

Germany (DE) Coverage

Patent Office Details

Head Office:

Deutsches Patent- und Markenamt
80297 Munich
Germany

Other Offices:

Dienststelle Jena
07738 Jena
Germany

Web: <https://www.dpma.de/>

Informations- und Dienstleistungszentrum
10958 Berlin
Germany

Official gazette: *Patentblatt* (published weekly)

Note: As of 01.11.1990 the registered industrial property rights of the former GDR have been handled under the Extension Law by the Deutsches Patent- und Markenamt.

Kinds of Protection

Patents of Invention	Granted for 20 years from day <i>following</i> date of application or priority date (term of 18 years prior to 1 January 1977)
Patents of Addition	Granted for the unexpired term of the principal patent.
Supplementary Protection Certificates	Extension of up to 5 years possible for pharmaceutical patents (maximum 15 years from marketing).
Utility Models	Protection for maximum of 6-8 years from date of filing from 1 January 1987, extended to 10 year maximum term under 1990 Act. Application may be filed claiming filing and priority dates of an earlier (after 1 January 1987) German or European application up to 8 years after filing date of related patent application.
Industrial designs and models	May be registered

Convention & Treaty Membership

Patent Cooperation Treaty	24.01.1978
European Patent Convention	07.10.1977
Signatory of:	Paris Convention (Stockholm wording) Budapest Treaty World Intellectual Property Organisation International Convention for the Protection of New Varieties of Plants

Filing for Patents

Patents are granted for any invention that is new, involves an inventive step and has industrial application. Computer programs may constitute part of a patentable invention. Products used in the surgical, therapeutic and diagnostic methods applied to humans and animals are also patentable.

Applications may be made, in German, by the inventor or his successor. If the application is filed in a language other than German, the applicant has to submit a German translation to the Deutsches Patent- und Markenamt within 3 months from the date of filing.

Under the *International Convention*, applications claiming priority must be filed within 12 months of the earliest filing date. By stating the country and filing date at the time of filing in Germany or within 2 months, priority may be claimed. A copy of the basic foreign application is also required. Under the *Patent Cooperation Treaty*, international patents designating Germany have the effect in Germany of national applications, provided that the necessary documentation is filed with the German Patent Office within 30 months of the international filing date. Under the *European Patent Convention*, a European patent has effect in Germany from the date of publication of grant.

Applications are examined as to form, inventive step, patentability and novelty. Every application is subject to a preliminary examination even if no request for formal examination is made.

The application is laid open to public inspection 18 months from the filing date, or from the earliest priority date. If the invention is found to be patent-worthy after examination, it will be accepted for grant. The patent will be published in the Patent Bulletin. However, the applicant may request a delay to the publication of the specification for up to 15 months from the filing or priority date.

Opposition may be filed with three months of the date of final publication.

DWPI Coverage

Kind		DWPI Start Dates
A	OPI application and examined accepted specification	1963
A1	OPI application and examined accepted specification	12 November 1970
A5	Title page for PCT application filed in German	3 May 2007
A8	Correction of patent application (bibliographic change)	9 June 2004
A9	Correction of patent application (claims, description, drawings)	22 July 2004
B	Examined accepted specification	1963
B3	Granted patent (without prior publication)	8 January 2004
B4	Granted patent	8 January 2004
B8	Correction of granted patent (bibliographic change)	9 June 2004
B9	Correction of granted patent (claims, description or drawings)	22 July 2004
C	Granted patent	15 October 1970
C1	Granted patent (without prior publication) (<i>until December 2003</i>)	24 December 1992
C2	Granted patent (<i>until December 2003</i>)	24 December 1992
C5	Modified patent	19 May 2005
C8	Correction of modified patent (bibliographic change)	26 January 2006
C9	Correction of modified patent (claims, description or drawings)	25 May 2005
E	Granted EP assigned DE number, EP published in English or French	28 June 1990
G	Granted EP assigned DE number, EP published in German	23 December 1977
T	PCT transfer to DE published in German	20 September 1981
T0	PCT transfer to DE published in non-German language	1 July 2004
T2	Translation of granted EP from English or French	19 May 2005
T5	Translation of PCT international announcement	19 May 2005
T8	Correction of EP application (bibliographic change)	9 June 2004
T9	Correction of EP application (claims, description or drawings)	22 July 2004
U	Utility model (Gebrauchsmuster)	3 February 2000
U1	Utility model (Gebrauchsmuster)	12 April 1989
U8	Correction of utility model (bibliographic change)	7 October 2004
U9	Correction of utility model (claims, description or drawings)	14 October 2004

Coverage of kinds E and G ceased in 2010

DWPI Data elements	Notes
✓ Bibliographic data	
✓ English value-add title and abstract	Value-add abstracts included for examined equivalents until update 199601
✓ Original title and abstract	From 2000 to date
✓ Claims	Main claim 1968 to date
✓ Manual Codes	Chemical (CPI) and Electrical (EPI)
✓ Chemical Indexing	DCR, Chemical Fragmentation, Polymer and Markush

Numeration

German numbers are retained throughout the prosecution process – only the kind code is changed to indicate the level of prosecution

Kind Codes – A, A1, A5, A8, A9, B, B3, B4, B8, B9, C, C1, C2, C5, C8, C9

Publication Numbers			
Original Data	Derwent Innovation	Dialog	STN
<i>Published October 1968 to December 1994</i>			
DEJJNNNNN	DEJJNNNNN	DE JJNNNNN	DEJJNNNNN
DE3921456	DE3921456	DE 3921456	DE3921456
<i>Published January 1995 to December 2003</i>			
DEXYNNNNN	DE1YNNNNN	DE 1YNNNNN	DE1YNNNNN
DE19500038	DE19500038	DE 19500038	DE19500038
<i>Published January 2004 onwards</i>			
DEXYYYNnnnnn	DE10YYYNnnnnn	DE 10YYYNnnnnn	DE10YYYNnnnnn
DE102004012357	DE102004012357	DE 102004012357	DE102004012357

JJ 2 digit year (obtained by adding 50)
 X or XX Denotes patent application (X=1 or X=10)
 YY or YYYY 2 or 4 digit year
 NNNNN 5-digit serial number
 nnnnnn 6-digit serial number

Application Numbers*			
Original Data	Derwent Innovation	Dialog	STN
<i>Published October 1968 to December 1994</i>			
PJJnnnnn	DEJJNNNNNA	DE YYJJNNNNN	DE1989-JJNNNNN
P3921456	DE3921456A	DE 893921456	DE1989-3921456
<i>Published January 1995 to December 2003</i>			
1YYnnnnn.Z	DE1YNNNNNA	DE 1YNNNNN	DEYYYY-1YNNNNN
19500038.2	DE19500038A	DE 19500038	DE1995-19500038
<i>Published January 2004 onwards</i>			
10YYYNnnnnn	DE10YYYNnnnnnA	DE 10YYYNnnnnn	DEYYYY-10YYYNnnnnn
102004012357	DE102004012357A	DE 102004012357	DE2004-102004012357

*Full coverage of application numbers commenced from DWPI update 199216

P, 1 or 10 Denotes patent application
 JJ 2 digit year (obtained by adding 50)
 YY or YYYY 2 or 4 digits year
 NNNNN 5 digit serial number
 nnnnnn 6 digit serial number
 Z Check digit

Kind Codes – E, G, T2, T8, T9 (EP transfers)

Publication Numbers			
Original Data	Derwent Innovation	Dialog	STN
<i>Published until December 1988</i>			
DENNnnnnn	DENNnnnnn	DE NNnnnnn	DENNnnnnn
DE366174	DE3661174	DE 3661174	DE3661174
<i>Published January 1989 to December 2003</i>			
DEKYNNNNN	DEKYNNNNN	DE KYNNNNN	DEKYNNNNN
DE68927055	DE68927055	DE 68927055	DE68927055
<i>Published January 2004 onwards</i>			
DEKYYYYnnnnnn	DEKYYYYnnnnnn	DE KYYYYnnnnnn	DEKYYYYnnnnnn
602004012345	DE602004012345	DE 602004012345	DE602004012345

Application Numbers*			
Original Data	Derwent Innovation	Dialog	STN
<i>Published until December 1988</i>			
PNNnnnnn	DENNnnnnnA	DE NNnnnnn	DEYYYY-NNnnnnn
P3661174	DE3661174A	DE 3661174	DE1986-3661174
<i>Published January 1989 to December 2003</i>			
KYNNNNN.Z	DEKYNNNNNA	DE KNNNNN	DEYYYY-KYNNNNN
68927055.0	DE68927055A	DE 627055	DE1989-68927055
<i>Published January 2004 onwards</i>			
KKYYYYnnnnnn.Z	DEKYYYYnnnnnn	DE KKnnnnnn	YYYYDE-KKYYYYnnnnnn
602004012345.5	DE602004012345A	DE 60012345	DE2004-602004012345

*Full coverage of application numbers commenced from DWPI update 199216

- P designates patent application
- NN 2 digits representing the year of application (obtained by adding 50)
- K indicates language of application (5 = German; 6 = English or French)
- KK indicates language of application (50 = German; 60 = English or French)
- YY or YYYY 2 or 4 digits representing the year of application
- nnnnn 5 digit serial number starting at 60001 on January 1st each year
- NNNNN 5 digit serial number starting at 00001 on January 1st each year
- nnnnnn 6 digit serial number starting at 000001 on January 1st each year
- Z computer check digit after decimal point

DE applications originating from granted EP patents retain the application date of the EP patent.

DWPI includes EP patents entering the DE national phase at two stages, when the original filing was not in German (from update 200535). DE patent numbers with kind E correspond to the announcement in the Patentblatt of the assignment of the DE number and are associated with the publication date of the respective issue of the Patentblatt. DE patent numbers with kind T2 are published German language translations and have their own publication dates. The DEE and DET2 are therefore different stages in the life cycle of the same patent.

For EP patents filed and published in German, only the DE patent numbers with the kind G corresponding to the Patentblatt announcement exist as no translation is necessary. The announcement into the Patentblatt, marks the entry into the national phase.

Kind Codes – T, T0, T5 (PCT transfers)

Publication Numbers			
Original Data	Derwent Innovation	Dialog	STN
<i>Published until December 1982</i>			
DENNnnnnn	DENNnnnnn	DE NNnnnnn	DENNnnnnn
DE3249120	DE3249120	DE 3249120	DE3249120
<i>Published January 1983 to December 2003</i>			
DENNsssss	DENNsssss	DE NNsssss	DENNsssss
DE4191027	DE4191027	DE 4191027	DE4191027
<i>Published January 2004 onwards</i>			
DE11YYYYnnnnnn	DE11YYYYnnnnnn	DE 11YYYYnnnnnn	DE11YYYYnnnnnn
112004001175	DE112004001175	DE 112004001175	DE112004001175

Application Numbers*			
Original Data	Derwent Innovation	Dialog	STN
<i>Published until December 1982</i>			
PNNnnnnn	DENNnnnnnA	DE NNnnnnn	DEYYYY-NNnnnnn
P3249120	DE3249120A	DE 3249120	DE1982-3249120
<i>Published January 1983 to December 2003</i>			
PNNsssss	DENNsssssA	DE NNsssss	DEYY-NNsssss
P4191027	DE4191027A	DE 4191027	DE1991-4191027
<i>Published January 2004 onwards</i>			
11YYYYnnnnnn	DE11YYYYnnnnnnA	DE 11YYYYnnnnnn	DEYYYY-11YYYYnnnnnn
112004001175.2	DE112004001175A	DE 112004001175	DE2004-112004001175

*Full coverage of application numbers commenced from DWPI update 199216

- P or 11 designates patent application
- NN 2 digits representing the year of application (obtained by adding 50)
- YYYY 4 digits representing the year of application
- nnnnn 5 digit serial number starting at next number after last national application for year but below 60000
- sssss 5 digit serial number**
- nnnnnn 6 digit serial number starting at 000001 on January 1st each year

** For 1983-1994, the series began at 90001 on January 1st each year and when the number reached 99999, the series “jumped back” to 80001. From 1995 the series started at 80001 on January 1st each year

DE applications originating from PCT (WO) applications retain the application date of the PCT.

Utility Models – U, U1, U8, U9

Publication Numbers			
Original Data	Derwent Innovation	Dialog	STN
<i>Published to December 1994</i>			
DEYYnnnnn	DEYYYYNNNNN	DE YYNNNNN	DEYYNNNNN
DE9007802	DE199007802	DE 9007802	DE9007802
<i>Published January 1995 to December 2003</i>			
DE2Ynnnnn	DE2YNNNNN	DE 2YNNNNN	DE2YNNNNN
DE29610385	DE29610385	DE 29610385	DE29610385
<i>Published January 2004 onwards</i>			
DENNNNNnnnnn	DENNNNNnnnnnU	DE NNNNNnnnnn	DENNNNNnnnnn
DE202004012345	DE202004012345	DE 202004012345	DE202004012345

Application Numbers*			
Original Data	Derwent Innovation	Dialog	STN
<i>Published to December 1994</i>			
GYnnnnn	DEYYYYNNNNNU	DE YYYYNnn	DEYYYY-Nnn
G9007802	DE199007802U	DE 19907802	DE1990-7802
<i>Published January 1995 to December 2003</i>			
2Ynnnnn.Z	DE2YNNNNNU	DE 2YNNNNN	DEYYYY-2YNNNNN
29610385.1	DE29610385U	DE 29610385	DE1996-29610385
<i>Published January 2004 onwards</i>			
NNNNNNnnnnn	DENNNNNnnnnnU	DE NNNNNnnnnn	DEYYYY-NNNNNNnnnnn
202004012345	DE202004012345U	DE 202004012345	2004DE-202004012345

*Full coverage of application numbers commenced from DWPI update 199216

- G, 2 or NN designates utility model or Gebrauchsmuster (NN = 20 for national filings or 21 for filings via PCT)
- YY or YYYY 2 or 4 digits representing the year of application
- Nnn Up to 5-digit serial number starting at 00001 on January 1st each year
- NNNNN 5-digit serial number starting at 00001 on January 1st each year
- nnnnnn 6-digit serial number starting at 000001 on January 1st each year

Utility models are input with the registration date (Eintragungstag).