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European Patent Office Informally Announces Intended Extension

March 18, 2020

The European Patent Office (EPO) has informally announced that it intends to extend all time limits to 17 April 2020 and that this date may be further extended. At this stage, it appears likely that this extension will apply to periods expiring on or after 15 March 2020. However, due to the informal nature of the announcement, we cannot confirm this date. The extension would apply to time limits for both European applications and to international applications (i.e., applications under the Patent Cooperation Treaty) that are the subject of proceedings before the EPO.

If a party has missed a time limit due to problems caused by COVID-19, legal remedies may be available in addition to those discussed above. Hence, if a deadline before 15 March 2020 has been missed, it still may be possible to respond and advice should be sought from a European patent attorney.

The UK Intellectual Property Office (UKIPO) has also issued a recent statement which indicates that time periods will be extended where allowed by the relevant legislation. The UKIPO states that it is willing to consider requests for extensions as favourably as possible on a case-by-case basis.

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