

BR/GT I/159 e/72

Travaux Préparatoires EPC 1973

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INTER-GOVERNMENTAL CONFERENCE
FOR THE SETTING UP OF A EUROPEAN
SYSTEM FOR THE GRANT OF PATENTS

Luxembourg, 2 March 1972

BR/GT I/159/72

- Secretariat -

NOTE

Subject: Article 123 - Publication of the international
application

Drawn up by: German delegation

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Article 123

Publication of the international application

(1) Unchanged from BR/139/71.

(2) If the international application is published by the International Bureau in one of the languages specified in Article 34, paragraph 1, the provisional protection referred to in paragraph 1 above shall commence at the time specified in paragraph 3a only if a translation of the claims in the other two languages specified in Article 34, paragraph 1, is filed with the European Patent Office within ... months after the publication of the international application by the International Bureau.

(3) If the international application is not published by the International Bureau in one of the languages specified in Article 34, paragraph 1, the provisional protection referred to in paragraph 1 above shall commence at the time specified in paragraph 3a only if a translation of the application in one of the languages specified in Article 34, paragraph 1, and a translation of the claims in the other two languages are filed with the European Patent Office within ... months after the publication of the international application by the International Bureau.

(3a) In the cases provided for in paragraphs 2 and 3, the provisional protection under Article 19 shall not commence until the translations filed in accordance with paragraphs 2 and 3 are published.

(4) Publication of the international application by the International Bureau shall take the place of the publication of the European patent application pursuant to Article 85.

(5) Unchanged from BR/139/71.

(6) - deleted -
