



TRANSFER AND ENTREPRENEUR CENTRE

Timeline for Patents

process start

Development of a research result at OVGU; possibly a patentable invention with the following essential features:

- novel
- inventive
- industrial applicable

submission of the invention disclosure to TUGZ, Thomas Voigt

Subject to **non-disclosure** with immediate effect: no public representation in any form, therefore also:

- no lectures or presentations at exhibitions and congresses;
- no technical discussion with third parties who are not subject to a non-disclosure agreement concluded in writing;
- no conference contributions (and also no "hints" to third parties);
- no publications;
- no publicly accessible final reports;
- no submission of publications to scientific journals;
- no conversation about the invention in public spaces (trains, trams, etc.);
- no defense of the Bachelor's/Master's thesis or dissertation, if public;
- no display of the Bachelor's/Master's thesis or dissertation in the university library.

two months before a planned publication at the latest

Submission of the invention disclosure to OVGU / TUGZ with a clear reference to the planned publication; obtaining an approval by TUGZ (in text form)

up to two months after filing the invention disclosure

If the invention disclosure is not complete, for example, due to the omission of

- a description of the invention;
- the private address;
- information on the development of the invention, then

TUGZ will contact you within two months.

up to four months after submission of the complete invention disclosure

- Decision of OVGU as to whether it will claim or release the rights to a service invention.
- Release takes place in writing.
- If no release has taken place up to four months after submission of the complete invention disclosure, OVGU automatically claims the rights to the service invention.

approx. four to six months after

Application of the invention in the form of a patent application (filing date of the application means "T = 0" for all subsequent periods):

completing the invention disclosure form

- Start of the property rights term (retroactive to the grant of the patent);
- Start of the priority year (national and international):

Potential subsequent filing of derived patent applications; potential inclusion of further developments.

- Publications without risk of damage to novelty.

Optional steps (performed by TUGZ):

- Application for an official patent search (duration: approx. 2 to 6 months)
- Application for official patent examination (duration: approx. 4 to 24 months)

up to 3 months after filing the patent application

Deadline for payment of the patent application in Germany:

- the application expires in case of non-observance

up to 12 months after filing the patent application

Claiming a priority

- End of the period for the international extension of the patent ("priority year": for example, the extension of the patent application to other countries under the Patent Cooperation Treaty (PCT), with retroactively the same start of protection when the patent is granted by the competent international patent offices).
- Publications within these 12 months do not constitute prior state of the art for the subsequent application.
- TUGZ is responsible for payments and deadline monitoring; there is no need for action on the part of the inventors.

18 months after filing the patent application after a total of approx. 1½ to 3 years (experience value)

Disclosure: publication of the patent application 18 months after filing, regardless of whether the patent was granted or not.

Patent granted if

- there are no formal errors in the patent application or any errors have been corrected;
- the official request for examination has been made and paid for;
- all defects that may have been the subject of criticism have been successfully rectified;
- the request for examination was granted.

For a period of 9 months after publication of the grant of the patent third parties (competitors) will still have the right to object. If no objection has been received in due form and time, TUGZ will receive a corresponding notification from the Patent Office.

two years after filing the patent application

Start of the annual payment of fees: in Germany annual fees, in other countries possibly also amounts over > 12 months; fees are staggered; expiration of the patent if payment is not made on time.

up to 7 years after filing of the patent application

Deadline for patent examination: last chance to file an official request for examination; otherwise no patenting possible. The deadline is also monitored by TUGZ.

after a total of 20 years

Expiration of the patent (maximum term of patent protection has been reached).

There are extensive legal comments relating to employee inventions . Many special circumstances,

framework conditions and individual points are relevant for legal issues. **TUGZ@OVGU therefore accepts no liability for the completeness and correctness of this timeline or for decisions made on the basis of it.**

Contact

Transfer and intellectual properties

N.N.

G18-515

Tel.: +49 (0)391 67-52091