German Patent
and Trade Mark Office

Important Notices

of the German Patent and Trade Mark Office 2024

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Important notice of 1 January 2024

on the update of the official list of goods Design for the 14th edition of the Locarno Classification (Classification for Registered Designs)

The official list of goods Design for the 14th edition of the International Classification of Industrial Designs (Locarno Classification) has been updated and is valid since January 1, 2024 in its version 2024_LOC14.

The alphabetical list of goods and the applicable class division of the Locarno Classification were published in December 2023 in Federal Gazette (Bundesanzeiger).

The current versions are also available on our "Classification/Designs" page.

The DPMA offers an online search (only in German) engine for searching for admissible terms for product indications in the context of design applications.

When applying for designs electronically with DPMAdirektWeb, the current list of goods is stored with the product indication. The current version of the list of goods is also available when using the DPMAdirekt software, provided that the update function of the software is used.

The official list of goods Design is based on the currently valid edition of the Locarno Classification and also contains other nationally permitted entries. It is updated annually with regard to new national entries, deletions and changes to existing entries. The international classification for industrial designs (Locarno Classification) is reissued every two years. Major structural changes (class changes) are reserved for these editions.

Important notice of 1 January 2024

to the "Version 2024" of the 12th edition of the Nice International Classification (valid since January 1, 2024) and to the publication of the class classification and the alphabetical lists of goods and services in the Federal Gazette (*Bundesanzeiger*)

On January 1, 2024, the 2024 version of the 12th edition of the "International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification)" (NCL 12-2024) entered into force.

In addition to the new editions of the Nice Classification, which are published every five years, there have been annual versions since January 1, 2013, which may provide for new entries or deletions and reformulations of existing entries. Major structural changes (class changes) are not included in these versions; these are reserved for the editions published every five years.

The version of the class classification and the alphabetical lists of goods and services based on the Nice Classification to be applied in proceedings before the German Patent and Trade Mark Office (DPMA) from January 1, 2024 in accordance with Section 19 of the Trade Mark Ordinance was published in the Federal Gazette.

The version of the class division and the alphabetical lists of goods and services published in the Federal Gazette can be found on our trade mark page "Nice Classification".

Important notice of 25 January 2024

on the occasion of the earthquake on the Japanese peninsula of Noto and its consequences

In view of the massive earthquake on the Japanese peninsula of Noto and its impact, the German Patent and Trade Mark Office draws your attention to the following:

The German Patent and Trade Mark Office will take the current situation in Japan into account in managing IP procedures, within the scope of legal options.

The re-establishment of rights allows us to react very flexibly to the difficult and exceptional circumstances of the applicants concerned.
For prerequisites and scope of application of the re-establishment of rights, please refer to the provisions of the respective IP laws.

Re-establishment of rights for proceedings

- in patent matters is governed by section 123 of the Patent Act
- in trade mark matters is governed by section 91 of the Trade Mark Act
- in design matters is governed by section 23 (3) sentence 3 of the Design Act in conjunction with section 123 (1) to (5) and (7) of the Patent Act
- in utility model matters is governed by section 21 (1) of the Utility Model Act in conjunction with section 123 of the Patent Act
- in semiconductor protection matters is governed by section 11 (1) of the Semiconductor Protection Act in conjunction with section 123 of the Patent Act

Important Notice of 7 February 2024

Chinese and German offices extend Patent Prosecution Highway (PPH) pilot

Since 23 January 2012, patent applicants have been able to request accelerated examination of their applications at the German Patent and Trade Mark Office (DPMA) and at the China National Intellectual Property Administration (CNIPA). This option will continue to be available. The DPMA and CNIPA have extended the pilot programme's duration by a further three years until 22 January 2027.

The PPH allows the applicant to file a request for accelerated examination as soon as at least one patent claim has been found to be patentable by the partner office. The DPMA will then carry out an independent search on the basis of the partner office's work results. The applicant benefits from the sharing of work results between the offices. This can even further expand prior art search.

The DPMA has had a long-standing and close cooperation with CNIPA. In addition to the bilateral PPH agreement with CNIPA the DPMA takes part in the Global PPH pilot, in which 27 offices in total are participating.

More information on the PPH programme with CNIPA is available on our webpage "Patent Prosecution Highway".

Important notice of 22 March 2024

European cooperation in the field of trade mark law: trade mark applications made in bad faith

Within the framework of what are referred to as Convergence Programmes, the trade mark offices of the EU member states and the European Union Intellectual Property Office (EUIPO) have been making considerable efforts to achieve an effective harmonisation of their decision-making practice since 2012. The German Patent and Trade Mark Office (DPMA) has been actively involved in almost all Convergence Projects, also in the interests of its German users. The Convergence Programmes support transparency, legal certainty and the predictability of the decision-making practice.

Another Convergence Project in the field of trade marks has now been completed. The project concerns trade mark applications made in bad faith. A summary of the main results with examples can be found in the "Common Communication" (https://www.tmdn.org/#/practices/2537136).

The Common Practice and common guidance will be implemented at the German Patent and Trade Mark Office from 22 March 2024 on.

Important notice of 20 June 2024

Entry into force of a new version of the Standard for the Presentation of Nucleotide and Amino Acid Sequence Listings Using XML pursuant to section 11 (2) of the Patent Ordinance as of 1 July 2024

On 1 July 2024, a new version of the Standard for the Presentation of Nucleotide and Amino Acid Sequence Listings Using XML will enter into force. It will replace the previous version, which entered into force on 1 July 2023 (BAnz AT 22.06.2023 B5).

The reason for the amendment is another revision of the international WIPO Standard ST.26 (version 1.7). Compared to the previous version 1.6, the amended version mainly contains editorial changes. An overview of these changes is provided on the website of WIPO.

The new version of the Standard will apply to all patent and utility model applications filed with the DPMA on or after 1 July 2024. It will also apply to applications filed on or after 1 July 2024 that claim the priority of an application that was filed before 1 July 2024 and therefore contains a sequence listing pursuant to the provisions applicable until 30 June 2024. The new version of the Standard will also apply to divisional applications even if the parent application has been filed before 1 July 2024. With respect to patent and utility model applications filed before 1 July 2024, the previous version of the Standard as in force until 30 June 2024 will apply.
The new version of the Standard is also available as form P 2790c (in German) in the "Forms and more" section on the website of the DPMA.

Important notice of 19 July 2024

No acceptance of new applications filed by Russian nationals or natural persons residing in Russia or by legal persons, entities or bodies established in Russia

On 25 June 2024, Council Regulation (EU) 2024/1745 of 24 June 2024 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine entered into force as part of the 14th sanctions package.

The regulation imposes, among other things, restrictions on accepting applications for registrations in the Union of certain intellectual property rights by Russian nationals, natural persons resident in Russia and Russian companies. The DPMA as an intellectual property office is supposed not to allow the filing of such applications. Article 5s(1) of Regulation (EU) No 833/2014 specifies that the DPMA shall not accept new applications for registration of trade marks, patents, designs, utility models, protected designations of origin and geographical indications filed by Russian nationals or natural persons residing in Russia or by legal persons, entities or bodies established in Russia. This applies even if the applications are filed jointly with one or more non-Russian natural or legal person(s) resident or established outside of Russia. In addition, the DPMA shall not accept any requests or submissions filed by Russian nationals or natural persons residing in Russia or by legal persons, entities or bodies established in Russia during the registration procedure relating to the rights mentioned above.

The restrictions do not apply to nationals of a Member State, of a country member of the European Economic Area or of Switzerland; neither do they apply to natural persons having a temporary or permanent residence permit in a Member State, in a country member of the European Economic Area or in Switzerland. As a consequence, the DPMA shall request the necessary information from natural persons and companies.

The DPMA will inform about changes to procedures required due to the restrictions for factual or legal reasons.

Important notice of 6 November 2024

The DPMA will cease to accept electronic applications filed using the EPO tool eOLF at the end of the year

The European Patent Office (EPO) will phase out its electronic filing tool eOLF – formerly "epoline" – in the foreseeable future. As a consequence, the German Patent and Trade Mark Office (DPMA) will cease to offer the option to file electronic patent applications via eOLF as of 1 January 2025. Regardless of when they were issued to the users, all signature cards of the EPO (smart cards) will expire by 31 December 2024, because the EPO smart card login support will end for eOLF.

This means that, from this date, it will no longer be possible to use eOLF for the filing of

- national German patent applications; and
- PCT applications with the DPMA as receiving Office.

With respect to the two IP rights mentioned above, i.e. the national German patent application and the PCT application with the DPMA as receiving Office, the DPMA's well-proven filing software DPMAdirektPro is available. Information on what the software offers, how to use it and how to adjust the settings is available on our "E-filing/DPMAdirekt" page. To use DPMAdirektPro, you need a signature card in order to sign electronically. For details, please see the "Digital signature" section. Please make sure that you get the signature card in good time before 31 December 2024.

To file PCT applications with the DPMA as receiving Office, you can also use the ePCT system via the IP Portal of the World Intellectual Property Organization (without signature). Information on this is available on the WIPO website.