

Date

Reference	Application No./Patent No.
Applicant/Proprietor	

**Communication pursuant to Rule 58 EPC
Invitation to remedy deficiencies in the application documents**

The examination as to formal requirements prescribed in Article 90(3) and Rule 57 EPC has revealed that the above identified European patent application contains the following deficiency (deficiencies):

- Deficiency (deficiencies) in application documents filed on the date of filing
- Deficiency (deficiencies) in application documents filed by reference to a previously filed application according to Rule 40(1)(c) EPC
- Deficiency (deficiencies) in missing parts of description and/or drawings (or translation thereof) filed under Rule 56 EPC
- Deficiency (deficiencies) in claims submitted after the filing date
- Deficiency (deficiencies) in translation of the application (R. 49(1) EPC)
- Deficiency (deficiencies) in documents replacing documents making up the European patent application (R. 50(1) EPC), submitted with letter of
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- ANNEX A: Abstract and/or Request for Grant
- ANNEX B: Application documents (other than drawings)
- ANNEX C: Drawings

You are requested to remedy the deficiency (deficiencies) within **two months** after notification of this invitation **and**, if applicable, pay the additional fee for a European patent application comprising more than 35 pages (R. 38(2) EPC and Art. 2(1), 1a, Rules relating to Fees).

If the specified deficiency (deficiencies) is (are) not remedied in due time, the European patent application will be refused in accordance with Article 90(5) EPC).

If any additional fee (Art. 2(1), 1a, RFees) due after having met the formal requirements is not paid within the same period, the application will be deemed to be withdrawn (Art. 78(2) EPC).

Unless this communication refers to amended application documents filed under Rule 137(2) EPC, the description, claims and drawings may be amended only to an extent sufficient to remedy the deficiency (deficiencies) specified above.



SAMPLE

ANNEX A**DEFICIENCIES CONCERNING THE ABSTRACT (R. 57(d) EPC)**

- The abstract has not been filed.
- The document designated "abstract" does not belong to the application, so that the abstract has not been filed (Guidelines for Examination in the European Patent Office, A-III, 10.2).

DEFICIENCIES CONCERNING THE REQUEST FOR GRANT (R. 57(b) EPC)

- The request has not been filed on a form (enclosed) drawn up by the European Patent Office.
- The request does not identify properly the applicant's name/address/nationality/State of residence or principal place of business.
- The request does not properly indicate the name/address of the appointed representative.
- The request has not been signed by the (all) applicant(s) / the representative.
- The check list in the request form has not been (properly) completed.

ANNEX B
DEFICIENCIES AS TO THE PRESENTATION OF THE APPLICATION DOCUMENTS
(OTHER THAN DRAWINGS)
(R. 49 EPC, R. 50 EPC)

The European patent application document(s) contain(s) the deficiencies indicated below:

	Request	Description	Claims	Abstract
(a) Some/The sheets are not free from cracks, creases or folds (R. 49(2) EPC).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) The reverse side of some/the sheets has (have) not been left blank (R. 49(2) EPC).		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) The document does not allow electronic and direct reproduction (R. 49(2) EPC).		<input type="checkbox"/>	<input type="checkbox"/>	
(d) Some/The sheets are not used in upright position (R. 49(3) EPC).		<input type="checkbox"/>	<input type="checkbox"/>	
(e) The paper of some/the sheets is not pliable/strong/white/smooth/matt/durable (R. 49(3) EPC).		<input type="checkbox"/>	<input type="checkbox"/>	
(f) Some/The sheets are not in A4 format (R. 49(3) EPC).		<input type="checkbox"/>	<input type="checkbox"/>	
(g) The document does not commence on a new sheet (R. 49(4) EPC).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(h) The margins on some/the sheets are not as prescribed (top: 2 cm; left side: 2.5 cm; right side: 2 cm; bottom: 2 cm) (R. 49(5) EPC).		<input type="checkbox"/>	<input type="checkbox"/>	
(i) The sheets are not properly numbered; the page numbers must be centered at the top of the sheet but not placed in the top margin (R. 49(6) EPC).		<input type="checkbox"/>	<input type="checkbox"/>	
(j) Some/The sheets are not typed or printed (R. 49(8) EPC).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(k) The typing on some/the sheets is not 1½ spaced (R. 49(8) EPC).		<input type="checkbox"/>	<input type="checkbox"/>	
(l) The characters in the text matter on some/the sheets are smaller than prescribed; the capital letters must be not less than 0.21 cm high (R. 49(8) EPC).		<input type="checkbox"/>	<input type="checkbox"/>	
(m) The text matter on some/the sheets is not in dark, indelible colour (R. 49(8) EPC).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(n) The document contains drawings (R. 49(9) EPC).		<input type="checkbox"/>	<input type="checkbox"/>	
(o) Some/The sheets contain alterations or too many erasures (R. 49(12) EPC).		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(p) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ANNEX C
DEFICIENCIES AS TO THE FORM OF THE DRAWINGS
(R. 46, 49 and R. 50 EPC)

The European patent application drawings contain the deficiencies indicated below:

The drawings/Some of the drawings:

- (a) do not have the prescribed minimum margins (top: 2.5 cm; left side: 2.5 cm; right side: 1.5 cm; bottom: 1 cm) (R. 46(1) EPC).
- (b) contain frames round the usable/used surface (R. 46(1) EPC).
- (c) are not executed in black, uniformly thick and well-defined lines and strokes without colourings (R. 46(2)(a) EPC).
- (d) are not executed in such a way that a photographic reproduction with a linear reduction in size to two-thirds enables all details to be distinguished without difficulty (R. 46(2)(c) EPC).
- (e) contain numbers, letters and/or reference signs which are not simple and clear (brackets, circles or inverted commas shall not be used in association with numbers and letters) (R. 46(2)(d) EPC).
- (f) contain numbers and/or letters of heights less than 0.32 cm (R. 46(2)(g) EPC).
- (g) contain letters not belonging to the Latin and/or Greek alphabets (R. 46(2)(g) EPC).
- (h) contain figures forming a single complete figure on sheets that cannot be assembled without concealing parts of the partial figures (R. 46(2)(h) EPC).
- (i) contain figures which are not properly arranged (without wasting space; sideways with the top of the figures at the left side of the sheet) and/or clearly separated (R. 46(2)(h) EPC).
- (j) contain different figures not numbered consecutively in Arabic numerals (R. 46(2)(h) EPC).
- (k) contain different figures not numbered independently of the numbering of the sheets (R. 46(2)(h) EPC).
- (l) contain words placed in such a way that, if required, they cannot be replaced by their translation without interfering with any lines of the drawings (R. 46(2)(j) EPC).
- (m) are not free from cracks, creases or folds (R. 49(2) EPC).
- (n) contain(s) figures (one figure) on the reverse side (R. 49(2) EPC).
- (o) do not allow electronic and direct reproduction (R. 49(2) EPC).
- (p) are not filed on pliable/strong/white/smooth/matt/durable paper (R. 49(3) EPC).
- (q) are not in A4 format (R. 49(3) EPC).
- (r) contain alterations or too many erasures (R. 49(12) EPC).
- (s) _____