

## **CZECH REPUBLIC**

With reference to document SCP/6/7 based on the proposal made by the Delegation of the United States of America, we would like to inform you as follows:

The current Czech Patent Law No. 527/1990 as amended by Law No. 116/2000 Coll. does not contain all provisions on relief under the Patent Law Treaty (PLT) yet. The ratification of the PLT by the Czech Republic and the adoption of a new patent legislation implementing the PLT are envisaged to be carried out in 2003. The Industrial Property Office, within its competence, will make all efforts to speed up this process.

However, the existing Czech patent legislation and patent practice in principle provide for:

- a) an extension of a time limit fixed by the Office, upon a request made prior to the expiration of a time limit concerned;
- b) an excusing a failure to comply with a time limit on a legitimate ground (for example "force majeure" circumstances), if a party to the procedure so requests within two months of the day on which the reason for failure to comply has ceased to exist, provided that the omitted act has been performed simultaneously; the failure to comply with a time limit may be excused at the latest by one year as from the expiration of the period within which the act should have been performed;
- c) a possibility of changing a decision on the patent application made by the Office, upon a filing of an ordinary or an extraordinary justified legal remedy.

The Industrial Property Office is ready to help the patent applicants and owners in "force majeure" cases.