

Worldwide Public Disclosure Grace Periods – May 2017

| Country | Grace Period |
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| Albania 6 months Novelty/ Inventive Step in Limited Circumstances | <p>Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date (priority date) when the publication is made by: (a) the applicant or his predecessor in title ; (b) a third party who had obtained information from applicant or his predecessor in title; (c) an office and the information is found: (i) in another application filed by the applicant or his predecessor in title and which should not have been published by the office; (ii) in an application filed by a third party without the knowledge and the permission of the applicant or his predecessor in title, although the party received the information directly or indirectly from the applicant or his predecessor in title. (d) the applicant or his predecessor in title has displayed the invention at an official, or officially recognized, international exhibition. The applicant shall state when filing the patent application that the invention has been so displayed and shall file a supporting certificate within the time limit and under the conditions laid down in the Implementing Regulation.</p> <p>(Articles 7, 9, & 11 of Law No. 9947 of July 7, 2008 on Industrial Property)</p> |
| Algeria 12 months Novelty | <p>Disclosure within 12 months before the filing date (priority date) not considered accessible to the public, if due to:</p> <ol style="list-style-type: none"> 1. an act by the applicant or his predecessor in title, or 2. an abuse by a third party in relation to the applicant or his predecessor in title. |

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| <p>Andorra</p> <p>6 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into account in determining patentability if it occurred within 6 months before the filing date (priority date):</p> <p>(a) by the inventor or his successor in title;</p> <p>(b) of information in an application filed by the inventor which should not have been disclosed by the Office;</p> <p>(c) of information in an application filed, without the knowledge or consent of the inventor, by a person who obtained the information from the inventor;</p> <p>(d) a person who obtained the information from the inventor.</p> <p>2. The effect of the grace period may be invoked at any time.</p> |
| <p>Argentina</p> <p>12 months Novelty</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within one year before the filing date (priority date) by the inventor or his successor in title by:</p> <p>(a) any medium of communication;</p> <p>(b) display at a national or international exhibition.</p> <p>2. The application shall be accompanied by documentary supporting evidence.</p> |
| <p>Armenia</p> <p>12 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into account in determining patentability if it occurred within 12 months before the filing date (priority date) by:</p> <p>(a) the applicant or inventor;</p> <p>(b) any other person who obtained the information from the applicant or inventor.</p> <p>2. The burden of proof is on the applicant.</p> |

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| <p>Australia</p> <p>12 Months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into consideration in determining novelty and inventive step if it occurred:</p> <p>(a) within six months before the filing of a provisional or basic application provided a complete application is filed within 12 months from filing of the provisional or basic application; or otherwise within 12 months before the filing of a complete application</p> <p>(i) by showing, use or publication of the invention at a recognized exhibition;</p> <p>(ii) in a paper written by the inventor and read before, or published with the inventor's consent by or on behalf of, a learned society;</p> <p>(b) within 12 months before the filing of a provisional or basic application provided a complete application is filed within 12 months from the filing of the provisional or basic application; or otherwise within 12 months before the filing of a complete application by working the invention in public for the purposes of reasonable trial due to the nature of the invention;</p> <p>(c) within 12 months before the filing of a complete application in Australia with the consent of the nominated person, patentee or predecessor in title or without consent and the information disclosed was derived from the patentee or predecessor in title;</p> <p>(d) at any time before the filing date, if the information disclosed was given by or with the consent of the patentee or predecessor in title, to the Commonwealth or a State or Territory, an authority thereof or person authorized thereby, to investigate the invention; and anything done for the purpose of such investigation.</p> <p>2. In the cases of 1.a.(i), the applicant shall:</p> <p>(a) when filing the application, state that the invention has been disclosed at the exhibition;</p> <p>(b) before the publication of the application, file a statement issued by the exhibition authority.</p> |
| <p>Austria</p> <p>6 months Novelty in Limited Circumstances</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date:</p> <p>(a) due to an evident abuse in relation to the applicant or his legal predecessor;</p> <p>(b) by display of the invention by the applicant or his legal predecessor at an official or officially recognized exhibition.</p> <p>2. The applicant shall:</p> <p>(a) when filing the application, state that the invention has been displayed at the exhibition;</p> <p>(b) within four months after the filing date, file a certificate and a description of the invention attested by the exhibition management, and indicate the exhibition opening date and the date of the first disclosure.</p> |

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| <p>Azerbaijan</p> <p>12 months Novelty</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within 12 months before the filing date (priority date):</p> <p>(a) by the inventor;</p> <p>(b) any other person who obtained the information directly or indirectly from the inventor or applicant.</p> <p>2. The burden of proof is on the inventor or applicant.</p> |
| <p>Bahrain</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining novelty and inventive step if it occurred:</p> <p>(a) by display of the invention at official or officially recognized international exhibitions, provided that the patent application shall include all the details relating to such exhibition;</p> <p>(b) by an action by the applicant or with his authorization within 12 months before the filing date (priority date).</p> <p>(According to Law No. 1 of 2004 on Patents and Utility Models, Article 2. *Please note that Article 2 was amended by Law No. 14 of 2006 amending some Provisions of Law No. 1 of 2004 in Respect of Patents and Utility Models; however the 12 months is unchanged)</p> |
| <p>Barbados</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining novelty and inventive step if it occurred within 12 months before the filing date (priority date):</p> <p>1. by the applicant or his predecessor in title;</p> <p>2. due to an abuse by a third party.</p> <p>(According to Chapter 314 Patents, Part 1, Section 8)</p> |
| <p>Belarus</p> <p>12 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into account in determining patentability if it occurred within 12 months before the filing date by:</p> <p>(a) the applicant or inventor;</p> <p>(b) a person who obtained the information from the inventor or applicant.</p> <p>2. The burden of proof is on the applicant.</p> <p>(According to Article 2. Terms of the legal protection of invention in On patents of invention, utility models, designs (adopted 2002, last amended 2011))</p> |

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| <p>Belgium</p> <p>6 months Novelty in Limited Circumstances</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to:</p> <p>(a) an evident abuse in relation to the applicant or his legal predecessor; (b) display of the invention by the applicant or his legal predecessor at an official or officially recognized international exhibition.</p> <p>2. The applicant shall state in the application, at time of filing, that the invention has been so displayed, and file a certificate to that effect within a prescribed time limit.</p> <p>(According to Art. XI.6. § 1er. , § 6 of the 2014 Copyright and Related Rights (Neighboring Rights), Enforcement of IP and Related Laws, Geographical Indications, Industrial Designs, Industrial Property, Layout Designs of Integrated Circuits, Patents (Inventions), Plant Variety Protection, Trademarks, Utility Models))</p> |
| <p>Belize</p> <p>12 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty and inventive step if it occurred within 12 months before the filing date (priority date):</p> <p>1. by the applicant or his predecessor in title; 2. due to an abuse by a third party.</p> <p>(According to Patents Act (Cap. 253, Revised Version 2000))</p> |
| <p>Bolivia (Plurinational State of)</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining patentability if it occurred within one year before the filing date (priority date) by:</p> <p>1. the inventor or his successor in title; 2. an Office which incorrectly published the contents of the patent application filed by the inventor or his successor in title; 3. a person who obtained the information from the inventor or his successor in title.</p> |

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| <p>Bosnia and Herzegovina</p> <p>6 months Novelty in Limited Circumstances</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to:</p> <p>(a) an evident abuse in relation to the patent applicant or his legal predecessor, or</p> <p>(b) display of the invention at an official or officially recognized international exhibition.</p> <p>2. The applicant shall indicate in the application at time of filing that the invention has been so displayed, and submit a certificate within a prescribed time limit.</p> <p>[Anyone who exhibits an invention at an officially recognized exhibition or fair of international nature may, within three months following the closing date of the exhibition or fair, claim in his application the priority right as of the first day of showing of the invention (exhibition priority rights).]</p> <p>(According to Article 9 of The Parliamentary Assembly of Bosnia and Herzegovina Patent Law)</p> |
| <p>Brazil</p> <p>12 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be considered as part of the state of the art if it occurred within 12 months before the filing date (priority date):</p> <p>(a) by the inventor;</p> <p>(b) publication by the Office of a patent application based on information obtained from the inventor and filed without his consent;</p> <p>(c) by another person based on information obtained from the inventor.</p> <p>2. The Office may require a statement relating to the disclosure, possibly accompanied by proof.</p> <p>(According to Law No. 9.279 of May 14, 1996)</p> |
| <p>Bulgaria</p> <p>6 months Novelty in Limited Circumstances</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date (priority date) in consequence of:</p> <p>(a) an evident abuse in relation to the applicant or his legal predecessor;</p> <p>(b) display of the invention by the applicant or his legal predecessor at an official or officially recognized international exhibition.</p> <p>2. The applicant shall indicate in the application at the time of filing that the invention has been so displayed, and submit evidence within three months from the filing date.</p> <p>(According to Regulation on the Drafting, Filing and Examination of Applications for the Registration of Patents, Article 45 (2008))</p> |

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| <p>Canada</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into consideration in determining novelty and inventive step if it occurred within one year before the filing date by the applicant, or by a person who obtained knowledge from the applicant.</p> <p>(According to Paragraph 28.2(1)(a) of the Canadian Patent Act)</p> |
| <p>Chile</p> <p>12 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within twelve months before the filing date in consequence of:</p> <ol style="list-style-type: none"> 1. acts done, authorized or derived from the applicant, or; 2. abuse and unfair practices in relation to the applicant or his predecessor in title. |
| <p>China</p> <p>6 months Novelty</p> <p>Hong Kong China</p> <p>6 months Novelty/Inventive Step</p> | <p>China: Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date by:</p> <ol style="list-style-type: none"> 1. display of the invention at an international exhibition sponsored or recognized by the Chinese Government; 2. making the invention public at a prescribed academic or technological meeting; 3. any person without the consent of the applicant. <p>(According to Article 24 of Patent Law of the People's Republic of China)</p> <p>Hong Kong: Disclosure of the invention not to be taken into consideration if it occurred no earlier than 6 months before the filing date due to:</p> <ol style="list-style-type: none"> 1. an evident abuse in relation to the applicant or any proprietor of the invention for the time being; or 2. the fact that the applicant or any proprietor of the invention for the time being has displayed the invention at a prescribed exhibition or meeting. <p>(According to Section 37b on page 57/155) (also 2nd))</p> |
| <p>Colombia</p> | <p>Disclosure not to be taken into account in determining patentability if it occurred within one year before the filing date (priority date) by:</p> <ol style="list-style-type: none"> 1. the inventor or his successor in title; 2. an Office which incorrectly published the contents of the patent application filed by the inventor or his successor in title; 3. a third party who obtained the information from the inventor or his successor in title. |

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| <p>Costa Rica</p> <p>12 months Novelty/ Inventive Step</p> | <p>The state of the art does not include disclosure of an invention within one year before the filing date (priority date) resulting from:</p> <ol style="list-style-type: none"> 1. acts done directly or indirectly by the inventor or his successor in title; or 2. non-performance of a contract or illicit acts against any of them. <p>The disclosure resulting from a publication made by an industrial property Office in the process of granting a patent shall be included in the state of the art, except for the case of a patent applicant, or when the application in question has been filed by a person who did not have the right to obtain the patent or when the publication has been made unlawfully.</p> <p>(According to Law 6887 on Invention Patents, Industrial Designs and Utility Models Article 2, patentable inventions)</p> |
| <p>Croatia</p> <p>6 months Novelty in Limited Circumstances</p> | <ol style="list-style-type: none"> 1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to: <ol style="list-style-type: none"> (a) an evident abuse in relation to the patent applicant or his predecessor in title; (b) display of the invention at an official or officially recognized international exhibition. 2. The applicant shall indicate in the application at time of filing that the invention has been so displayed, and submit a certificate within four months from the filing date. <p>(According to Patent Act and Acts on amending and supplementing the Patent Act (OG Nos. 173/2003, 87/2005, 76/2007, 30/2009, 128/2010, 49/2011 & 76/2013), Article 9)</p> |
| <p>Cyprus</p> | <p>No provision.</p> |
| <p>Czech Republic</p> <p>6 months Novelty in Limited Circumstances</p> | <ol style="list-style-type: none"> 1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to: <ol style="list-style-type: none"> (a) an evident abuse in relation to the applicant or his legal predecessor, (b) display of the invention by the applicant or his legal predecessor at an official or officially-recognized international exhibition. 2. The applicant shall indicate in the application at time of filing that the invention has been so displayed, and submit a certificate within four months from the filing date. <p>(According to Law No. 527/1990 of November 27, 1990 on Inventions and Rationalization Proposals (as amended by No. Act No. 378/2007 Coll.), § 5 Novost [Novelty])</p> |

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| <p>Denmark</p> <p>6 months Novelty/ Inventive Step in Limited Circumstances</p> | <p>Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date in consequence of</p> <ol style="list-style-type: none"> 1. evident abuse in relation to the applicant or his predecessor in title, 2. display of the invention by the applicant or his predecessor in title at an official or officially recognized international exhibition. <p>(According to The Consolidate Patents Act (Consolidate Act No. 221 of February 26, 2017) Kapitel 1, § 2, Stk. 6)</p> |
| <p>Dominica</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining novelty and inventive step if it occurred within 12 months before the filing date (priority date) due to:</p> <ol style="list-style-type: none"> 1. an abuse committed by a third party in relation to the applicant or his predecessor in title; or 2. acts committed by the applicant or his predecessor in title. <p>(According to the Patent Act of 1999, Part III Patents)</p> |
| <p>Dominican Republic</p> <p>12 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty and inventive step if it occurred within 12 months before the filing date due to:</p> <ol style="list-style-type: none"> 1. acts committed by the inventor or his successor in title; 2. breach of trust, non-compliance with a contract or illicit act against the inventor or successor in title; 3. application was filed by a person not entitled to a patent, or where there was undue publication. <p>(According to the Industrial Property Law, Article 5)</p> |
| <p>Ecuador</p> <p>12 months Novelty</p> | <p>Disclosure not to be taken into account in determining patentability if it occurred within one year before the filing date (priority date) by:</p> <ol style="list-style-type: none"> 1. the inventor or his successor in title; 2. an Office which incorrectly published the contents of the patent application filed by the inventor or his successor in title; 3. a person who obtained the information from the inventor or his successor in title; 4. an official order; 5. a manifest abuse to the detriment of the inventor or his successor in title; 6. an officially recognized exhibition or publication of academic or research purposes. In that case the person concerned shall, on filing his application, submit a declaration stating that the invention actually was shown, together with the appropriate certificate. <p>(According to Intellectual Property Law, Book II Industrial Property, Ch. 2, Art. 122)</p> |

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| <p>Egypt</p> <p>6 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date by the display of the invention in a national or international exhibition.</p> <p>(According to Law No. 82 of 2002 Pertaining to the Protection of Intellectual Property Rights, Book II Industrial Property, Art. 120)</p> |
| <p>El Salvador</p> <p>12 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within one year before the filing date (priority date):</p> <ol style="list-style-type: none"> 1. by the inventor or his successor in title; 2. due to an abuse of confidence, breach of contract or other unlawful act against the inventor or his successor in title. <p>(According to Law on the Promotion and Protection of Intellectual Property Rights of 1993, Art. 113)</p> |
| <p>Estonia</p> <p>12 months Novelty/Inventive Step in Limited Circumstances</p> | <p>Disclosure not to be taken into account in determining novelty and inventive step if it occurred within one year before the filing date (priority date) by:</p> <ol style="list-style-type: none"> 1. the applicant or his predecessor in title; 2. a person who obtained information from the applicant or his predecessor in title. |
| <p>Finland</p> <p>6 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date due to:</p> <ol style="list-style-type: none"> 1. an evident abuse in relation to the applicant or his predecessor in title; 2. display of the invention at an official or officially recognized international exhibition. |
| <p>France</p> <p>6 months Novelty in Limited Circumstances</p> | <ol style="list-style-type: none"> 1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to: <ol style="list-style-type: none"> (a) an evident abuse in relation to the applicant or his predecessor in title; (b) display of the invention by the applicant or his predecessor in title at an official or officially recognized international exhibition. 2. The applicant shall declare at the time of filing that the invention has been so displayed, and furnish proof to that effect within a prescribed time limit. |

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| <p>Georgia</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining patentability if it occurred within 12 months before the filing date (priority date):</p> <p>a) by action of an inventor or his/her successor in title; b) if information for the third party is disclosed, directly or indirectly, on the condition of confidentiality; c) as a result of third person's action in bad faith against the inventor or his/her successor.</p> <p>(According to the Patent Law of Georgia, 2010 version, CHAPTER 15 (pg. 9))</p> |
| <p>Germany</p> <p>6 months Novelty in Limited Circumstances</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to:</p> <p>(a) an evident abuse in relation to the applicant or his predecessor in title; (b) display of the invention by the applicant or his predecessor in title at an official or officially recognized international exhibition notified in the Federal Law Gazette.</p> <p>2. The applicant shall state when filing the application that the invention has been so displayed, and file a certificate within four months.</p> |
| <p>Ghana</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within 12 months before the filing date (priority date).</p> <p>(Patents Act, 2003, Part I, Patents, Section 3—Patentable Inventions)</p> |
| <p>Greece</p> <p>6 months Novelty/ Inventive Step in Limited Circumstances</p> | <p>1. Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date due to:</p> <p>(a) an evident abuse of the rights of the applicant or predecessor in title; (b) display of the invention at an officially recognized international exhibition.</p> <p>2. The applicant shall state when filing the application that the invention has been so displayed, and shall file a certificate.</p> |
| <p>Guatemala</p> <p>12 months Novelty/ Inventive Step</p> | <p>The state of the art does not include disclosure of an invention within one year before the filing date (priority date) resulting from:</p> <p>1. acts done directly or indirectly by the inventor or his successor in title or a breach of contract by a third party or an unlawful act against any of them; 2. publication of applications by an industrial property Office abroad; 3. publication of the application in the patent granting process where the patent was filed by a person who was not entitled to that patent or the applications were published as a result of an error by the Office.</p> |

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| <p>Honduras</p> <p>12 months Novelty/ Inventive Step</p> | <p>The state of the art does not include disclosure within one year before the filing date (priority date); as a result, the patent application shall not be refused, invalidated or cancelled owing to occurrences in the interim from:</p> <ol style="list-style-type: none"> 1. acts carried out by the applicant himself or by a third party; 2. abuse, non-performance of a contract or illicit acts against the applicant or his assignee; 3. publication of applications by other industrial property offices. |
| <p>Hungary</p> <p>6 months Novelty in Limited Circumstances</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date (priority date) due to:</p> <ol style="list-style-type: none"> 1. an abuse of the rights of the applicant or his predecessor in title; 2. display of the invention by the applicant or his predecessor in title at an exhibition specified in the announcement by the President of the Hungarian Intellectual Property Office published in the Official Gazette. |
| <p>Iceland</p> <p>6 months Novelty/ Inventive Step in Limited Circumstances</p> | <p>Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date due to:</p> <ol style="list-style-type: none"> 1. an evident abuse in relation to the applicant or his predecessor in title; 2. display of the invention by the applicant or his predecessor in title at an official or officially organized exhibition. |

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| <p>India</p> <p>12 months Novelty</p> | <p>An invention shall not be deemed to have been anticipated by:</p> <ol style="list-style-type: none"> 1. Disclosures at any time before the filing date (priority date) of matter obtained from, and published without the consent of, the inventor or his successor in title (provided that the invention was not commercially worked in India, otherwise than for the purpose of reasonable trial, and that a patent application for the invention was filed in India or a convention country as soon as reasonably practicable thereafter). 2. Other applications made in contravention of the rights of the inventors or his successor in title or public use or publication of the invention without the consent of the inventor or his successor in title by the applicants of such other applications or by any other person in consequence of the disclosure. 3. Disclosures due to the communication of the invention to the Government or to any person authorized by the Government to investigate the invention or its merits, or for the purpose of that investigation. 4. Disclosures within 12 months before the application is made (calculated from the opening of the exhibition or the reading or publication of the paper) by: <ol style="list-style-type: none"> (a) display or use of the invention with the consent of the inventor or his predecessor in title at an industrial or other exhibition notified in the Official Gazette; (b) publication of the invention in consequence of such display or use; (c) use of the invention during the period of the exhibition without the consent of the inventor or his predecessor in title; (d) description of the invention in a paper read by the inventor before a learned society, or published with his consent in the transactions of such a society. 5. Disclosures within one year before the filing date (priority date) by public working the invention for reasonable trial, by or with the consent of the applicant or his predecessor in title. 6. Publication of invention anywhere in the world or use of the invention in India at any time after the filing of the provisional specification or complete specification which is treated as provisional specification by virtue of a direction under sub-section (3) of section 9 of the Act. <p>(According to Patent Act of 1970, Ch. VI Section 32. Act)</p> |
| <p>Indonesia</p> <p>6 or 12 months Novelty/ Inventive Step</p> | <ol style="list-style-type: none"> 1. Disclosure shall not be deemed to be announced if it occurred within six months before the filing date by: <ol style="list-style-type: none"> (a) display of the invention at an official or officially recognized international exhibition, or in an official or officially recognized national exhibition in Indonesia; (b) use in Indonesia by the inventor for research or development. 2. Disclosure shall not be deemed to be announced if it is occurred within 12 months before the filing date by any other person in breach of a confidentiality obligation. |

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| <p>Ireland</p> <p>6 months Novelty in Limited Circumstances</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to:</p> <p>(a) a breach of confidence or agreement in relation to the invention; (b) the unlawful obtaining of information concerning the invention; (c) display of the invention by the applicant or his legal predecessor at an official or officially recognized international exhibition.</p> <p>2. The applicant shall state, when filing the application, that the invention has been so displayed, and file a certificate within a prescribed period.</p> <p>3. The Ministry may prescribe a period other than the six months and circumstances other than (a), (b), and (c) to give effect to any treaty or international conventions.</p> |
| <p>Israel</p> <p>6 months Novelty</p> | <p>1. Disclosure not to be taken into account in determining patentability if it occurred at any time before the filing date of matter obtained from the applicant or his predecessor in title and published without his consent (provided that the patent application was filed within a reasonable time after the publication became known to the applicant).</p> <p>2. Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date (calculated from the exhibition opening date) by:</p> <p>(a) display of the invention by the applicant or his predecessor in title at an officially notified industrial or agricultural exhibition in Israel, or at a recognized exhibition in a Convention State;</p> <p>(b) publication by the applicant or his predecessor in title of a description of the invention at the time of a said exhibition;</p> <p>(c) use of the invention by the applicant or his predecessor in title at, and for the purposes, of the exhibition;</p> <p>(d) use of the invention at the time of the exhibition (either at the exhibition or outside it and with or without the applicant's consent).</p> <p>3. Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date (calculated from the date of the lecture or publication) by a lecture by the inventor before a scientific society, or by publication of the lecture in official transactions of the society, subject to prior notice to the Registrar.</p> |
| <p>Italy</p> <p>6 months Novelty in Limited Circumstances</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date (priority date) due to:</p> <p>1. an evident abuse to the prejudice of the applicant or his predecessor in title;</p> <p>2. display of the invention at an official or officially recognized exhibition.</p> |

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| <p>Japan</p> <p>6 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into consideration in determining novelty and inventive step if it occurred within six months before the filing date: (a) against the will of the person having the right to obtain a patent; or (b) as a result of an act of the person having the right to obtain a patent (excluding the case in which it has been disclosed through the publication in the bulletin pertaining to inventions, utility models, designs or trademarks).</p> <p>2. The applicant shall submit (in the case of 1.(b) above): (a) a written statement to that effect at the time of filing; and (b) proof, within 30 days of the filing date, that the disclosure was in respect of the invention.</p> |
| <p>Jordan</p> <p>12 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within 12 months before the filing date (priority date):</p> <ol style="list-style-type: none"> 1. by the applicant or his predecessor; 2. due to an abuse made by third parties against the applicant or his predecessor in title. <p>(According to its Law on Patents 1999, Art. 3)</p> |
| <p>Kenya</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining novelty and inventive step if it occurred within 12 months before the filing date (priority date):</p> <ol style="list-style-type: none"> 1. by the applicant or his predecessor in title; 2. due to an evident abuse committed by a third party in relation to the applicant or his predecessor in title. <p>(Industrial Property Act, 2001 Part III Patentability 23. Novelty (24. “inventive step”))</p> |
| <p>Kyrgyz Republic</p> <p>12 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into account in determining patentability if it occurred within 12 months before the filing date (priority date) by:</p> <ol style="list-style-type: none"> (a) the applicant or inventor; (b) a person who obtained the information from the applicant or inventor. <p>2. The burden of proof is on the applicant.</p> |

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| <p>Latvia</p> <p>12 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into account in determining patentability if it occurred within 12 months before the filing date (priority date):</p> <p>(a) the inventor or his successor in title;</p> <p>(b) due to incorrect disclosure by the Office of information in another application filed by the same inventor, and the Office was not permitted to disclose this information;</p> <p>(c) in an application filed, without the inventor's knowledge or permission, by a person who obtained the information from the inventor;</p> <p>(d) by a person who obtained the information from the inventor.</p> <p>2. The effect of the grace period may be invoked at any time. In the event of a dispute, burden of proof is on applicant or patent owner.</p> <p>(According to Latvia Patent Law of 2007, Ch. 2 Preconditions for Patent Protection, Sections 5-7)</p> |
| <p>Liechtenstein</p> <p>6 months Novelty in Limited Circumstances</p> | <p>Disclosure within six months before the filing date (priority date) due to:</p> <p>1. an obvious abuse in relation to the applicant or his predecessor in title;</p> <p>2. display of the invention by the applicant or his predecessor in title at an official or officially recognized international exhibition.</p> <p>(in accordance with the agreements with Switzerland and the European Economic Area (EEA))</p> <p>(According to The Federal Law of Switzerland on Patents for Inventions, Art. 7b Novelty of the Invention, non-prejudicial disclosure)</p> |
| <p>Lithuania</p> <p>6 months Novelty/ Inventive Step in Limited Circumstances</p> | <p>Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date:</p> <p>(a) due to an abuse with respect to the inventor or his successor in title;</p> <p>(b) by display of the invention by the inventor or his successor in title at an official or officially recognized exhibition. The burden of proof is on the applicant.</p> <p>(Lithuania Law on Patents 1994 as amended in 2007)</p> |

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| Country | Grace Period |
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| <p>Luxembourg</p> <p>6 months Novelty in Limited Circumstances</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to:</p> <p>(a) an evident abuse in relation to the applicant or his legal predecessor;</p> <p>(b) display of the invention by the applicant or his legal predecessor at an official or officially recognized international exhibition.</p> <p>2. The applicant shall state when filing the application that the invention has been so displayed, and file a certificate within a prescribed period.</p> <p>(According to the System for Patents as amended in 1998, Title II, Patents for Inventions and Patent ability, Sections 5-7)</p> |
| <p>Madagascar</p> <p>6 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty due to:</p> <p>1. display of the invention by the applicant or his successors in title at an officially recognized exhibition in Madagascar, or in the Member States of the Paris Convention if it occurred within six months before the filing date (priority date), subject to the submission of a recognized certificate attesting the participation of the inventor or his successor in title in such exhibition during which the public was made aware of the object incorporating the patentable invention;</p> <p>2. an obvious abuse in relation to the applicant or his predecessor in title.</p> |
| <p>Malaysia</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure disregarded from the prior art if it occurred within one year before the filing date due to:</p> <p>1. acts committed by the applicant or his predecessor in title;</p> <p>2. an abuse of the rights of the applicant or his predecessor in title;</p> <p>3. a pending application in UK as at the date of coming into force of the Act (Patents Act 291 of 1983).</p> <p>(According to Laws of Malaysia Act 291 Patents Act 1983(Incorporating all amendments up to 16 August 2006), Art 14 Novelty)</p> |

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| <p>Malta</p> <p>6 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining patentability if it occurred within 6 months before the filing date (priority date) by:</p> <ol style="list-style-type: none"> 1. the inventor; 2. incorrect disclosure by an Office of information contained in another application filed by the applicant; 3. publication of an application filed, without the knowledge or consent of the inventor, by a person who obtained the information from the inventor; 4. a person who obtained the information from the inventor. <p>(According to the CHAPTER 417 PATENTS AND DESIGNS ACT, 2007 version, Part 4 Patentability, see specifically, Section 8 Disclosure)</p> |
| <p>Mauritius</p> <p>12 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within 12 months before the filing date (priority date):</p> <ol style="list-style-type: none"> 1. by the applicant or his predecessor in title; 2. due to an abuse committed by a third party with regard to the applicant or his predecessor in title. <p>(According to Patents, Industrial Designs and Trademarks Act 2002, Art. 12 Patentable inventions)</p> |
| <p>Mexico</p> <p>12 months Novelty</p> | <ol style="list-style-type: none"> 1. Disclosure of an invention shall not establish lack of novelty when, within the 12 months prior to the filing date (priority date), the inventor or the successor to his rights has made the invention known by any means of communication, by putting the invention into practice or by having displayed it at a national or international exhibition. 2. When the corresponding application is filed, the evidentiary documents shall be included. The publication of an invention contained in a patent application or patent granted by a foreign office shall not be deemed to come within the scope of the previous paragraph. 3. When filing the application, the applicant must declare that the invention has been disclosed in accordance with the terms of paragraph 1 above. <p>(According to Art. 18 of Industrial Property Law of June 25, 1991, as amended by the Decree of June 28 2010)</p> |

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| <p>Moldova (Republic of)</p> <p>6 months Novelty/ Inventive Step</p> | <p>1. Disclosure of an invention shall not to be taken into consideration if it occurred within six months before the filing date and if it was due to, or in consequence of:</p> <p>(a) an evident abuse in relation to the applicant or his legal predecessor;</p> <p>(b) a display of the invention by the applicant or his legal predecessor at an international exhibition. An exhibition shall be considered international if it is officially organized, involves participation of producers of several states and the information about such exhibition has correspondingly been made available to the public.</p> <p>(According to the Parliament of the Republic of Moldova law on the Protection of Inventions No. 50–XVI of March 7, 2008 as amended through May 2016, Ch 2 Substantive Patent Law, Section 1 Patentability, see specifically, Art. 9)</p> |
| <p>Mongolia</p> | <p>No provision.</p> |
| <p>Morocco</p> <p>12 months Novelty/ Inventive Step in Limited Circumstances</p> | <p>Disclosure of an invention shall not be taken into consideration in the following cases:</p> <p>1. if it occurred within 12 months before the filing date and was undertaken, authorized or obtained from the applicant.</p> <p>2. disclosure resulting from publication, after the filing date, of an earlier application due to an evident abuse with regard to the applicant or his predecessor in title.</p> <p>3. display of the invention for the first time by the applicant or his predecessor in title at an official or officially recognized international exhibition held in the territory of one of the countries of the Paris Union. The applicant shall declare when filing the application that the invention has been so displayed.</p> |
| <p>Mozambique</p> <p>12 months Novelty</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within 12 months before the filing date (priority date):</p> <p>(a) by the inventor or his successor in title, to a scientific or professional institution or publication, or in official or officially recognized competition, exhibition or trade fair;</p> <p>(b) due to an obvious abuse against the inventor or his successor in title.</p> <p>2. In the case of 1(a) above, the inventor shall, when filing the application, submit a written declaration that the invention was exhibited or disclosed, and provide evidence to that effect within three months after the filing date.</p> <p>(According to Industrial Property Code Title II Rules of Industrial Property Rights Ch. I Patents of Invention Sect. I Patentability Article 37)</p> |

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| <p>Netherlands</p> <p>6 months Novelty in Limited Circumstances</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to:</p> <p>(a) an evident abuse in relation to the applicant or his legal predecessor, or (b) display of the invention by the applicant or his legal predecessor at an official or officially recognized international exhibition.</p> <p>2. The applicant shall state, when filing the application, that the invention has been so displayed, and submit proof within a prescribed period.</p> <p>(According to the Patent Act 1995 (Act of December 15, 1994, containing Rules Relating to Patents) last amended in 2008, Articles 5 and 6)</p> |
| <p>New Zealand</p> <p>6 or 12 months Novelty/ Inventive Step (for some)</p> | <p>An invention shall not be deemed to have been anticipated by:</p> <p>1. Disclosure at any time before the filing date (priority date) of matter obtained the applicant or his predecessor in title and published without his consent, provided that;</p> <p>(a) where the applicant or his predecessor in title learned of the publication beforehand, the application or application in a convention country was filed as soon as reasonably practicable thereafter; and (b) the invention was not commercially worked in New Zealand before the filing date (priority date) by, or with the consent of, the applicant or his predecessor in title (other than for the purpose of reasonable trial).</p> <p>2. Disclosure at any time before the filing date (priority date);</p> <p>(a) in any other application for a patent in respect of the same invention, contravening the rights of the applicant or his predecessor in title; (b) by use or publication of the invention without the consent of the applicant or his predecessor in title in consequence of any disclosure of the invention by the applicant for the other application. (c) by the communication of the invention to a Government Department or person authorized thereby to investigate the invention, or of anything done for that investigation.</p> <p>3. Disclosure within six months before the filing date (priority date) (calculated from the opening of the exhibition or the reading or publication of the paper) by:</p> <p>(d) display or use of the invention with the consent of the inventor at a declared international or industrial exhibition; (e) publication of the invention in consequence of the display or use of the invention at such exhibition; (f) use of the invention during the period of the exhibition without the consent of the true and first inventor; (g) in a paper read by the inventor before a learned society or published with his consent in the transactions of such a society;</p> <p>(h) 4. Disclosure within one year before the filing date (priority date) by public working of the invention by, or with the consent of, the applicant or his predecessor in title for the purpose of reasonable trial.</p> |

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| <p>Nicaragua</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be considered as the state of the art if it occurred within one year before the filing date (priority date) due to:</p> <ol style="list-style-type: none"> 1. publication of a patent application due to an error on the part of the Office; 2. publication of a patent application filed by a person not entitled to the grant of a patent; 3. acts, other than filing a patent application, by the inventor or his successor in title; 4. acts committed in breach of contract or unlawfully against the inventor or his successor in title. <p>(According to Law on Patents, Utility Models and Industrial Designs (No. 354 of 2000) Article 10 Exceptions to the Current State of the Art)</p> |
| <p>Nigeria</p> <p>6 months Novelty/ Inventive Step</p> | <p>Disclosure not to be deemed to have been made available to the public if it occurred within six months before the filing date by display of the invention by the inventor or his successor in title at an official or officially recognized international exhibition.</p> <p>(According to Patents and Designs Act, Ch 344, Law of the Federation of Nigeria 1990, Sect 1(3))</p> |
| <p>Norway</p> <p>6 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining novelty and inventive step if it occurred within six months before the filing date due to:</p> <ol style="list-style-type: none"> 1. an evident abuse in relation to the applicant or his predecessor in title; 2. display of the invention by the applicant or his predecessor in title at an official or officially recognized international exhibition as described in the Convention Relating to International Exhibitions of 22 November 1928, as last amended on 24 June 1982. <p>(According to the Patents Act (Act No. 9 of December 15, 1967) (consolidated version of 2016), Section 2 which was added in 1979.)</p> |
| <p>Oman</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account if it occurred within 12 months before the filing date (priority date):</p> <ol style="list-style-type: none"> 1. by reason or inconsequence of acts committed by the applicant or his predecessor in title; 2. due to an abuse committed by a third party with regard to the applicant or his predecessor in title. <p>(According to Industrial Property Rights Law (promulgated by the Royal Decree No. 67/2008) Part 1: Technical Inventions Chapter One: Patents Article 3.1)</p> |

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| <p>Pakistan</p> <p>12 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within 12 months before the filing date due to display of the invention at an official or officially recognized international exhibition. If later on, the right of priority is invoked, then the period shall start from the date of introduction of the article into the exhibition. The controller may require proof, with such documentary evidence as considered necessary, of the identity of the article exhibited and the date of its introduction into the exhibition.</p> <p>(According Patents Ordinance, 2000 (Ordinance No. LXI of 2000). III Patentability 8(3) Novelty)</p> |
| <p>Panama</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining patentability if it occurred within 12 months before the filing date (priority date) due to:</p> <ol style="list-style-type: none"> 1. publication of an application filed by a person not entitled to the grant of a patent; 2. publication of an application due to an error on the part of the Office. 3. an act engaged in by, or in committed in breach of trust or contract or unlawfully against, the inventor or his successor in title. <p>(According to Law no. 35 of May 10, 1996 on Industrial Property Title Inventions and Utility Models Chapter 1 Preliminary Provisions sect. 13)</p> |
| <p>Papua New Guinea</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining prior art if it occurred within 12 months before the filing date (priority date):</p> <ol style="list-style-type: none"> 1. by the applicant or his predecessor in title; 2. due to an abuse committed with regard to the applicant or his predecessor in title. <p>(According to Act No 30 of 2000 Patents and Industrial Designs Act 2000 Part I Preliminary Section 13 New Invention)</p> |

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| Paraguay 12 months Novelty/ Inventive Step | The state of the art does not include disclosure of an invention within 12 months before the filing date (priority date) resulting from: <ol style="list-style-type: none"> 1. acts done directly or indirectly by the inventor or his successor in title; or 2. non-performance of a contract or illicit acts against any of them; 3. publication by the Patent Office of a patent application based on information obtained from the inventor and filed without his consent; 4. publication of a patent application due to an error on the part of the Office. <p>(According to Ley No. 1.630/2000 de Patentes De Invencciones (modificada por última vez por la Ley N° 2.593/2005) Title 1 Patents Article 7)</p> |
| Peru 12 months Novelty/ Inventive Step | Disclosure not to be taken into account in determining patentability if it occurred within one year before the filing date in the member country [of the Cartagena Agreement]: <ol style="list-style-type: none"> 1. by the inventor or his successor in title; 2. due to incorrect publication by an Office of a patent application filed by the inventor or his successor in title; 3. by a person who obtained the information from the inventor or his successor in title. <p>(According to handbook –“Manual del Inventor” I Generalidades Del Sistema De Patentes 1.5 La Prioridad)</p> |
| Philippines 12 months Novelty | Disclosure not to be taken into account in determining novelty if it occurred within one year before the filing date (priority date): <ol style="list-style-type: none"> 1. by the inventor or his successor in title; 2. due to incorrect publication by an Office of a patent application filed by the inventor; 3. in an application filed, without the knowledge or consent of the inventor, by a person who obtained the information from the inventor; 4. by a person who obtained the information directly or indirectly from the inventor or his successor in title. <p>(According to IP Code Part II Laws on Patents Ch. II Patentability Sec 25 Non-prejudicial Disclosure)</p> |
| Poland 6 months Novelty in Limited Circumstances | Disclosure not to be taken into account in determining novelty if it occurred no earlier than six months preceding the filing of the patent application and if it was due to: <ol style="list-style-type: none"> 1. evident abuse in relation to the applicant or his predecessor in title; 2. display of the invention by the applicant or his predecessor in title on the territory of the Republic of Poland or elsewhere in the world, at an official or officially recognized international exhibition. |

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| <p>Portugal</p> <p>6 Months Novelty in Limited Circumstances</p> | <p>1. Disclosure in official or officially recognised exhibitions falling within the terms of the Convention of International Exhibitions if the application for the patent is filed in Portugal within six months;</p> <p>2. Disclosure resulting from evident abuse of any kind in relation to the inventor or his successor in title or publications made unduly by the National Industrial Property Institute (INPI);</p> <p>3. Paragraph 1. above shall only apply if the applicant proves, within one month as of the date of filing the patent application, that the invention was actually displayed or disclosed as set forth in said paragraph and submits a certificate issued by the body in charge of the exhibition indicating the date on which the invention was first displayed or disclosed at the exhibition and the name of the invention in question.</p> |
| <p>Republic of Korea</p> <p>12 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into account in determining novelty and inventive step if it occurred within twelve months before the filing date:</p> <p>(a) by the person with the right to obtain a patent (excluding the disclosure made by a national or foreign Office according to legislations or international treaties);</p> <p>(b) contrary to the intention of the person with the right to obtain a patent.</p> <p>2. In the case of 1(a) above, the applicant shall state the intention to have 1(a) above applied in the application and, within 30 days from the filing date, a document proving the relevant facts.</p> <p>3. Regardless of 2 above, where the applicant pays complement fees, it is allowed to submit a document stating the intention to have 1(a) above applied or another document to prove relevant facts within one of the following periods. (a) Period of amendment.</p> <p>(b) From the receiving date of a copy of a decision of allowance or a trial decision to cancel a decision of refusal (limited to trial decision which decided registration) to the earlier date of 3 months after the receiving date or the date to obtain registration of establishment of the patent right.</p> <p>(According to Article 30 in Act I)</p> |

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| <p>Romania</p> <p>6 months Novelty in Limited Circumstances</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date:</p> <p>(a) due to an evident abuse in relation to the applicant or his legal predecessor;</p> <p>(b) by display of the invention by the applicant or his legal predecessor at an official or officially recognized exhibition. The applicant shall:</p> <p>(a) when filing the application, state that the invention has been displayed at the exhibition;</p> <p>(b) within four months after the filing date, file a certificate and a description of the invention attested by the exhibition management, and indicate the exhibition opening date and the date of the first disclosure.</p> <p>(According to PATENT LAW NO.64/19911 (updated through August 2014, Law no.83/2014), Ch. II Patentable Inventions, Art. 10(1))</p> |
| <p>Russian Federation</p> <p>6 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date by:</p> <p>(a) the inventor or applicant;</p> <p>(b) a person who obtained information from the inventor or applicant.</p> <p>2. The burden of proof is on the applicant.</p> <p>(Calculated back from the filing date of the application. The grace period includes a disclosure of information concerning the subject matter of the invention made by the inventor, applicant or third party who has directly or indirectly obtained information therefrom)</p> |
| <p>Saint Lucia</p> | <p>No provision.</p> |
| <p>Saudi Arabia</p> <p>6 months Novelty/ Inventive Step</p> | <p>Cases of disclosure of inventions and industrial designs which are not considered as part of the previous state of technology shall be as follows:</p> <p>1. If the disclosure occurred in the last six months preceding the date of filing the application or the date of the priority claim due to arbitrary acts against the applicant or his predecessor.</p> <p>2. If the disclosure occurred as a result of displaying it in an officially recognized international exhibition in one of the countries of the Paris Union during the year preceding the filing of the application for the patent.</p> <p>(According to Law of Patents, Layout Designs of Integrated Circuits, Plant Varieties and Industrial Designs , Article Ten, Article Fourty Four)</p> |

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| <p>Serbia</p> <p>6 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to:</p> <p>(a) an evident abuse in relation to the applicant or his legal predecessor; (b) display of the invention by the applicant or his legal predecessor at an officially recognized exhibition.</p> <p>2. The applicant shall state, when filing the application, that the invention has been so exhibited, and shall file a certificate within four months of the filing date.</p> <p>(According to The Patent Law, Part III Conditions for the Protection of an Invention, Article 11 Non-prejudicial Disclosure of the Invention Note: Part II Patentability, Article 7 Patentable inventions “inventive step”)</p> |
| <p>Singapore</p> <p>12 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within 12 months before the filing date due to:</p> <p>1. matter directly or indirectly obtained unlawfully or in breach of confidence from the inventor;</p> <p>2. display of the invention by the inventor displaying at an international exhibition;</p> <p>3. a description of the invention in a paper read by, or with the consent of, the inventor before a learned society, or published with his consent in the transactions of a learned society.</p> <p>(According to Patents Act (ch 221, Part III s. 14))</p> |
| <p>Slovak Republic</p> <p>6 months Novelty in Limited Circumstances</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to:</p> <p>(a) an evident abuse in relation to the applicant or his legal predecessor; (b) display of the invention by the applicant or his legal predecessor at an official or officially-recognized international exhibition.</p> <p>2. The applicant shall declare, when filing the application, that the invention has been so exhibited, and shall file a certificate to that effect within four months of the filing date.</p> <p>(According to Act No. 435/2001 Coll. On Patents, Supplementary Protection Certificates, and on Amendment of Some Acts as Amended (The Patent Act) (consolidated through Act No. 202/2009 Coll.), Article 7(4) Novelty)</p> |

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| <p>Slovenia</p> <p>6 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to, or in consequence of:</p> <ol style="list-style-type: none"> 1. an evident abuse in relation to the applicant or his legal predecessor; 2. the fact that the applicant or his legal predecessor has displayed the invention at an official, or officially recognized, international exhibition. The applicant shall state, when filing the application, that the invention has been so displayed and shall file a supporting certificate. <p>(According to the Law on Industrial Property (no. 7, through no. 100/13), Chapter II Patents, Section I Patents and short-term patents, Article 13 (A harmless disclosure of the invention) *Note: Article 10 (The subject of patent protection) “inventive step”, Article 14 (Inventive Step))</p> |
| <p>South Africa</p> <p>Novelty/Inventive Step</p> | <p>Disclosure not to be taken into account in determining patentability if it occurred any time before the filing date (priority date) due to:</p> <ol style="list-style-type: none"> 1. knowledge or matter obtained from the applicant or his predecessor in title and disclosed or used without his knowledge or consent (provided that, where the applicant learnt of that disclosure, use or knowledge before the filing date (priority date), he then applied for protection with reasonable diligence); 2. working the invention in South Africa, by the applicant or his predecessor in title, for reasonable technical trial or experiment. |
| <p>Spain</p> <p>6 months Novelty/ Inventive Step in Limited Circumstances</p> | <p>Disclosure not to be taken into consideration in determining the state of the art if it occurred during the six months preceding the filing date and if it was due to, or in consequence of:</p> <ol style="list-style-type: none"> 1. an evident abuse in relation to the applicant or his legal predecessor; 2. the fact that the applicant or his legal predecessor has displayed the invention at an official or officially recognized exhibition. The applicant shall declare, when filing the application, that the invention has in fact been exhibited and, in support of his statement, he shall submit the corresponding certificate within the period and under the conditions laid down in the regulations; 3. tests carried out by the applicant or by his legal predecessor, provided that they do not imply working the invention or offering it for sale. <p>(According to Law 24/2015 of July 24, Patents, Title II, Patentability, Article 7 Innocuous Disclosures)</p> |

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| <p>Sri Lanka</p> <p>6 Novelty</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within one year before the filing date by the applicant or his predecessor in title.</p> <p>2. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to an abuse of the rights of the applicant or his predecessor in title.</p> |
| <p>Sweden</p> <p>6 months Novelty/ Inventive Step in Limited Circumstances</p> | <p>Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date due to:</p> <ol style="list-style-type: none"> 1. evident abuse in relation to the applicant or his predecessor in title; 2. display of the invention by the applicant or his predecessor in title at an official or officially recognized international exhibition. <p>(According to Patents Act (1967:837, consolidated to include amendments through SFS 2016: 727))</p> |
| <p>Switzerland</p> <p>6 months Novelty in Limited Circumstances</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date (priority date) due to:</p> <ol style="list-style-type: none"> (a) a manifest abuse in relation to the applicant or his legal predecessor; (b) display of the invention by the applicant or his predecessor in title at an official or officially recognized international exhibition. <p>2. The applicant shall declare, when filing the application, that the invention has been so exhibited, and produce sufficient supporting evidence in good time.</p> <p>(According to Federal Act on Patents for Inventions (Patents Act, PatA of June 25 1954, Status as of 1 January 2017))</p> |
| <p>Syrian Arab Republic</p> | <p>No provision.</p> |
| <p>Tajikistan</p> <p>6 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date by:</p> <ol style="list-style-type: none"> (a) the inventor or applicant; (b) a person who obtained information from the inventor or applicant. <p>2. The burden of proof is on the applicant.</p> <p>(According to Law of the Republic of Tajikistan No. 17 of February 28, 2004, on Inventions (as amended up to Law No. 956 of March 19, 2013), Section 2 Patentability of Inventions, Article 6 Conditions for Patentability)</p> |

Worldwide Public Disclosure Grace Periods – May 2017

| Country | Grace Period |
|---|---|
| Thailand 12 months Novelty/ Inventive Step | Disclosure not to be taken into account in determining novelty if it occurred within 12 months before the filing date due to: <ol style="list-style-type: none"> 1. matter obtained unlawfully; 2. disclosure made by the inventor; 3. display of the invention by the inventor at an international or official exhibition. <p>(According to The Patent Act of 1979 (As Amended by the Patent Act No. 2 (1992) and the Patent Act No.3 (1999)) Chapter II Patent for Inventions, Part I Applications for Patents, sect. 6 (5))</p> |
| The Former Yugoslav Republic of Macedonia 6 months Novelty in Limited Circumstances | Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to: <ol style="list-style-type: none"> 1. an evident abuse in relation to the applicant or his legal predecessor; 2. display of the invention by the applicant or his legal predecessor at an official or officially recognized exhibition. <p>(According to Article 28 of the Law on Industrial Property (OG No. 21/2009))</p> |
| Trinidad and Tobago 12 months Novelty | Disclosure not to be taken into account in determining novelty if it occurred within one year before the filing date: <ol style="list-style-type: none"> 1. by the applicant or his predecessor in title; 2. due to an abuse committed by a third party with regard to the applicant or his predecessor in title. <p>(Patents Act Ch 82:76 of Law of Trinidad and Tobago, Part IV Patentability of Invention, Section 9)</p> |
| Tunisia 12 months Novelty | Disclosure not to be taken into account in determining novelty if it occurred within 12 months before the filing date (priority date) due to a manifest abuse practiced on the applicant or his predecessor in title. <p>(According to Ley No 2000-84 of Aug 24 2000, Art. 4)</p> |

Worldwide Public Disclosure Grace Periods – May 2017

| Country | Grace Period |
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| <p>Turkey</p> <p>12 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into account in determining patentability if it occurred within 12 months before the filing date (priority date):</p> <p>(a) by the inventor;</p> <p>(b) in another application filed by the inventor which should not have been disclosed by the Office;</p> <p>(c) in an application filed, without the knowledge or consent of the inventor by a third party who obtained the information directly or indirectly from the inventor;</p> <p>(d) by a third party who acquired information directly or indirectly from the inventor.</p> <p>2. The burden of proof is on the party invoking this paragraph.</p> <p>(According to Industrial Property Law (Law No. 6769 12/22/2016), Fourth Book--Patent and Utility Model, First Part—Patent, First Part—Terms of Patentability, Article 84(1))</p> |
| <p>Ukraine</p> <p>12 months Novelty/ Inventive Step</p> | <p>1. Disclosure not to be taken into account in determining patentability if it occurred within 12 months before the filing date (priority date) by:</p> <p>(a) the inventor;</p> <p>(b) a person who obtained information from the inventor.</p> <p>2. The burden of proof is on the person interested in applying the provisions of paragraph 1.</p> |
| <p>United Kingdom</p> <p>6 months Novelty in Limited Circumstances</p> | <p>1. Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date due to:</p> <p>(a) matter directly or indirectly obtained unlawfully or in breach of confidence from the inventor; (b) display of the invention by the inventor at an international exhibition.</p> <p>2. The applicant shall state, when filing the application, that the invention was displayed, and furnish written evidence within a prescribed time limit.</p> |
| <p>United States of America</p> <p>12 months Novelty/ Inventive Step</p> | <p>Disclosure not to be taken into consideration in determining novelty and inventive step if it occurred within one year before the filing date in the form of:</p> <p>1. inventions patented or described in a printed publication in the US or abroad;</p> <p>2. public use or on sale in the US.</p> |
| <p>Uruguay</p> <p>12 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within one year before the filing date (priority date) by:</p> <p>1. the inventor or his successor in title;</p> <p>2. a person who obtained information from the inventor.</p> <p>(According to law no. 17,164 regular rights and obligations relating to inventory patents, utility models and industrial designs, Article 26)</p> |

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| Country | Grace Period |
|---------------------------------------|---|
| Uzbekistan 6 months Novelty | 1. Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date by: (a) the inventor or applicant; (b) a person who received information from the inventor or applicant. 2. The inventor or applicant shall prove the circumstances of the disclosure. |
| Zambia 12 months Novelty | Exceptions to allow the novelty requirement of a patent not to be destroyed either because the patent has been made available to the public or has been disclosed or used: 1. where a patent is worked or used by way of reasonable technical trial or experiment by the applicant or any person or persons from or through whom such applicant has derived his right or title; 2. application for the patent relating to the Paris Convention for the protection of industrial property if lodged in Zambia within twelve months after the effective or priority date of the first application in the first convention country; 3. where the invention is communicated through any agreement or arrangement made by or on behalf of the government of Zambia with the government of any country for the supply or mutual exchange of information or articles relating to the invention, and as a result of such agreement or arrangement the invention is published, made, used, exercised or vended, or an application for a patent has been granted on such an application; 4. where the invention applied for was published , used or known prior to the effective or priority date of the application and the applicant proves that the publication or use was made without his knowledge or consent, and that the matter published or used was derived or obtained from him. (According to the Patent Act Cap. 400 (section 8, see also section 10)) |

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| Regional Offices | Grace Period |
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| <p>African Intellectual Property Organization (OAPI)</p> <p>12 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within 12 months before the filing date (priority date) due to:</p> <ol style="list-style-type: none"> 1. an obvious abuse in relation to the applicant or his predecessor in title; 2. display of the invention by the applicant or his predecessor in title at an official or officially recognized international exhibition. <p>Countries include: Benin, Burkina Faso, Cameroon, the Central African Republic, Chad, Comoro Islands, Congo Republic, Equatorial Guinea, Gabon, Guinea, Guinea-Bissau, Ivory Coast, Mali, Mauritania, Niger, Senegal and Togo</p> |
| <p>African Regional Intellectual Property Organization (ARIPO)</p> <p>6 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred within six months before the filing date (priority date), by display of the invention at an official or officially recognized international exhibition.</p> <p>Countries include: Botswana, The Gambia, Ghana, Kenya, Lesotho, Malawi, Mozambique, Namibia, Sierra Leone, Liberia, Rwanda, Sao Tome and Principe, Somalia, Sudan, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe</p> |
| <p>Eurasian Patent Organization (EAPO)</p> <p>6 months Novelty/ Inventive Step</p> | <ol style="list-style-type: none"> 1. Disclosure not to be taken into account in determining patentability if it occurred within six months before the filing date (priority date) by: <ol style="list-style-type: none"> (a) the inventor or applicant; (b) any person who obtained the information directly or indirectly from the inventor or applicant. 2. The burden of proof is on the applicant. <p>Countries include: Republic of Azerbaijan, Republic of Armenia, Republic of Belarus, Republic of Georgia, Republic of Kazakhstan, Kyrgyz Republic, Republic of Moldova, Russian Federation, Republic of Tajikistan, and Ukraine</p> |

Worldwide Public Disclosure Grace Periods – May 2017

| Regional Offices | Grace Period |
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| <p>European Patent Organisation (EPO)</p> <p>6 months Novelty in Limited Circumstances</p> | <p>Disclosure not to be taken into consideration in determining the state of the art if it occurred no earlier than six months preceding the filing date due to, or in consequence of:</p> <ol style="list-style-type: none"> 1. an evident abuse in relation to the applicant or his legal predecessor, or 2. display of the invention by the applicant or his legal predecessor at an official or officially recognized international exhibition. <p>Countries include: Albania, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Former Yugoslav Republic of Macedonia, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom *Extension states: Bosnia-Herzegovina and Montenegro **Validation states: Morocco and Republic of Moldova</p> |
| <p>Patent Office of the Cooperation Council for the Arab States of the Gulf (GCC)</p> <p>12 months Novelty</p> | <p>Disclosure not to be taken into account in determining novelty if it occurred due to:</p> <ol style="list-style-type: none"> 1. abusive actions of others against the applicant or his predecessor in title within 12 months before the filing date (priority date); 2. display of the invention at an officially recognized exhibition within six months before the filing date. <p>Countries include: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and United Arab Emirates</p> |