

CZ – CZECH REPUBLIC

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1. Requirements for Deposit

The invention must be disclosed in the application for an invention in a manner sufficiently clear and complete for it to be carried out by a person skilled in the art. Where the invention concerns an industrial microorganism for the purposes of production, the microorganism must be kept in a public collection as from the date on which the applicant's priority right begins.

(Law No. 527/1990 Coll. on Inventions and Rationalization Proposals, as amended, Section 26(2); Law No. 206/2000 Coll. on the Protection of Biotechnological Inventions, Section 5(1))

In accordance with the practice, the applicant must attach to the patent application proof that the microorganism has been deposited.

2. Time of Deposit

The deposit of the microorganism must be made not later than the date of filing of the patent application (see 1, above).

3. Duration of Storage

No provision.

4. Conditions for the Furnishing of Samples

(i) Time of Availability of Samples

A deposited biological material becomes available from the date on which the patent application is made available to the public.

(Law No. 206/2000 Coll. on the Protection of Biotechnological Inventions, Section 5(2))

(ii) Restrictions Concerning the Furnishing of Samples

The applicant may request that a sample of the deposited biological material shall only be available to an independent expert. This restriction shall be notified to the Industrial Property Office (“Office”) at the latest on the date on which the preparations for publishing the patent application have been completed. The Office will publish such a limitation of access to the deposited biological material together with the patent application in the Bulletin of the Office.

(Law No. 206/2000 Coll. on the Protection of Biotechnological Inventions, Section 5(5))