

## Spain (ES) Coverage

### Patent Office Details

Spanish Patent & Trademark Office

Paseo de la Castellana 75  
28046 Madrid  
Spain

Web: [www.oepm.es](http://www.oepm.es)

Official gazette: *Boletín Oficial de la Propiedad Industrial (BOPI)*

### Kinds of Protection

Patents of Invention	Granted for a term of 20 years from submission date
Supplementary Protection Certificates	Extension of up to 5 years possible for medicinal and phytosanitary products
Utility Models	Protection for a maximum of 10 years, non-extendable
Industrial Designs and Models	May be registered

### Convention & Treaty Membership

Patent Cooperation Treaty	16.11.1989
European Patent Convention	01.10.1986
Signatory of:	Paris Convention (Stockholm wording) Budapest Treaty World Intellectual Property Organization International Convention for the Protection of New Varieties of Plants

### Filing for Patents

Patents are granted for inventions which have industrial application, are new and which involve an inventive step. Applications may be made, in Spanish, by the inventor or his legal successor. Firms and corporations may also apply.

Under the International Convention applications claiming priority must be filed within 12 months of the earliest filing date in a Convention country. Priority must be claimed at the time of filing. A certified copy of the priority document and a Spanish translation must be filed within four months from the time of filing in Spain.

A European patent application which has a filing date and a European patent are equivalent to a regular national filing and to a national patent respectively. After publication, European patent applications will only be given provisional protection in Spain equivalent to that given to the publication of patent applications filed in Spain from the date on which a translation of the claims is made available after being submitted to the patent office. Protection of a European patent is subject to the translation being submitted to the patent office within three months of the date of publication in the European Patent Journal.

Applications are examined to ensure they meet the formal requirements and the requirements of patentability and utility. They are not examined for novelty and inventiveness. If all requirements are met, the applicant will be informed so he can request a State of the Art Report not more than 15 months from the filing date or the priority date, if priority is claimed.

Once the formal examination has been passed, and the report has been requested, the application will be published in the official gazette. This will occur 18 months from the application's filing date or priority date. In the case of a secret patent, the law allows the content of the application to be kept secret for two months after the filing date.

Any third party may submit observations on the State of the Art Report within two months of the publication.

## DWPI Coverage

Kind	DWPI Start Dates	
A	Unexamined granted patent; OPI application from 1987	1 July 1983
A1	Patent application published with search report	1 July 1992
A2	Patent application published without search report	1 April 1993
A6	Granted patent without prior publication	1 August 1987
A8	Modified first page patent application	31 January 2011
A9	Corrected complete patent application	21 March 2011
B	Patent published with search report	16 November 1981
B1	Patent published with search report	16 August 1993
B2	Patent published after examination	1 May 2002
B8	Modified first page granted patent	18 September 2009
B9	Correction of granted patent	1 October 2006
T1	Translation of claims and drawings of European patent application	1 April 1992
T2	Revised translation of claims and drawings of EP application	N/A
T3	Translation of complete text of granted European patent	1 April 1992
T4	Revised translation of granted European patent	16 September 1995
T5	Translation of modified European patent	16 September 1995
T6	Translation of PCT application	N/A
T7	Translation of European patent after limitation procedure (EP B3)	1 November 1999
T8	Modified first page of translated European patent application	21 February 2011
T9	Correction of translated European patent application	20 January 2011
U	Utility model application	4 January 2010
U8	Modified first page utility model	22 October 2010
U9	Corrected complete utility model	24 February 2011
Y	Granted Utility Model	1 April 2010
Y1	Granted utility model (amended through opposition)	1 April 2010
Y2	Granted utility model (amended through voluntary limitation)	1 April 2010

DWPI Data elements online	Notes
✓ Bibliographic data	
✓ English value-add title and abstract	Extension abstracts also available from January 2010
✓ Original title and abstract	Title and abstract (Spanish) from 2010 onwards
✓ Claims	Main claim (Spanish) from 2010 onwards
✓ Manual Codes	Chemical (CPI) Update 198911 onwards Electrical (EPI) Update 198911 onwards if also chemical Update 199519 onwards if only electrical
✓ Chemical Indexing	DCR, Chemical Fragmentation, Polymer and Markush from January 2010

## Numeration

**Kind Codes – A, A1, A2, A6, A8, A9, B, B1, B2, B8, B9, C, C1, C2**

Publication Numbers				
Original Data	Derwent Innovation	Dialog	Questel	STN
<i>Published to 25 June 1986</i>				
ESYYNNNNN	ESYYYYNNNNN	ES YYNNNNN	ESYYNNNNN	ESYYNNNNN
ES8606647	ES198606647	ES 8606647	ES8606647	ES8606647
<i>Published 25 June 1986 onwards</i>				
ESnnnnnnn	ESnnnnnnn	ES nnnnnnn	ESnnnnnnn	ESnnnnnnn
ES2034872	ES2034872	ES 2034872	ES2034872	ES2034872

YY or YYYY

2 or 4 digits representing the year

NNNNN

5 digit serial number starting at 00001 on January 1<sup>st</sup> each year

nnnnnnn

7 digit serial number

Application Numbers*				
Original Data	Derwent Innovation	Dialog	Questel	STN
<i>Published to 25 June 1986</i>				
ESYYYYnnnnnn ES1985539768	ESYYYYNNNNNA ES1985539768A	ES YYYYNNNNNN ES 1985539768	YYYYES-nnnnnnn 1985ES-0539768	ESYYYY-NNNNNN ES 1985-539768
<i>Published 25 June 1986 to December 1999</i>				
ESYYnnnnnn ES199188	ESYYYYNnnA ES199188A	ES YYYYNnn ES 199188	YYYYES-nnnnnnn 1991ES-0000088	ESYYYY-Nnn ES1991-88
<i>Published 2000 onwards</i>				
ESYYYYnnnnnn ES20022802	ESYYYYNnnA ES20022802A	ES YYYYNnn ES 20022802	YYYYES-nnnnnnn 2002ES-0002802	ESYYYY-Nnn ES2002-2802

YYYY                    4 digits representing the year  
 NNNNNN                6 digit serial number  
 Nnn                     1-5 digit serial number  
 nnnnnnn               7 digit serial number

**Kind Codes – T1, T2, T3, T4, T5, T6, T7, T8, T9**

Publication Numbers				
Original Data	Derwent Innovation	Dialog	Questel	STN
ESnnnnnnnn ES2367762	ESnnnnnnnn ES2367762	ES nnnnnnn ES 2367762	ESnnnnnnnn ES2367762	ESnnnnnnnn ES2367762

nnnnnnn               7 digit serial number

**Kind Codes – U, U8, U9**

Publication Numbers				
Original Data	Derwent Innovation	Dialog	Questel	STN
ESnnnnnnnn ES1071088	ESnnnnnnnn ES1071088	ES nnnnnnn ES 1071088	ESnnnnnnnn ES1071088	ESnnnnnnnn ES1071088

nnnnnnn               7 digit serial number

Application Numbers*				
Original Data	Derwent Innovation	Dialog	Questel	STN
ESYYYYnnnnnU ES20091335U	ESYYYYnnnnnU ES20091335U	ES YYYYNnn ES 20091335	YYYYES-Unnnnn 2009ES-U001335	ESYYYY-NnnU ES2009-1335U

YYYY                    4 digits year  
 U                        denotes utility model application  
 Nnn                     Up to 5 digit serial number  
 nnnnnn                6 digit serial number

\*Full coverage of application numbers commenced from DWPI update 199216