

ALBANIAN PATENT OFFICE

AS DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Albanian Patent Office

APL: Albanian Industrial Property Law

SUMMARY**Designated
(or elected) Office****SUMMARY****AL****ALBANIAN PATENT OFFICE****AL****Summary of requirements for entry into the national phase****If grant of a national patent by the Albanian Patent Office is desired:**

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into: ¹	Albanian
Required contents of the translation for entry into the national phase: ¹	Under PCT Article 22: Request, description, claims (if amended, as amended only), any text matter of drawings, abstract Under PCT Article 39(1): Request, description, claims, any text matter of drawings, abstract (if any of those parts has been amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee: ¹	Currency: Albanian lek (ALL) For patent: Filing fee: ALL 8,000 For utility model: Filing fee: ALL 6,000
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51bis): ²	Appointment of an agent if the applicant does not reside in Albania or is not a legal entity established under Albanian law Verification of the translation of the application by or on behalf of the applicant Any document relating to the identity of the inventor ³ Any document relating to any transfer or assignment of the right to the application ³ The international application, the translation thereof or any document relating thereto, must be furnished in two copies
Who can act as agent?	Any patent agent registered to practice before the Office

[Continued on next page]

¹ Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).² If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of two months from the date of the invitation.³ This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

SUMMARY**Designated
(or elected) Office****SUMMARY****AL****ALBANIAN PATENT OFFICE****AL***[Continued]*

Does the Office accept requests for
restoration of the right of priority
(PCT Rule 49*ter.2*)?

Yes, please refer to the Office for the applicable criteria and/or any
fee payable for such requests

**If extension of a European patent is desired: See European Patent Organisation
(EP) in Annex B2, Summary (EP) and national chapters EP and AL in Volume II**

THE PROCEDURE IN THE NATIONAL PHASE

AL.01 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as filed (see paragraphs 57 and 58 of the General Part of this Volume).

AL.02 **TRANSLATION OF PRIORITY DOCUMENT.** The Office will invite the applicant to furnish a translation into Albanian of the priority document but only if that document is in a language other than Albanian, English, French, German, Italian, Russian or Spanish. The translation need not be certified but it must be verified by or on behalf of the applicant.

AL.03 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this chapter is outlined in Annex AL.I.

AL.04 **POWER OF ATTORNEY.** An agent must be appointed by filing a power of attorney. A model is given in Annex AL.II.

AL.05 **EXAMINATION.** The Office does not examine national patent applications as to substance. No request is necessary and no special fee is required.

PCT Art. 28
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AL.06 **AMENDMENT AND CORRECTION OF THE APPLICATION; TIME LIMITS.** Until grant the applicant has the right, on his own initiative, to make amendments and/or corrections to the application provided that the scope of the application as filed is not broadened thereby.

AL.07 **ANNUAL FEES.** The maintenance of the application is subject to the payment of annual fees which are due each year on the anniversary of the international filing date, beginning with the first year except where the time limit under PCT Article 22 or 39(1) expires later, in which case the latter time limit applies. Annual fees not paid within the applicable time limit may still be paid within six months from the expiration of that time limit against payment of an additional fee.

AL.08 **EXTENSION OF A EUROPEAN PATENT.** As a result of an agreement between the European Patent Office and the Albanian Patent Office, European patents may be extended to Albania. International applications filed on or after 1 February 1996 are deemed to contain a request for extension if Albania has been designated in the international application and where the European Patent Office acts as designated or elected Office. If the applicant still wishes to request an extension of the European patent, a fee for extension must be paid to the European Patent Office within 21 or 31 months from the priority date. The amount of the fee is published in the Summary (EP) and in the EP national chapter (Annex EP.I). A European patent which has been extended to Albania has the same effect as a national Albanian patent.

AL.09 **CONVERSION OF PATENT APPLICATION INTO UTILITY MODEL APPLICATION.** Upon a written request by the applicant, a patent application can be converted into an application for utility model up to the time a decision is made with regard thereto.

PCT Art. 25
PCT Rule 51

AL.10 REVIEW UNDER ARTICLE 25 OF THE PCT. The applicable procedure is outlined in paragraphs 63 to 66 of the General Part of this Volume. If, upon review under PCT Article 25, the Office denies an error or omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged within three months from the date of the decision with the Board of Appeals upon payment of a fee. A decision of the Board of Appeals may be appealed within six months to the Albanian courts.

PCT Art. 24(2)
48(2)
PCT Rule 82*bis*

AL.11 EXCUSE OF DELAYS IN MEETING TIME LIMITS. Reference is made to paragraphs 67 to 71 of the General Part of this Volume. Where during the international phase or before the Office the applicant has missed a time limit for performing any act in relation to the international application, such time limit may be extended by the Office upon request by the applicant and where justified.

FEES

(Currency: Albanian lek)

Patents

Filing fee	8,000
Fee for grant	6,000
Annual fees:	
— for the 1st year	5,000
— for the 2nd year	6,000
— for the 3rd year	8,000
— for the 4th year	9,000
— for the 5th year	10,000
— for the 6th year	12,000
— for the 7th year	14,000
— for the 8th year	17,000
— for the 9th year	20,000
— for the 10th year	25,000
— for the 11th year	30,000
— for the 12th year	30,000
— for the 13th year	30,000
— for the 14th year	30,000
— for the 15th year	30,000
— for the 16th year	30,000
— for the 17th year	30,000
— for the 18th year	30,000
— for the 19th year	30,000
— for the 20th year	30,000

Utility Models

Filing fee	6,000
Fee for grant	4,000

How can payment of fees be effected?

All fees must be paid to the Office in Albanian leks, in cash, by money order or check. All payments must indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and the category of fee being paid. Any payment by money order or check must be made to the account of the Office at the National Bank of Albania.