

FEMIP RESOLUTION

FEMIP, the European Federation of Agents of Industry in Industrial Property, representing 11 national associations totalling more than 3500 patent professionals working in the European industry

whereas a Grace Period for European patent applications is neither needed nor wished for;

whereas a certain probability exists for a change to the first-to-file principle for US patent applications together with the equal treatment in relation to the prior art effect of foreign and domestic applications (overcoming the Hilmer doctrine);

considers it possible to accept a Grace Period, as defined further hereafter, also for European applications in view of the major improvement constituting the first-to-file principle for US patent applications and equal prior art effects;

the indispensable features of an above conditioned Grace Period are:

- a) applicable to any kind of disclosure**
- b) mandatory and specific declaration at the filing date**
- c) six months counted from priority date**
- d) safeguarding prior user rights.**

Basel, May 2006