



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee, Turin, Italy 31 March to 4 April 2019

“Procedure for challenging unity of invention objections”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held in Turin, Italy, 31 March to 4 April 2019, passed the following Resolution:

Noting the need for IP Offices to examine patent applications to determine whether the claims comply with the unity of invention requirement (or other similar requirements), often at an early stage in the prosecution of a patent application,

Observing that a patent applicant facing a unity of invention objection may wish to challenge the objection to avoid the cost associated with filing one or more divisional applications, whilst not substantially delaying the further consideration of the patent application,

Urges IP Offices to provide a procedure to allow applicants to challenge unity of invention objections within a reasonable timeframe that would permit the complete and timely search and/or examination to be carried out in the event of a successful challenge,

Further urges IP Offices to provide, as part of such a challenge procedure, the option for a higher level review of the unity of invention objection, also within such a timeframe.