

Submission of Information by Third Parties

Moldova

Any third party may, in accordance with Article 89 of Law No.50-XVI/2008 on the Protection of Inventions, file observations with the AGEPI. In any proceedings before the AGEPI, following the publication of the patent application, any third party may, in accordance with the Regulations, present observations concerning the patentability of the invention to which the application relates. The third parties who file observations shall not be parties to the proceedings before the AGEPI. Observation shall be presented in a free form and shall contain:

- a) the identification data of the person filing the observation (the name or name of the enterprise, address, telephone, e-mail address);
- b) the identification data of the representative, if the person who filed the observation has appointed a representative;
- c) indications regarding the patent application in respect of which the observation is made (the application number, the name or the denomination of the applicant for the application and the number of the BOPI in which the particulars were published);
- d) the grounds of the observation;
- e) the documents, evidence and arguments presented in support of the observation (documents with a certain date, made public prior to the filing date or the priority date, as the case may be, also specifying the object to which the observation is made).

The observation and the materials in support thereof shall be filed in duplicate – one for the file and one for the applicant for the application.

AGEPI shall send to the applicant a copy of the prejudicial documents, giving him a period of 3 months from the date of dispatch, if on that date the substantive examination was requested, in order to present its reasoned opinion or description, the figures, the claims amended according to the observation made, without, however, exceeding the limits of the initial disclosure.

The applicant's response may be presented at the same time as the request for substantive examination is filed.

The observations by third parties, the response and any changes made by the applicant will be taken into account in the subsequent examination of the application. If several observations are presented in relation to a patent application, the AGEPI may combine the procedures of examination of the observations filed.