



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee 22 July 2020

“Official Notifications, Deadline Suspension, Extensions of Time and Restoration of Rights During the COVID-19 Crisis”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled electronically for a meeting held on 22 July 2020, passed the following resolution:

RECOGNIZING that the COVID-19 pandemic has, along with the terrible health consequences, disrupted the global economy, for example, by causing wide spread business closures and disruptions as well as affected the operation of postal and courier services;

NOTING that this disruption has resulted in the closure or restricted operation of IP Offices, and users of the IP system being unable to meet deadlines and pay fees;

FURTHER NOTING that while many, if not most, users of the IP system and their representatives could continue to operate in locations away from their usual business locations, this change may cause restrictions with respect to normally available resources to control proper flow of operations, thus resulting in an inability to meet deadlines;

BELIEVING that while relief measures for meeting deadlines must be balanced against the impact on third parties, the impact of COVID-19 pandemic is so extreme that the balance lies firmly on the side of those affected by difficulties in meeting deadlines;

ACKNOWLEDGING that in the absence of measures applicable internationally many IP Offices have used a variety of mechanisms to provide suspension and effective extension of deadlines;

OBSERVING that as the global disruption changes, users of the system may need additional time to meet deadlines for filing documents and/or paying fees;

FURTHER OBSERVING that information pertaining to IP office closures and suspension/extension of deadlines can be difficult to ascertain globally;



URGES IP Offices to:

1. Independently of any available general suspension of time limits, consider that the gravity of the COVID-19 pandemic and the ensuing consequences constitute, per se and without the need of submission of further evidence, a legitimate ground for users of the IP system, and their representatives, to request and obtain an extension of any time limit or restoration under the provisions of the applicable law, satisfying criteria such as “force majeure”, “legitimate reasons”, “due care”, “justified reasons” and the like;
2. Consult with users and representative organisations where possible on the most appropriate mechanisms to provide suspension, effective extension of deadlines and restoration and on how to end such mechanisms without adversely affecting users;
3. Take note of the health and economic situation in both their own jurisdiction as well as that of the applicant/proprietor and their representative (where applicable) when deciding on such appropriate mechanisms;
4. Exercise any applicable discretion favourably to users of the IP system, without the need to providing extensive supporting evidence, and waiving official fees, where possible; and
5. Provide easily accessible and up to date information online, and English translations thereof, on office closures, and the mechanisms for the suspension and effective extensions of deadlines as well as restoration, including which deadlines are covered or not covered as the case may be.