

B1**Information on Contracting States****B1****AT****AUSTRIA****AT****General information**

Name of Office:	Österreichisches Patentamt Austrian Patent Office
Location and mailing address:	Dresdner Straße 87, P.O.B. 95, A-1200 Wien, Austria
Telephone:	(43-1) 53424-0
Facsimile machine:	(43-1) 53424-200 (Groups 2 and 3)
E-mail:	ingrid.weidinger@patentamt.at pct@patentamt.at (for all PCT matters relating to specific international applications)
Internet:	www.patentamt.at
Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	Yes, by facsimile machine
Which kinds of documents may be so transmitted?	All kinds of documents
Must the original of the document be furnished in all cases?	No, only upon invitation
Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)?	No
Competent receiving Office for nationals and residents of Austria:	Austrian Patent Office, European Patent Office (EPO) or International Bureau of WIPO, at the choice of the applicant (see Annex C)
Competent designated (or elected) Office if Austria is designated (or elected):	National protection: Austrian Patent Office (see National Phase) European patent: European Patent Office (EPO) (see National Phase)
May Austria be elected?	Yes (bound by Chapter II of the PCT)
Types of protection available via the PCT:	National: Patents, patents of addition, utility models (a utility model may be sought instead of or in addition to a national patent) European: Patents
Provisions of the law of Austria concerning international-type search:	None

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Provisional protection after international publication:

Where the designation is made for the purposes of a national patent:
The applicant may, from the date of publication of the international application, claim payment of an indemnity from any person who, without being entitled to do so, uses the subject of the application. If the application is not published in German, this right commences from the date of publication of a translation of the international application into German submitted to the Austrian Patent Office.

Where the designation is made for the purposes of a European patent:

(1) International application published in one of the EPO official languages: compensation reasonable in the circumstances, on condition that any national requirements relating to the translation of the claims in the application have been met.

(2) International application published in a language which is not an EPO official language: the protection referred to in (1) does not become effective until the EPO publishes the international application supplied to it in one of its official languages.

Information of interest if Austria is designated (or elected)

For national protection

Time when the name and address of the inventor must be given if Austria is designated (or elected):

Indications not required

Are there special provisions concerning the deposit of microorganisms and other biological material?

Yes (see Annex L)

For a European patent — See European Patent Organisation (EP) in Annex B2
