Inputs from Member States and Regional Patent Offices to the Thirty-Eighth Session of the Standing Committee on the Law of Patents

Respondent Information

First Name:

[redacted]

Last Name:

[redacted]

Country:

Bulgaria

IP Office

Patent Office of the Republic of Bulgaria

Job title

Director Patent directorate

Email address:

[redacted]

Email address confirmation:

[redacted]

Disclaimer:

The information provided in response to this questionnaire is understood to be submitted on behalf of the Member State or regional organization concerned, through its competent authority and in accordance with its applicable official internal procedures.
It is assumed that the person completing and submitting the questionnaire is duly authorized to do so and that the information reflects the official position or practice of the Member State or organization, to the extent possible.

I confirm that I have read and understood the statement above and that I agree with its contents.

i) Study on the determination of inventorship and conditions of foreign filing, with a view to identifying potential challenges for innovators in the cross-border collaborative environment

1. Which of the following does the applicable legal framework in your jurisdiction require before a patent application can be filed in another country or at a regional patent organization?

'First filing' or first domestic filing requirement (FDFR)

2. Please list the statutes or guidance documents that patent applicants in your country can consult to inform themselves of the foreign filing requirements and the procedure to follow.

ACT ON PATENTS AND REGISTRATION OF UTILITY MODELS;
ORDINANCE OF SECRET PATENTS;
Protection of Classified Information Act.

4. What specific criteria will trigger the Foreign Filing Conditionality?

Impact on the country's national security or national defense;
Nationality or residency of the applicant;

Please provide any further details on the scope of the specific criteria applicable in your jurisdiction.

Bulgarian nationals with permanent address in the Republic of Bulgaria or legal persons with their seat in the Republic of Bulgaria shall have the right to claim for patent abroad their own invention after performance of the check if the application contains classified information in the sense of Art. 25 of the Protection of Classified Information Act. Secret inventions shall not be patented abroad.

5. Does your law allow for a deemed license or automatic approval, if the Office does not act or respond within a specific time period?

No

6. Does your jurisdiction's patent law provide for the imposition of a "Secrecy Order" (or other similar national security restrictions) that prohibits or restricts an applicant from filing for patent protection in other jurisdictions?

No

Final review before submission

Confirmation of submission

I am aware that by clicking "Submit" below, my responses will be sent to the SCP Secretariat.