



FÉDÉRATION INTERNATIONALE DES CONSEILS  
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF  
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FEDERATION  
VON PATENTANWÄLTEN

## Resolution of the Executive Committee, Rome, 6-9 November 2011

### *“Dies Non and Electronic Filing”*

**FICPI**, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held in Rome, Italy, from 6 to 9 November 2011, passed the following Resolution:

**RECOGNISING** that the Paris Convention and many national laws provide for the extensions of time when the day for taking certain steps in the filing of an application falls on a day when the applicable intellectual property office is not open for the filing of applications;

**RECOGNISING** that with the continuing development of electronic communications, many intellectual property offices now are capable of receiving applications for filing on any day of the week;

**NOTING** that the initiatives of some intellectual property offices to attribute an official date on the same day as the document was received electronically may lead to legal uncertainties with respect to whether an intellectual property office was open for the filing of applications on that day;

**CONSIDERING** in this regard that the meaning of “open for the filing of applications” or similar language used in various Intellectual Property laws and conventions may be ambiguous and may be interpreted to include any day on which an intellectual property office is receiving documents by electronic means;

**URGES** that, regardless of whether or not an intellectual property office is capable of receiving applications and other documents electronically on a day that the intellectual property office is not physically open for the receipt of documents submitted in non-electronic form, a deadline expiring on such a day shall continue to be extended to the next normal working day, i.e. the next day that such office is physically open for the receipt of documents submitted in non-electronic form; and

**URGES** that the applicable national laws, regulations, and conventions be clarified, if necessary, to ensure that such an extension of time will continue to be available, and that the phrase “not open for the filing of applications” shall be taken to mean not physically open for the receipt of documents submitted in non-electronic form.