and to Revise the Patent Costs Act will provide for the assignment of further responsibilities in the field of information of the public and international cooperation to the German Patent and Trade Mark Office (DPMA), which will be incorporated in the Patent Act. In addition, the annual fees for patents will be raised from 1 July 2022 (see B.).

A. Second Act to Simplify and Modernise Patent Law

1. General provisions for all IP procedures

a) Participation in hearings, proceedings and giving evidence by using image and sound transmission (entry into force: 1 May 2022)

For procedures under the Patent Act, the Utility Model Act (Gebrauchsmustergesetz), the Trade Mark Act (Markengesetz), the Design Act (Designgesetz) and the Semiconductor Protection Act (Halbleiterschutzgesetz), the option of participating in hearings, proceedings, and giving evidence by means of image and sound transmission shall be provided by analogously applying Section 128a of the Code of Civil Procedure (Zivilprozessordnung – hearings for oral argument and examinations before the civil courts) (section 46 (1) of the

Patent Act, section 17 (2) sentence 6 of the Utility Model Act, section 60 (1) sentence 2 of the Trade Mark Act, section 34a (3) sentence 4 of the Design Act, section 8 (5) of the Semiconductor Protection Act).

Parties can participate in sessions by video conferencing in suitable cases to be decided by the DPMA. It will still be possible to physically be present in order to participate in the sessions on site. These options will be available as soon as the necessary internal technical infrastructure has been established. The DPMA will provide further details in a separate notification.

b) Uniform rules on public holidays for all DPMA locations (entry into force: 1 May 2022)

All public holidays applicable at at least one of the DPMA locations will be recognised for the purpose of extending a time limit, irrespective of the location where the act required to meet the time limit is actually performed (section 18a of the DPMA Ordinance). The acts and declarations that are subject to a time limit can be performed or made at all three DPMA locations in Munich, Jena and Berlin in order to meet the time limit. In the future, this will eliminate legal uncertainties when calculating a time limit if public holidays that are not uniformly observed throughout Germany fall within that period.

c) Restriction of the obligation to publish and of the right to inspect files in the case of contents that are obviously contrary to public policy (entry into force: 18 August 2021)

In future, the publication of patent and trade mark applications with obviously morally offensive contents is to be avoided by restricting the obligation to publish (section 32 (2) of the Patent Act, section 33 (3) of the Trade Mark Act). Similarly, the right to inspect files will be excluded across all types of IP rights insofar as the file contains elements that are obviously contrary to public policy or morality (section 31 (3b) of the Patent Act, section 8 (7) of the Utility Model Act, section 62 (4) of the Trade Mark Act, section 22 (3) of the Design Act). This is to prevent the official publication and register database of the DPMA, which is accessible to everyone on the Internet, from being used for the dissemination of contents obviously contrary to public policy or morality. Since the exclusion of publication and inspection is limited to the contents of the files that are contrary to public policy, the interest of the general public in obtaining information is not affected.

2. Patent procedures and procedures for supplementary protection certificates

a) Extension of the period for PCT applications to enter the national phase (entry into force: 1 May 2022)

The *period for PCT applications to enter the national phase* will be extended from 30 to 31 months from the filing date or priority date, as the case may be. In future, applicants will have one more month to pay the fee for entry into the national phase at the DPMA and, if applicable, to submit the German translation of the application (Article III sections 4 and 6 of the Act on International Patent Conventions).

b) Simplifying the change of parties in opposition proceedings (entry into force: 1 May 2022)

The change of parties in opposition proceedings in case of a change in the proprietor will be simplified and streamlined. In future, the person newly entered as right holder in the register may take the place of the former right holder in ongoing opposition proceedings without the consent of the other parties to the proceedings (section 30 (3) sentence 3 of the Patent Act).

c) Expansion of the examination of obvious deficiencies (entry into force: 18 August 2021)

The examination of obvious deficiencies of a patent application by the Examining Section will be expanded to include the exclusions from patentability under section 1a (1) of the Patent Act (human body) and section 2a (1) of the Patent Act (plants and animals) (section 42 (2) No. 3 of the Patent Act).

d) Naming of the inventor (entry into force: 1 May 2022)

It is clarified by law that the inventor may be mentioned by name and an indication of the place in patent publications and in the register. The mention will be omitted completely or with regard to the indication of the place if the inventor designated by the applicant so requests (section 63 (1) of the Patent Act).

e) Revocation and further processing of supplementary protection *certificates* (entry into force: 18 August 2021)

In line with existing practice, it is clarified by law that supplementary protection certificates may be revoked upon request of the proprietor under section 64 of the Patent Act and that the procedural option of further processing (section 123a of the Patent Act) also applies to supplementary protection certificates (section 16a (2) of the Patent Act).

3. Utility Model Procedures

a) Simplifying the utility model splitting-off procedure (entry into force: 1 May 2022)

In future, the requirement to file a copy of the patent application or its translation will no longer exist in the utility model splitting-off procedure if these documents have already been filed with the DPMA in the context of applying for a patent (section 5 of the Utility Model Act, section 8 of the Utility Model Ordinance [Gebrauchsmusterverordnung]).

b) Simplifying the utility model cancellation procedure (entry into force: 1 May 2022)

The utility model cancellation procedure will become more efficient (section 17(2) to (5) of the Utility Model Act). In future, a hearing will only take place – similar to the hearing in patent opposition proceedings – if requested by a party or if the DPMA considers it expedient (section 17(2) to (3) of the Utility Model Act). In addition, more flexibility will be introduced to the decision on costs (section 17 (4) of the Utility Model Act). If no decision is made on the merits of the case, a decision on the costs will only be made upon request. If no decision on costs is issued, each party bears their own costs. In future, the Utility Model Division as judicial panel may also determine the value of the matter (section 17(5) of the Utility Model Act).

4. Trade mark procedures

a) Harmonisation with the current legal situation of the Madrid system (entry into force: 1 May 2022)

The Trade Mark Act, the Trade Mark Ordinance (Markenverordnung) and the schedule of fees are brought into line with the current legal situation of the Madrid system (sections 107 et seq. of the Trade Mark Act, section 25 No. 31, sections 43, 45 and 46 (1) of the Trade Mark Ordinance, Part A section III No. 5 of the annex to section 2 (1) of the Patent Costs Act). Since 31 October 2015, all members of the Madrid Agreement are also members of the Protocol to the Madrid Agreement. Due to the fact that the Protocol to the Madrid Agreement takes priority over the Madrid Agreement, the international registration of marks is now only governed by the Protocol to the Madrid Agreement. This is taken into account by the amendments.

b) Clarifying the calculation of the duration of protection in the Trade Mark Act (entry into force: 18 August 2021)

The provisions on the duration of protection in the Trade Mark Act and in the European Union Trade Mark Regulation will be completely harmonised as regards their wording. In order to facilitate the calculation of the time limit, it is clarified by means of the harmonisation that section 47 (1) of the Trade Mark Act – just as the European Union Trade Mark Regulation – refers to a time period that is triggered by an event. The calculation of the duration of protection will not be changed as a result of the amendment.

5. Design procedures

a) Requirement to hold sessions in design procedures abolished (entry into force: 18 August 2021)

The Design Division will be allowed to take decisions without a session (for example, by way of written procedure) (section 6 (3) of the DPMA Ordinance). This places the Design Division on a par with the divisions in other IP proceedings, for which no session is required either.

b) Ex officio determination of the value of the matter in design procedures (entry into force: 18 August 2021)

In future, it will be possible to determine the value of the matter in design procedures ex officio (section 34a (6) of the Design Act). The purpose is to simplify the procedure and accelerate the subsequent determination of costs.

6. Fee provisions

a) Fee reduction for joint proprietors or applicants of an IP right (entry into force: 18 August 2021)

In procedures before the DPMA, in which a legal remedy can only be sought by the person in possession of an IP right, the fees will no longer be determined according to the number of proprietors or applicants. For reasons of fee fairness, joint proprietors or applicants are

treated as one person for fee purposes (part A section 2 of the annex to section 2 (1) of the Patent Costs Act). The same fee reduction is granted to joint proprietors or applicants of an affected IP right in appeal proceedings if they jointly file an appeal (part B section 1 of the annex to section 2 (1) Patent Costs Act).

b) Due date for payment of annual fees for supplementary protection certificates (entry into force: 1 May 2022)

For determining the due date of payment of the annual fees for supplementary protection certificates, the special circumstances of the individual grant procedures will be taken into account to a greater extent in the interest of the proprietors (section 3 (2) sentences 3 and 4 of the Patent Costs Act). This refers in particular to special situations where the supplementary protection certificate is granted only after the IP term has started.

c) Advance payment of annual fees for supplementary protection certificates (entry into force: 1 May 2022)

In the future, it will be possible to make a legally effective advance payment of the annual fees for supplementary protection certificates more than one year before the due date so as to simplify administrative matters for applicants and the DPMA (section 5(2) sentence 3 of the Patent Costs Act).

d) Fee increase for supplementary protection certificates (entry into force: 1 May 2022)

The annual fees for supplementary protection certificates will be moderately raised given the increased efforts involved in the examination (Nos. 312 210 to 312 261 of the annex to the Patent Costs Act (schedule of fees)). Please refer to the provisions concerning the application of the previous fee rates in certain cases under section 13 of the Patent Costs Act.

e) Switching back from the "one-class model" to the "three-class model" for the conversion of a European Union trade mark into a national trade mark (entry into force: 1 May 2022)

For the conversion of a European Union trade mark into a national trade mark, what is known as the "three-class model" will be reintroduced into the fee system (part A, section III, No. 5 of the annex to section 2 (1) of the Patent Costs Act). Under the up to now applicable "one-class model", the conversion of European Union trade marks into national trade marks results in higher fees compared to a national trade mark application, for which the "three-class model" applies, although the examination effort is basically the same. This will be remedied by the amendment.

B. Act on Further Duties of the German Patent and Trade Mark Office and to Revise the Patent Costs Act

Increase in annual fees for patents (entry into force: 1 July 2022)

The annual fees for the maintenance of patent applications or patents (section 17 of the Patent Act) will be moderately increased (numbers 312 050 to 312 207 of the annex to the

Patent Costs Act (schedule of fees)). The increase takes into account the drop in the fee level caused by inflation since 1999. The change in fees will come into force on 1 July 2022.

Please refer to the provisions concerning the application of the previous fee rates in certain cases under section 13 of the Patent Costs Act.

Notice of 30 September 2021

Germany ratifies the Protocol on the Provisional Application of the Agreement on a Unified Patent Court

The German government deposited the instrument of ratification for the Protocol on the Provisional Application of the Agreement on a Unified Patent Court. Ratification is an important precondition for the implementation of the European patent reform providing for a Unitary Patent and a Unified Patent Court in the future. So far, 15 countries have ratified the Agreement: Austria, Belgium, Denmark, France, Luxembourg, Malta, Portugal, Sweden, Finland, Bulgaria, Estonia, Italy, Latvia, Lithuania and the Netherlands. On this basis, the Agreement will enter into force once it has also been ratified by the Federal Republic of Germany. More information (in German) is available on the website of the Federal Ministry of Justice and Consumer Protection.

Notice of 10 November 2021

It is now even easier to apply for designs online: DPMAdirektWeb for designs with new functions

Since 9 November 2021, it has become even easier to apply for designs online at the DPMA. The DPMAdirektWeb update provides many new functions. You can now combine up to 20 designs (previously 10 designs) in one application (this is known as multiple application). You can now also export and import your data. A new modern layout and better user interface design improve usability of the service and make the application process even more user-friendly.

The essential changes at a glance

- up to 20 designs per design application possible (maximum of 200 MB for all representations)
- Import and export function for the application data
- Instant communication of the official file number of the design application
- Download option for the application documents as PDF document
- Better user interface design
- Priorities and descriptions can be added to the designs

Changes regarding the design invalidity application

The online application also offers new functions for applications for the determination or declaration of invalidity of a design, for example an import and export function for the application data and an option to download the application documents as a PDF document. In addition, you can now add attachments to the application in PDF/A file format via an upload function.

More information on DPMAdirektWeb

Detailed and useful information on how to use the individual functions for the design application and the application for the determination or declaration of invalidity of a design are available directly in the DPMAdirektWeb application. More general information is available on our web page on DPMAdirektWeb.