

Date

Reference	Application No./Patent No.
Applicant/Proprietor	

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

Regarding the above cited European patent application, pursuant to Rule 163(6) EPC, the right of priority has been lost in respect of the previous application(s)

- the file number(s) of the previous application(s) (R. 52(1) EPC)
 - the certified copy (copies) and/or certified filing date of the previous application(s) (R. 53(1) EPC)
- has (have) not been filed within the period laid down in Rule 163(2) EPC (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.

Further processing (Art. 121 EPC)

The legal consequence of the failure to observe the time limit(s) shall be deemed not to have ensued if, within a (non-extendable) period of **two months** after notification of this communication, further processing is requested by payment of the fee(s) prescribed under Article 2(1)12 of the Rules relating to Fees and the omitted act(s) is (are) completed (R. 135(1) EPC).

Where the certified copy of the earlier application(s) is filed which indicates the date and the file number, the requirement under Rule 52(1) EPC is considered met. Therefore, where both the time limit for filing the declaration of priority (Rule 52(1) EPC) and the time limit for filing the priority document (R. 53(1) EPC) have been missed, further processing must be requested by paying only one flat-rate amount of the further processing fee (Art. 2(1)12, third indent, RFees).

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

Making payments

For payments made via deposit account, please note that as from 1 December 2017 debit orders will only be carried out if filed in an electronically processable format (xml), using an accepted means of filing as laid down in the Arrangements for deposit accounts (ADA), published in the Supplementary publication in the Official Journal.

All relevant information related to the modes of payment of fees to the EPO can be retrieved from the EPO website at "**Making Payments**".

Information concerning fee amounts

Procedural fees are usually adjusted every two years, on even years, with effect from 1 April. Therefore, before making a payment, parties should verify the amounts actually due on the date of payment using the applicable version of the Schedule of fees and expenses, published as a Supplement to the Official Journal of the EPO, available on the EPO website (www.epo.org) at www.epo.org/schedule-of-fees. The "Schedule of fees" table allows the viewing, downloading and searching of individual fee amounts, both current and previous.

Important note to users of the automatic debiting procedure

The fee for further processing will be debited automatically on the day on which the above-mentioned omitted act is completed.

