

PL – POLAND

POLISH COLLECTION OF MICROORGANISMS (PCM)

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1. Requirements for Deposit

(a) Kinds of Microorganism that May Be Deposited

Bacteria (including actinomycetes) and bacteriophages that are capable of long-term preservation without any substantial change in their initial properties are accepted.

Note:

- dangerous pathogens and species that may be hazardous to man and animals will be conditionally accepted;
- microorganisms with special requirements for cultivation that the PCM is not capable of carrying out technically will not be accepted;
- mixtures and cultures with no scientific description and cultures which cannot be identified will not be accepted;
- when strains containing a plasmid are deposited, the PCM will require information on the properties and classification of the plasmid and its host strain (i.e., group P1, P2, or P4). The PCM will accept only plasmids and host strains belonging to group P1.

(b) Technical Requirements and Procedures

(i) Form and Quantity

Bacteria (including those containing plasmids) must be submitted for deposit as lyophilized preparations or on culture transport media, except agar plate cultures (these are too easily damaged in transport). Bacteriophages have to be sent together with a suitable host. The material for deposit must be free of contamination by foreign organisms. All replicates of the microorganism to be deposited should be from the same batch. The deposit must be accompanied by the appropriate form, duly completed. Forms are obtainable from the PCM.

The minimum number of replicates that must be provided by the depositor when making his deposit and the form in which they must be submitted are as follows:

Bacteria	10 lyophilized or on media or frozen (0,5ml each)
Bacteriophages	sufficient quantity and titre for preservation (at least 10^8 pfu/ml, 10 x 10ml or 2 x 5ml cell-free lysate)

The depositor is required to check the authenticity of a sample from the batch prepared by the PCM, and to inform the PCM of the result.

(ii) Time Required for Viability Testing

The average time required for testing the viability of microorganisms accepted by the PCM is given below, but depositors should understand that in some cases viability testing may take longer, as indicated by the bracketed figures:

Bacteria	3 days (or up to 14 days)
Actinomycetes and other slow-growing organisms	5 days (or up to 20 days)
Bacteriophages	7 days (or up to 14 days)

(iii) Depositor Checks and Renewal of Stocks

The PCM has prepared its own batch of microorganisms by subculturing material supplied by depositors. The depositor is asked to check the authenticity of batches prepared by the PCM from material supplied by him at the time of deposit. The PCM stores the original material supplied by the depositor.

(c) Administrative Requirements and Procedures

(i) General

Language. The official language of the PCM is Polish. Communications in English are accepted.

Contract. The PCM does not enter into a written contract with the depositor defining the liabilities of the two parties but, by signing the deposit form, the depositor surrenders any right to withdraw his microorganism during the required storage period and accepts that the material will be distributed according to the relevant patent requirements.

Import and/or Quarantine Regulations. At present, the kinds of microorganism accepted by the PCM for deposit under the Budapest Treaty are not subject to import or quarantine regulations.

(ii) Making the Original Deposit

Requirements to Be Met by the Depositor. The depositor is required to complete the application and accession form for deposit under the Budapest Treaty, which is equivalent to model form BP/1. The PCM uses separate forms for bacteria and for bacteriophages. In the event of a later indication or amendment of the scientific description and/or proposed taxonomic designation, the depositor must complete model form BP/7.

Official Notifications to the Depositor. The receipt and viability statements are issued on mandatory international forms BP/4 and BP/9 respectively. Notification of release of a sample to a third party is issued on form BP/14. Standard forms are not used for other official notifications.

Unofficial Notifications to the Depositor. If requested, the PCM will give the date of deposit and accession number by telephone, e-mail or fax after the microorganism has been received and before the official receipt is issued. However, the depositor is informed that the information is provisional and subject to the outcome of the viability test. Similarly, the PCM will communicate the result of the viability test before the viability statement is issued.

Supply of Information to a Patent Agent. The PCM does not routinely ask the depositor for the name and address of his patent agent. It will send copies of the receipt and viability statement to the patent agent if requested to do so.

(iii) Converting a Previous Deposit

Deposits not made under the Budapest Treaty may be converted into deposits under the Budapest Treaty, regardless of whether or not they were originally deposited for patent purposes. The administrative requirements for conversion are the same as those to be met for an original deposit under the Budapest Treaty.

(iv) Making a New Deposit

When making a new deposit, the depositor is required to complete model form BP/2 and to supply copies of the documents specified in Rule 6.2. The receipt and viability statements for a new deposit are issued on mandatory international forms BP/5 and BP/9 respectively.

2. Furnishing of Samples

(a) Requests for Samples

The PCM advises third parties of the procedure to be followed in order to make a proper request. For requests that require proof of the right to receive samples, PCM will supply the requesting parties with copies of the standard request form BP/12 and/or forms used by individual industrial property offices (where it has been supplied with such forms).

Notwithstanding any entitlement of a third party to receive samples under patent regulations, the PCM will withhold samples of potentially dangerous microorganisms until it has satisfied itself that the requesting party is competent to handle such organisms. When responding to requests from overseas, the PCM assumes that the requesting party has met the import requirements of his own country.

Samples of bacteria furnished by PCM are usually from batches prepared by itself; samples of bacteriophages may be from batches of its own or from material supplied by the depositor.

(b) Notification of the Depositor

Depositors are notified on model form BP/14 when samples of their microorganisms have been furnished to third parties.

(c) Cataloguing of Budapest Treaty Deposits

The PCM does not list Budapest Treaty deposits in his published catalogue.

3. Schedule of Fees

	<u>PLN</u>
(a) Storage	1,200
(b) Issuance of a viability statement	40
(c) Furnishing of a sample	100

4. Guidance for Depositors

At present, the PCM does not produce a standard letter or guidelines for prospective depositors, but offers advice by telephone, fax or e-mail.