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QEVERIA E KOSOVËS / MINISTRIA E TREGTISË DHE INDUSTRIË
VLADA KOSOVA / MINISTARSTVO TRGOVINE I INDUSTRIJE
GOVERNMENT OF KOSOVO / MINISTRY OF TRADE AND INDUSTRY

Pursuant to UNMIK Regulation No. 2001/19, “*On the Executive Branch of the Provisional Institutions of Self-Government in Kosovo*”, article 1 paragraph 1.3 line (d), and the Law No.02/L-45 “*On Patents*”, articles 13 and 81, Minister of Trade and Industry issues this:

ADMINISTRATIVE INSTRUCTION No. 2007/10

ON PROCEDURES FOR PATENT REGISTRATION

I. GENERAL PROVISIONS

Objective

Article 1

This Administrative Instruction, hereinafter Instruction, regulates the procedures on patent registration in the Industrial Property Office, hereinafter the Office, including application, registration, objection, publication, changes in the patent register, extension, discontinuation of validity and other issues that deal with patent registration in the Office.

II. PATENT APPLICATION

Method of filing the patent application

Article 2

2.1 The patent application is filed in written in one copy, directly or by mail to Industrial Property Office.

2.2 Patent application shall also have attached:

- a) proof on payment of administrative fee for administrative procedure implementation or the proof on release from payment of administrative fee and cost on implementation of administrative procedure;
- b) authorisation for the representative when the application is filed through a representative;
- c) statement on joint representative in case there are more applicants;
- d) statement of the inventor in case not willing to be mentioned in the application;
- e) copy of the first application certified by competent authorities where the priority right has been requested pursuant to article 20 of the Patent Law;
- f) certificate on exhibition at international exhibitions when the innovation has been exhibited;
- g) register of nucleotide fragments and amino acids when application contains discovery of one or several nucleotide fragments and amino acids.

2.3 Filled in copy of the form from article 3 of this Instruction, the Office issues to the applicant the certificate on received data and other documents submitted.

Contents and filling in method of patent application

Article 3

3.1 Application on grant of patent contains:

- a) clear indication on request of grant of patent;
- b) title of the novelty which clearly and essentially expresses the essence of the invention, title which cannot contain commercial titles, marks, names, characteristic acronyms for some products;
- c) data on applicant, for physical entities, name, surname and address, for legal entities company and location, when there are more applicants also the statement on joint representative;
- d) data on inventor, name, surname and address, record of written statement that the same does not wish to be mentioned in patent application, when the inventor is also an applicant, must be mentioned separately;
- e) data on the representative, name, surname and address, when legal entity, company and location;
- f) priority claim request according to article 20 of Patent Law;
- g) record of exhibition of the invention at an exhibition;
- h) record on request for grant of application, mentioned number of first application;
- i) correspondence address, which by rule is the address of the applicant or respective representative, or joint representative when there are more applicants, together with telephone number, fax or e-mail address;
- j) check list, number of pages and description of invention, number of request for patents, number of pages of request for patents, number of drawings and number of drawing pages, the core and annexes attached to application;

k) signature and stamp of applicant, respectively of the representative when such is present.

3.2 Data from paragraph 3.1 of this article are devised in the form which is compulsory part of this Instruction.

3.3 When the space available in the form is not sufficient, annexes with quoted section together with the contents are attached as special annex to the form.

3.4 The Office does not verify the accuracy of data mentioned on application for grant of patent.

Description of Invention

Article 4

4.1 Description of invention is made in this manner according to this article.

4.2 In the description first is mentioned the title of the invention which also appears on the request, and:

- a) technical field in which the invention is made by underlining the sign according to International Patent Classification, when the applicant is known;
- b) technical problems to be solved which require time under patent protection;
- c) technical condition, appearance and analysis of defined technical problem, exposed in the volume of the knowledge of the applicant, sufficient to understand the invention and consideration of application, where is preferred quotation of the patent documents and other sources that have to do with the technical description;
- d) exposure of the essence of the invention as to understand technical problems and their solution, mentioned novelties of the invention compared to previous technical condition;
- e) short description of drawings, when such available;
- f) detailed description of at least one method of realization of the invention, by mentioning the example and by drawings too, when available;
- g) industrial implementation method or other invention implementation methods, when such cannot be understood by invention description.

4.3 It is desirable for each part mentioned in paragraph 4.2 of this article to be preceded by adequate title. Exclusively, the manner of other make of the invention can be implemented if such results in better understanding of the invention.

4.4 Reasonable technical problem solution in invention description:

- a) must be defined with no arbitration and suppositions and all important characteristics of the invention must be clearly and safely defined, so the qualified person can realize them;
- b) when the invention has to do with a procedure, all important characteristics must be contained, thus the realization of the procedure is visible as a whole, and which must be proved with realised examples;
- c) when the invention has to do with construction and is presented in photo, it must contain detail description of the construction solution based on the photo. As proof of viability must be described the manner of action of main parts and the manner of action of the whole construction;
- d) when there are several ways of making real the same invention, their descriptions must be taken.

Patent Claims

Article 5

5.1 Patent claims must contain definition of the invention exclusively through technical characteristics.

5.2 Number of patent claims must be real compared to the nature of the invention for which protection was required. When there are several claims for patent, the order must be made in Arabic numbers.

5.3 Patent Claim must contain:

- a) introduction part which begins with the title of the invention, then technical characteristics which by mutual combination fall into previous technical condition, which are required to define the invention for which protection is required;
- b) other characteristic part of the claim, which is preceded by expression “characteristic” or “characterised by”, where technical characteristics of the invention are mentioned which in combination to previous condition technical characteristics from paragraph 5.3 line a of this article, require patent protection.

5.4 When the condition of the invention unity concept is met from article 36.1 line d of Patent Law, application for patent can contain several independent claims of the same category, product, procedure, equipment, implementation, when the claim for patent cannot be summoned into one request.

5.5 For every patent request where main invention characteristics are mentioned, one or more correlated patent claims can be made which have to do with specific characteristics of the invention.

5.6 Pending patent claim contains specific invention characteristics of another pending patent claim or independent one and when possible contains in the beginning

direction to other claim or other patent claims, after which additional characteristics are mentioned for which patent protection is requested. All pending priority patent claims which relate to the earlier patent claim or claims must be summoned to determine easier reciprocity between pending claims and their meaning is easier explained.

5.7 Patent claims, except when that is absolutely necessary, are not allowed that in respect to technical characteristics of the invention are based on description or drawings. Especially are not allowed to quote “as described in the section ...”, or as presented in the drawing photo”.

5.8 When patent application contains drawings, it is desirable that except technical characteristics mentioned in the claims for patent call marks that deal with such should follow. When used, it is desirable that call marks are set in brackets, when such marks do not make easy to understand the patent claims they should not be put. Call marks cannot be understood as limitation of claims.

5.9 Invention unity concept is realized when some inventions correlate among thus having a technical link which can include one or some of the same specific technical characteristics. Expression “specific technical characteristics” defines such technical characteristics which define the relation of each invention mentioned as a whole, and changes the present technical condition. Evaluation whether some inventions are linked reciprocally among, thus creating an invention unity concept, is done with no consideration to whether defined inventions or separate patent claims or are an alternative to a patent claim.

Drawings

Article 6

6.1 The used area in the pages containing drawings is not allowed to be bigger than 26,2 x 17 cm. Pages are not allowed to have frames around the space used for drawings or unused space. The smallest margins must be:

- a) page top 2.5 cm;
- b) page left 2.5 cm;
- c) page right 1.5 cm;
- d) page bottom 1 cm.

6.2 Drawings must be made in this way:

- a) lines must be of the same width, black, easy to distinguish and non-erasable, while the space between lines is not allowed to be painted or highlighted;

- b) cross cutting is marked by shading which does not obstruct the visibility of main lines and call marks;
- c) the volume of drawings and clarity of graphic design must be such that even in photographic reproduction and even reduced without difficulties can be identified all one by one;
- d) all numbers, letters and call signs in the photos must be simple and clear, brackets, circles or commas are not allowed to be used in relation to numbers and letters;
- e) elements in the photo must be proportional, except when disproportion is required due to higher clarity of the photo;
- f) size of the letters and numbers is not allowed to be smaller than 0,32 cm, to describe the drawing use Latin letters or when practiced also Greek letters;
- g) one page of the drawing can contain several photos, where a photo as a whole is over one or two pages they must be done so the photo as a whole is completed without covering or breaking other parts of the photos from other pages, photos in a page must be ordered one after each, divided between but with not very much space, different photos must be ordered with Arabic numbers;
- h) call signs which are not mentioned in the description are not allowed to be put on the drawing and the opposite;
- i) same characteristics, when marked by call signs, must be marked on the application in the same marks;
- j) when drawings contain a great number of call signs, it is recommended to submit them in a separate page with the register of all call signs and marked characteristics for these call signs;
- k) drawings are not allowed to contain text parts, only when such necessary, short words as, “water, steam, closed”, or in a block diagram short words that are important to understand the text.

6.3. Drawings are made by use of equipment which enables drawing in accordance to paragraph 6.2 of this article.

Invention Contents

Article 7

7.1 Invention description contains the title of the invention and short contents of the invention in description, patent request and drawing. Short description must define the technical field of the invention making possible clear understanding of technical problems, solution of the problem and simple use of the invention. When necessary, in the description of the invention to mention the formulas that are in application that most clearly characterize the invention.

7.2 Invention description is not allowed to contain records on value of the invention nor data regarding theoretical possibilities of execution.

- 7.3 When patent application contains drawings, the patent applicant must mark the photo or indirectly more photos which are recommended to go with invention description. The Office can decide on presentation of other photo or other photos in description if thinks by this invention is better characterized. All invention characteristics which are defined in the description illustrated by photo must be followed by call signs in brackets.
- 7.4 Description of invention must be compiled so to be used effectively as an instrument for research in the designated technical field, especially that based on such can evaluate the need for complete understanding of the patent application.
- 7.5 Description of the invention can consist of no more than 150 words.

Conditions for compiling different sections of patent application

Article 8

- 8.1 Contents of the patent application must be suitable for photographic copying, for electrostatic copying and scanning in an unlimited number of copies. Pages are not allowed to be torn, twisted or folded. Only one side of the page can be used.
- 8.2 Pages are in format A4 (29,7 x 21 cm), white, plain, not glossy, foldable and long-term. Each page is used thus the top and bottom of the page are shorter sides of the format, the so called "high format".
- 8.3 Each part of patent application, claims to grant the patent, description of the invention, patent claims, drawings and essence, must start on a new page and must be signed by the patent applicant. Pages must be bound lightly in order to leaf them easily, separate them or bind them again.
- 8.4 Lowest margins allowed on the pages where there are drawings must be: page top 2 cm, page left 2.5 cm, page right 2 cm, page bottom 2 cm. Widest margins on the pages that do not contain drawings must be: page top 4 cm, page left 4 cm, page right 3 cm, page bottom 3 cm.
- 8.5 In the moment of patent application filing page margins must be empty.
- 8.6 All pages in patent application must be marked with Arabic numbers which are put on the middle of the page top but not on margin.

8.7 Request to grant a patent, invention description, patent claim must be printed legibly, exception are graphic symbols and signs, chemistry and mathematical formulas, if necessary they can also be written by hand. The distance between the lines in the text must be 1.5 lines.

8.8 The size of the letters in the text cannot be smaller than 0,21 cm and the colour must be dark and non-erasable;

8.9 Request to grant a patent, invention description, patent claim and the essence are not allowed to contain drawings. While the description of the invention, patent claim and the essence can contain chemical and mathematical formulas, exclusively the invention description contains the essence and the tables. Patent requests can contain tables only when the essence is good understood by it. Tables and chemical and mathematical formulas can be presented “in a diagonal form”, when in “portrait format”, they cannot be presented as acceptable. Pages where tables and formulas are presented in “diagonal form”, are presented in order for formulas or tables to be put on the left side of the page.

8.10 Physical size values are shown in units of “International Unit System” (IS). For mathematical, chemical, molecular formulas and atomic mass symbols are used whereas technical expressions and accepted signs in use in the specific technical field;

8.11 Signs and symbols must be used consequently in the whole patent application text;

8.12 Each page of the application text must contain less possible errors and no corrections, erasures, text crossings; intervention between the lines of the text, this rule can be rejected only when the reliability of the contest is not endangered as well as quality reproduction of the text.

Contents not allowed to be mentioned in application

Article 9

9.1 Patent application is not allowed to contain:

- a) data and drawings that contradict the law and the moral;
- b) defying data on products or procedures of third parties or disregard of quality and importance of application, respectively patent of the person; comparison to previous technical condition, is not considered disregarding;
- c) data that are not important and necessary.

9.2 When the patent application contains data from paragraph 9.1 line a and b of this article, the Office can remove such during publication. The Office can mention the number and place of words and drawings removed and after the request is made can issue a copy of text parts removed.

Additional Documents

Article 10

10.1 Provisions of articles 4, 5, 6, 7, 8 and 9 of this Instruction are implemented also in additional documents which substitute the parts contained in patent application. These additional documents are submitted to the Office in the same procedure as the patent application.

10.2 All important parts contained in patent application and additional documents which are submitted as overdue must be signed. When the additional document is not signed, the Office invites the interested party to sign it within a specified period after the invitation is received. When signed within the specified time, the document contains the date when received otherwise is considered as not submitted.

10.3 Documents submitted with delay, which are notified upon third parties or when they are in relation to one or more patent applications must be submitted in the respective number to the number of people notified or the number of application referred. When the interested party, even after request from the Office, does not submit the required number of copies of additional documents, then missing copies will be made by the Office on cost of the interested party.

III. Patent Application Register

Contents of the Patent Application Register

Article 11

Patent application, which by decision is certified date of submission, the Office issues a special register, register of patent applications, where the following information is recorded:

- a) number of patent application;
- b) date of patent application submission;
- c) number and date of first application in case of division of patent application;
- d) data on request of priority rights;
- e) data on applicant, name, surname and address, for physical person whereas company and location for legal entities;

- f) data on inventor, name, surname and address, or data on statement of the inventor who does not want to be mentioned in application;
- g) data on representative, name, surname and address, for physical person whereas company and location for legal entities;
- h) title of invention;
- i) classification of signs according to International Patent Classification (IPC)
- j) date of publication of patent application;
- k) data on request for full research of conditions to acknowledge the invention or grant the patent based on results presented by full research of patent application,
- l) data on payment of administrative fee and compensation for administrative procedure as well as data on release from such payments;
- m) data on methods of completion of administrative procedure;
- n) data on changes regarding the patent application.

Issue of Documentation from Application Register

Article 12

12.1 Patent Application Register is public in cases when the patent application is published.

12.2 Documentation is issued for patent applications which are published, by request of authorised people with the attached document on payment of administrative fee and compensation of expenses during administrative procedure.

12.3. To issue documentation from application register apply the provisions from articles 20, 21,22 and 23 of this Instruction.

IV. PRIORITY RIGHT CERTIFICATE

Contents of the request for issue of priority right certificate

Article 13

Request for issue of priority right certificate contains:

- a) clear record of request for issue of priority right certificate;
- b) number of patent application for which is requested issue of certificate;
- c) definition of number of requested copies of the certificates;
- d) data on the requestor;
- e) signature of the requestor;
- f) proof on payment of administrative fee and compensation of administrative procedural charges for issue of priority right certificate.

Contents of the priority right certificate

Article 14

Certificate on priority rights contains:

- a) name, surname and address of physical person, or company and location for legal entities;
- b) date of patent submission;
- c) number of patent application;
- d) title of invention;
- e) description of invention identical to description in the application;
- f) identical patent requests with patent requests in application;
- g) identical drawings to drawings in application if there are any;
- h) mention the agreeability of data in the certificate to the patent application

V. PUBLICATION OF A PATENT APPLICATION

Contents of the publication of a patent application

Article 15

15.1. In the bulletin of the Office the following patent application data are publicized:

- a) Number of patent application;
- b) date of patent application submission;
- c) data on request for the priority right, number and date of submission of first application,
- d) data on exhibition;
- e) classification of signs according to International Patent Classification (IPC);
- f) title of the invention;
- g) data on the patent applicant, name, surname and address for physical persons or company and location for legal entities;
- h) data on inventor, name, surname and address for physical persons or company and location for legal entities;
- i) number and date of first application on occasion of patent application division;
- j) description of the invention;
- k) characteristic drawing or drawings by which is identified the description of the inventor and patent claim, respectively chemical formula which apart from other formulas best characterizes the invention;
- l) data on representative, name, surname and address for physical persons or company and location for legal entities;
- m) date of publication of patent application;

15.2. Data from paragraph 15.1 of this article are marked by internationally contracted numbers for identification of data (hereinafter INID-codes)

VI. REQUESTS FOR CONSIDERATION OF PRECONDITIONS TO GRANT A PATENT

Content and form of the request for consideration of preconditions to grant a patent

Article 16

16.1. Requests from article 38 of Patent Law are submitted to the Office within legal period, in written, together with the number of patent application and submission of evidence on payment of administrative fee and compensation for administrative procedural charges.

16.2. The requestor from article 38 of Patent Law, must submit to the Office:

- a) report on research of technical conditions and translation in official languages in Kosovo
- b) report on full review and translation in official languages in Kosovo
- c) patent list with translation of patent claims;

Publication of requests to grant a patent without implementation of full review procedure

Article 17

17.1. Publication of request to grant the patent in the Bulletin of the Office contains these data:

- a) number of patent application;
- b) date of request submission;
- c) data on requestor, name, surname and address for physical persons or company and location for legal entities;
- d) classification of signs according to International Patent Classification (IPC);
- e) number of Office Bulletin in which patent application was published;
- f) title of invention.

17.2. To the request from paragraph 17.1 of this article are attached proof of payment of administrative fee and proof of compensation for administrative procedure.

VII. OBJECTION TO GRANT A PATENT

Contents of the objection to grant a patent

Article 18

18.1. Objection to grant a patent must contain:

- a) explicit record on objection to grant a patent;
- b) data on the objecting person, name, surname and address for physical persons or company and location for legal entities;
- c) number of patent application;
- d) data on the requestor to grant the patent;
- e) title of invention;
- f) data on representative, name, surname and address for physical persons or company and location for legal entities;
- g) signature of the objecting person;
- h) proof of payment of administrative fee and proof of compensation for administrative procedure.
- i) reasons why objection is submitted.

VIII. PATENT REGISTER

Contents of the Patent Register

Article 19

For the Patents, the Office has a Patent Register which contains the following data:

- a) number of patent;
- b) data on the type of request upon which patent was accepted;
- c) title of invention;
- d) data on the patent carrier, name, surname and address for physical persons or company and location for legal entities;
- e) data on the inventor, name surname and address or data on the inventor if does not want to be disclosed in the patent application;
- f) data on representative, name, surname and address for physical persons or company and location for legal entities;
- g) date of patent application submission;
- h) number of the first application if it has to do with divided application;
- i) number and date of decision to grant the patent;
- k) data on the granted priority right;
- l) date of patent application publication;
- m) date of patent registration in patent register;
- n) date of publication of granted patent;
- o) classification of signs according to International Patent Classification;
- p) data on transfer o the data and licensing;
- q) changes concerning the carrier of patent rights;
- r) type of decision and date of decision regarding the proposal on declaring as void the decision to grant the patent and proposal for annulment of decision for granting the patent;
- s) data on payment of administrative fees to retain a valid patent;
- t) data on cancellation of patent validity, legal grounds and annulment date;

u) data on certificates on additional protection.

Issue of documentation from Patent Register

Article 20

20.1. Patent register is public.

20.2. Documentation from the register is issued on request by interested parties together with the attached proof on payment of administrative fees and compensation of administrative procedural charges.

20.3. Documentation from the patent register contains data from article 16.2 of this Instruction registered in the register and which are valid from the date issued.

20.4. On special request is issued the document for a specific period or document which contains all registered data from the date of patent registration to the date of issued document.

Article 21

Entries from the register shall be incorporated in the issued document according to order foreseen with Article 19 of this Instruction. Before each entry in the document shall be specified ordinal number of registration.

Evidence for issuance of documents

Article 22

22.1. The issued document shall be registered in the Registrar for evidence.

22.2 The document contains entries that this document is identical with the authentic one, place and date of issue, issuing number of the document, seal and signature of the authorized officer of the Office.

IX. CERTIFICATE

Content of the certificate for patent

Article 23

Certificate fro patent contains:

a) number of patent;

- b) title of invention;
- c) details of the bearer of patent, name, surname and residence of natural persons or enterprises and seat of each legal entity;
- d) details of the inventor, name and surname;
- e) the accepted date of the priority right;
- f) registration date of patent in the register of patents;
- g) publication date of patent;
- h) certificate issuing date.

X. PUBLICATION OF PATENT

The content of the publication of a patent

Article 24

24.1. In the Official Bulletin, by the decision to grant the patent, shall be published the following details:

- a) number of patent;
- b) filing date of application for patent;
- c) entries for the priority right, filing number and date of first application;
- d) publication date of application for patent;
- e) title of invention;
- f) classification sign pursuant to Patents International Classification (PIC);
- g) number and date of first application in case of divisional application;
- h) details of the patent's owner, name, surname and residence of the natural person, enterprise and seat of the legal entity;
- i) details of the inventor, name, surname and residence or details on inventor's statement that he refuses to specify;
- j) details of the representative, name, surname and residence of the natural person, enterprise and seat of the legal entity;
- k) the first application for patent, with number of other applications for patent;
- l) specific drawing or the drawing containing the invention description and patent claims, respectively chemical formula which best specifies the invention comparing with other formulas specified in the application.

24.2. Details from paragraph 24.1 of this article are indicated with INID code.

24.3. Official Bulletin will publish the termination of patent validity with the following details:

- a) patent number;
- b) title of patent;
- c) validity termination date;

- d) classification sign pursuant to Patents International Classification (PIC);
- e) number of Official Bulletin which contains the patent published.

XI. PATENT LIST

Content of patent list

Article 25

25.1. The patent list contains:

- a) entry on issuance of patent list;
- b) number of patents;
- c) the sign based on Patents International Classification (PIC);
- d) publishing patent date;
- e) details of the patent's owner, name, surname and residence of the natural person, enterprise and seat of the legal entity;
- f) details of the inventor, name, surname and residence or details on inventor's statement that he refuses to specify;
- g) details of the representative, name, surname and residence of the natural person, enterprise and seat of the legal entity;
- h) title of invention;
- i) date of application filed;
- j) indications for the recognized priority right;
- k) publishing date of application for patent;
- l) description of invention;
- m) patent claim;
- n) drawings, if any, respectively formulas if it is on patents which are accepted for invention in the chemistry subject.

25.2. Details from paragraph 25.1 of this article are indicated with INID code.

XII. REGISTRATION OF CHANGES IN THE REGISTER

Request for registration of changes in the register

Article 26

26.1. Procedure for registration of changes in the register maintained by the Office starts with the request completed in the form which is a part of this Instruction.

26.2. Request for registration of changes shall contain:

- a) indication which clearly specifies the request for registration of changes;

- b) patent application number or patent number;
- c) indications of the applicant, name, surname and residence of natural persons or enterprises and the seat of legal entities;
- d) indications of the applicant, respectively owner of patent, name, surname and residence of natural persons or enterprises and the seat of legal entities;
- e) indication regarding the type of changes.

26.3. Request from paragraph 26.2 of this article shall be attached:

- a) proof on legal base for changes, which is necessary for registration of changes in the Register, contract or public document;
- b) duly authorization if the procedure for registration of changes is initiated through the representative;
- c) proof on payment of administrative taxes or reimbursement of costs for implementation of administrative procedure;
- d) contract or public document which serves to prove the legal base of changes for registration in the register from paragraph 26.1 of this article, shall be submitted in original or certified copy, in total or in that part which clearly presents the change done;
- e) if the foreseen space in the specific boxes in the form is not sufficient, the requested information specifying the box and its full content shall be attached to this form as a special annex;
- f) the completed copy of the form from point a) of this article, is given to applicant by this Office, as a confirmation of receipt of application and other documents;
- g) indications for registration of changes in the register are published with other details from point b) of this article in the Official Bulletin;
- h) details published in Official Bulletin are indicated with INID code.

XIII. INFORMATION SERVICES

Type and method of making available information services

Article 27

27.1. The office pursuant to its scope of activity makes available information services in accordance with article 39 of the Law on Patent, whereof it receives the foreseen compensation with special provisions.

27.2. Information services from paragraph 27.1 of this article, are related to research of funds of patent information available with Patent Registers, in parts which are published, and in other funds of patent information transparent for Office, based on the criteria requested by the applicant of services, and may include other types of information services which are under the scope of activity of the Office.

27.3 The Office provides information services based on the request presented previously and in written form which shall contain details of the applicant requesting the service, name or title and signature of the applicant and specification of the services requested.

27.4 Upon completion of the service, the Office provides the applicant with information in a direct written form, by mail or electronic email.

XIV. REINSTATEMENT OF RIGHTS

Content of proposal, conditions and procedure based on proposal and publication of indications

Article 28

28.1. Proposal for reinstatement of rights contain the following indications:

- a) clear indication the reinstatement of rights is requested;
- b) number of application for patent or patent number;
- c) details of the person presenting proposal;
- d) indications of the representative if the person presenting proposal has the representative;
- e) signature of person presenting proposal or his representative.

28.2. In addition, attached with application from paragraph 28.1 of this article the following shall be submitted to the Office:

- a) reason why the reinstatement of rights is requested;
- b) proofs to justify causes from item a) of this paragraph;
- c) proof on payment of administrative tax and compensation of administrative costs;

28.3. In the event this proposal on reinstatement of rights does not contain parts specified in paragraph 28.1 of this article, the Office calls the claimant to adjust proposal in 30 days time effective from the receiving date of request. If the claimant fails to respect the date line, the Office brings decision to reject the proposal on reinstatement of rights.

28.4. If the proposal is made in a regular form or in case it has been adjusted meanwhile as foreseen with paragraph 28.2 of this article, the Office shall review justification of proposal.

28.5. If the Office finds decision reasonable, it will bring a decision to approve proposal on reinstatement of rights;

28.6. If the Office in applicable procedure finds proposal entirely or partly unjustifiable, the proposal's claimant will be informed on the grounds of full or partial rejection of proposal, and in 60 days time will be called to clarify reasons of rejections;

28.7. If the applicant fails to clarify the aforementioned reasons within the time frame, it is considered that he agrees with them, and the office will bring decision to reject the reinstatement of rights;

28.8. If the applicant provides justifications specified in paragraph 28.6 of this article, the Office will review them and bring decision afterwards;

28.9. Indications for reinstatement of details shall be published along with details in subparagraph 28.1 of this article in Office Bulletin.

28.10. Details published in Official Bulletin shall be indicated with INID code.

XV. COMMON AND FINAL PROVISIONS

Termination of validity of acts

Article 29

Upon this Administrative Instruction enters into force supersedes all existing legal acts related to this matter.

Entry into force

Article 30

This administrative Instruction shall enter into force effective from the date signed by the Minister of Trade and Industry.

Prishtina, 17.09.2007

Minister of Trade and Industry
Bujar Dugolli
