

Date

Reference	Application No./Patent No.
Applicant/Proprietor	

Noting of loss of rights pursuant to Rule 112(1) EPC

The applicant is informed that there is no priority right or the priority right has been lost (Art. 90(5) EPC) in respect of the European patent application cited above:

- the European patent application has **no right of priority** because
 - the filing date of the application does not lie within the period of twelve months for claiming priority (Art. 87(1) EPC) and this deficiency has not been remedied in due time (EPO Form 1051, if applicable).
 - as a result of the re-dating of the application pursuant to Rule 56 EPC or Rule 56a EPC the filing date of the application does not lie within the period of twelve months for claiming priority (Art. 87(1) EPC) (EPO Form 1107N).
 - the accorded filing date pursuant to Rule 55 EPC does not lie within the period of twelve months for claiming priority (Art. 87(1) EPC) (EPO Form 1047).

- the right of priority has been **lost** for the application in respect of the previous application(s)

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because

- the filing date and/or the State party to the Paris Convention or Member of the World Trade Organization in or for which the previous filing was made was not furnished within the time period laid down in Rule 52(2) EPC (EPO Form 1051, if applicable).
- the file number(s) of the previous application(s) pursuant to Rule 52(1) EPC has (have) not been filed in due time (EPO Form 1111).
- a certified copy (copies) with the certified filing date of the previous application(s) pursuant to Rule 53(1) EPC (priority document) has not been filed in due time (EPO Form 1111).

Means of redress**Request for a decision (R. 112(2) EPC)**

If the applicant considers that the finding of the European Patent Office is inaccurate, he may, within a (non-extendable) period of **two months** after notification of this communication, apply in writing for a decision on the matter. The application can only lead to the finding being reversed if this does not actually correspond to the factual or legal situation.

Re-establishment of rights (Art. 122 EPC)

The applicant who, in spite of all due care required by the circumstances having been taken, was unable to observe the time limit(s), shall have his rights re-established upon request, provided that the time limits and other requirements of Rule 136(1) and (2) EPC are met.

If a loss of rights has occurred in respect of more than one priority right, the above applies to each of the priorities concerned.

Your attention is drawn to the fact that the two-month period for filing a request for re-establishment of rights in respect of the period specified in Article 87(1) EPC may have already expired (Art. 122 EPC, R. 136 EPC).

