



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee, Munich, Germany, 5-8 September 2010

“Consideration of test results”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held Munich, Germany, from 5 to 8 September 2010, passed the following Resolution:

Observing that objections to allowability or validity of a patent application or patent are by their nature always raised after the date of filing; and

Also observing that such objections are often based on prior art, which prior art was previously unknown to the applicant or patent proprietor, and can only be addressed by submitting test results; therefore

Urges all authorities tasked with the examination or evaluation of a patent application or patent to take account of any test results submitted after the filing date of the application in answer to any objections to allowability or validity, regardless of the date of completion of the testing, provided that those results are not inconsistent with the content of the application as originally filed.