

## CZ – CZECH REPUBLIC

### CZECH COLLECTION OF MICROORGANISMS (CCM)

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#### 1. Requirements for Deposit

##### (a) Kinds of Microorganisms that May Be Deposited

Bacteria (including actinomycetes), filamentous fungi, yeast-like microorganisms, yeasts accepted are those capable of long-term preservation without any substantial change of their initial properties, plasmids in a host.

The CCM accepts for deposit only those bacteria, filamentous fungi, yeast-like microorganisms and yeasts which, pursuant to *Laboratory Biosafety Manual* (World Health Organization, Geneva 1983), belong to hazard group I or II.

Microorganisms having special requirements for cultivation which the CCM is not technically capable of carrying out shall not be accepted.

Cultures without scientific description as well as cultures which cannot be identified shall not be accepted.

When depositing strains containing a plasmid, the CCM shall require information on the plasmid and its host strain in respect of their properties and classification (i.e., group P1, P2, P3 or P4). The CCM shall accept only plasmids belonging to group P1.

##### (b) Technical Requirements and Procedures

###### (i) Form and Quantity

Bacteria and fungi, including those containing plasmids, are accepted by the CCM as lyophilized or actively growing cultures, except agar plate cultures (these are prone to become damaged in transport).

The depositor is required to provide two lyophilized or agar cultures when making his deposit.

(ii) Time Required for Viability Testing

The average time required for testing the viability of various microorganisms accepted by the CCM is five days, but the depositor should realize that in some cases, especially with slow growing microorganisms, viability testing may take as long as 14 days.

(iii) Depositor Checks and Renewal of Stocks

The CCM prepares its own lyophilized and/or frozen batches of bacteria and fungi at the time of deposit by subculturing material supplied by the depositor. New batches are prepared from these as necessary thereafter for the renewal of diminishing stocks. The depositor is required to test for authenticity samples from all batches of his microorganisms prepared by the CCM.

Whichever method is used for preparing batches of samples for distribution, the CCM always keeps original material supplied by the depositor.

(c) Administrative Requirements and Procedures

(i) General

*Language.* The official language of the CCM is Czech. Communications are also accepted in English.

*Contract.* The CCM does not enter into any written contract with the depositor defining the liabilities of either party but, by signing the CCM deposit forms, the depositor surrenders any right to withdraw his deposit during the required storage period and accepts that the microorganisms will be distributed according to the relevant patent requirements.

*Import and/or Quarantine Regulations.* At present, there are no kinds of microorganisms in the CCM accepted under the Budapest Treaty which may be subject to import or quarantine regulations. But this may be changed in the future.

(ii) Making the Original Deposit

*Requirements to Be Met by the Depositor.* Depositors are required to complete form CCM-BP/1 (the equivalent of model form BP/1) which is the accession form used for Budapest Treaty deposits.

*Official Notifications to the Depositor.* The receipt and viability statement are issued on mandatory “international forms” BP/4 and BP/9, respectively, both in Czech and English. Notification of furnishing of a sample to a third party is issued on model form BP/14. The CCM uses its own standard letters for other official notifications.

*Unofficial Notifications to the Depositor.* If requested, the CCM will telephone or telefax the date of deposit and the accession number before the official receipt is issued, but only after a positive viability test has been obtained.

*Supply of Information to a Patent Agent.* The CCM does not routinely ask the depositor for the name and address of his patent agent. However, if requested, the CCM will send copies of the receipt and viability statement to both the depositor and his patent agent.

(iii) Converting a Previous Deposit

Deposits made outside the provisions of the Budapest Treaty may be converted by the original depositor to deposits under the Budapest Treaty only if they were originally made for patent purposes. The administrative requirements for conversion are similar to those to be met in respect of an original deposit made under the Treaty.

All conversions are subject to the storage fee normally levied for Budapest Treaty deposits.

(iv) Making a New Deposit

The depositor is required to complete the equivalent of model form BP/2 when making a new deposit, and to supply copies of the relevant documents required by Rule 6.2. The receipt and viability statement for a new deposit are issued on mandatory “international forms” BP/5 and BP/9.

## 2. Furnishing of Samples

(a) Request for Samples

The CCM advises third parties of the correct procedures to follow in order to make a valid request. In the case of requests requiring proof of entitlement, the CCM will provide requesting parties with copies of model request form BP/12 and/or request forms used by individual industrial property offices (where it has been supplied with such forms).

When responding to requests from overseas, the CCM will ask the requesting party to provide an import permit if it knows that one is required for that particular country.

All samples furnished by the CCM are from batches of its own preparations.

(b) Notification of the Depositor

Depositors are notified on model form BP/14 when samples of their microorganism have been furnished to third parties.

(c) Cataloguing of Budapest Treaty Deposits

The CCM does not list Budapest Treaty deposits in its published catalog.

### 3. Schedule of Fees

Patent Deposit of Cultures	<u>CZK</u>
(a) Deposit and storage for 30 years	26,500
(b) Issuance of a viability statement	1'650
(c) Furnishing of a sample	1,000

Value added tax (21%) will be charged in addition, if applicable. Extra charge is payable for handling, postage and banking. A prepayment may be requested for orders coming from abroad.

### 4. Guidance for Depositors

At present the CCM does not have specific written notes for the guidance of depositors, but is always ready to offer advice by telephone or correspondence.