

Notes on the request to update the European Patent Register: changes to the particulars of applicants/proprietors in one or more European patent applications/patents (Rule 143(1)(f) EPC) – form EPO 5051

The use of this form is recommended for requesting the registration of amendments to the particulars of applicants/proprietors (Guidelines E-XIV).

This form should **not** be used for requests for correction of the name of applicants/proprietors under **Rule 139 or 140 EPC**.

The request must relate to applications/patents for which the EPO is competent to register changes in the European Patent Register. For pending European patent applications/patents, entries are made up to expiry of the period of opposition or the termination of opposition proceedings (Guidelines A-XI, 4). After that, registration of changes is a matter for the national offices of the designated contracting states.

Change in the order of applicants/proprietors

A request to change the order of applicants/proprietors is allowed as long as the patent grant proceedings are pending. No particular formal requirements must be fulfilled, provided that the request has been signed by an authorised person. In particular, no proof of consent of all the applicants/proprietors is required.

The change of order will be entered in the European Patent Register and form EPO 2544 will be issued as confirmation. No fee is due for this.

1. Applications/patents concerned

Always indicate the European patent application number as follows: eight digits and a check digit.

Tick the second box if the request relates to more than one application/patent, and attach an annex listing each application number concerned.

Tick the third box if the amendment should be entered for all applications/patents pending before the EPO that are associated with the applicants/proprietors in question. The Office will make every effort to identify all applications and patents concerned by a general request of this kind. However, the final responsibility for the correctness of the request and the completeness of the list of applications/patents lies with the party. The EPO cannot be held liable for any

errors resulting from inaccurate or incomplete requests.

For the second and third boxes

File the request in relation to the first application number only ("leading application"), not for each application/patent: the EPO will, as a matter of course, add the request to each file concerned.

To facilitate processing, you are invited, after having filed the request, to send a list of all the application numbers concerned as an Excel file (XLS or XLSX format) by email to **support@epo.org**. The subject line should contain the term "bulk request" and mention the number of the leading application in which the bulk request was filed. The subject could be worded as follows: "Bulk request filed in application xx xxx xxx.x".

2. Requested changes to data recorded in the European Patent Register

Change of name

A request for registration of a change of name of the applicant/proprietor implies that the registered natural or legal person has changed their name, i.e. the registered name was correct but has to be changed, and there is no change in legal identity because it is still the same natural or legal person.

The family name should come before given names. Legal persons or bodies equivalent to legal persons must be identified by their **exact official name**.

Change of address

In accordance with Rule 41(2)(c) EPC, addresses should be indicated in keeping with the usual requirements for prompt postal delivery and include, where applicable, the house number.

Change of address for correspondence

An address for correspondence may be given only by applicants/proprietors who are not obliged to appoint a professional representative authorised to act before the EPO (Article 133 EPC) and have not appointed one. It must be the applicant's/proprietor's own address, and in an EPC contracting state (see OJ EPO 2014, A99). The address will not appear in the European

Patent Register or in EPO publications
(OJ EPO 1980, 397) (Guidelines A-III, 4.2.1).

3. Evidence

Changes of name which do not involve a modification of the legal identity of the applicant are registered upon request and production of relevant documentary evidence, unless the change is minor (e.g. a typographic error). Where necessary, an explanation of the request may be enclosed.

In general a request for change of address does not need to be supported by evidence. Evidence is only required in the case of a change to a different country. The evidence must prove that it concerns the same natural or legal person. If the new address is located in a non-EPC contracting state, it is advisable to verify that the provisions of Article 133(2) EPC in respect of representation are met.

Examples of evidence: for a natural person, a marriage/divorce certificate showing a change of family name; for a legal person, an extract of a commercial register showing both the previous name and the new one.

The evidence may be filed in any language (Rule 3(3) EPC). However, if that language is not an official EPO language, a translation into one of those official languages must be supplied.

4. Written confirmation from the EPO in the case of more than five applications/patents

All corrections/amendments are published in the European Patent Register and the European Patent Bulletin, and the EPO adds written confirmation of any change to each file concerned. The EPO also sends you a copy of this confirmation in each case. However, if a request concerns more than five applications/patents, you can choose to receive a single confirmation listing all the applications/patents concerned.

5. Signature

Those authorised to sign this request are:

- the applicant/proprietor
- a person signing on behalf of the applicant/proprietor
- an applicant/proprietor's duly authorised employee
- a professional representative (Article 134(1) EPC)
- a duly authorised legal practitioner (Article 134(8) EPC)
- the common representative, if there is more than one applicant/proprietor.

As a general principle, an employee signing on behalf of the applicant/proprietor must be entitled to sign by law, by the legal entity's articles of association or equivalent, or by a special mandate. In this respect, national law applies. An indication must be given as to the signatory's entitlement to sign, e.g. their position within the company, if the entitlement to sign results from such a position.