

Expedited Examination Programs of IP Offices

Norway

The Norwegian Industrial Property Office (NIPO) offers accelerated proceedings for national applications as from June 2022.¹ Since its introduction, NIPO has experienced a very positive response to the program with increasing requests for such proceedings.

Grounds & Qualification: Any applicant can submit a request for accelerated proceedings. Only applications that do not claim priority (first applications) are eligible for accelerated proceedings at NIPO. There are no restrictions with regard to specific technical fields or circumstances. Applications that contain several independent inventions are not eligible for accelerated processing.

Grounds considered reasonable for granting expedited examination include:

- (i) the applicant is negotiating with an investor who requires a written opinion before providing investment;
- (ii) the applicant is in negotiations concerning a licensing agreement;
- (iii) the applicant's invention is being wrongfully exploited by third parties; and
- (iv) the applicant wishes to file an application internationally and needs several written opinions before the priority year expires.

Conditions & Fees: The request for accelerated processing must be submitted when the patent application is initially filed. A request for accelerated processing addressed to NIPO that arrives after the respective application has been filed will, in principle, not be accepted. If the application does not satisfy the conditions to qualify for accelerated processing, it will be processed according to the standard procedure.

After receiving an initial assessment of the application from NIPO, if the applicant responds in due time, it will be possible to receive two further assessments before the priority deadline expires, i.e., one year from the date of filing. With two assessments from NIPO, the applicant will have a good basis for considering whether they should apply for a patent in other countries.

Patent applicants are not required to pay additional fees when requesting accelerated examination.

Reduced Pendency: In the accelerated proceedings, NIPO will provide a first written opinion within four months from the filing date, while it takes seven months from filing to issue the written opinion in standard proceedings. When an accelerated proceeding is approved, it is possible to grant the patent within one year, provided that the application is not too complicated, the applicant requests early publication and responds to office actions in due time.

¹ See NIPO's website on accelerated processing, available at: <https://www.patentstyret.no/en/services/patents/application-process-for-a-patent/accelerated-processing-of-a-patent-application/>.