

SUPPLEMENTARY PROTECTION CERTIFICATES AND PATENT TERM EXTENSIONS

Response ID:68; cscu Data

1. Country code page

1. Please enter the two-letter country code corresponding to your Office or Organization.

FR

2. Questions page

2. 1. Does your Office/Organization provide SPCs or PTEs?

Yes

2. If you have answered "NO" to Question 1, will your Office/Organization start providing SPCs or PTEs in the future?

Comments:

3. 3. Please specify for which products an SPC or PTE can be obtained (or are planned to be introduced):

medicinal products

plant protection products

4. 3a. Please describe the requirements for granting SPCs or PTEs.

Examples:

the product has been protected by a patent,

the product has been subject to a regulatory review procedure before its commercial marketing or use,

an SPC or PTE has never been granted on the product.

If available, please provide a link to guidelines on filing applications for SPCs or PTEs.

Le certificat est délivré, si, dans l'État membre où est présentée la demande visée à l'article 7 et à la date de cette demande:

a) le produit est protégé par un brevet de base en vigueur; b) le produit, en tant que médicament, a obtenu une autorisation de mise sur le marché en cours de validité conformément à la directive 2001/83/CE ou à la directive 2001/82/CE suivant les cas; c) le produit n'a pas déjà fait l'objet d'un certificat; d) l'autorisation mentionnée au point b) est la première autorisation de mise sur le marché du produit, en tant que médicament.

5. 4. Please specify the legal basis for granting SPCs or PTEs. For example, relevant provisions of the national law (article or rule number), regional regulation, decrees, ordinances etc.

If legal grounds are different for the objects indicated in Question 3, please list all of them, indicating corresponding products.

règlement (CE) 469/2009, règlement (CE) 1610/96, règlement (CE) 1901/2006

6. 5. Please give the name(s) of the SPCs or PTEs granted by your Office/Organization in both English and the original language.

Example: DE – Supplementary Protection Certificate (in German: "Ergänzendes Schutzzertifikat").

If names are different for the products indicated in Question 3, please list all of the protections, indicating corresponding products.

certificat complémentaire de protection

7. 6. If your Office/Organization assigns (or intends to assign) a specific application and/or grant/registration number to SPCs or PTEs, please give examples and details of:

the numbering system for applications:: 18C1001

Comments: Millésime de l'année de dépôt, suivi de C et du numéro de dépôt précédé de 10 pour un dépôt électronique. Antérieurement à l'obligation de déposer sous forme électronique, le dépôt sous forme papier remplaçait 10 par 00 (ex : 17C0001)

8. 7. Does your Office/Organization or other relevant national authority publish, or intend to publish, one or more of the following events for an SPC or PTE?

| | MEDICINAL PRODUCTS | PLANT PROTECTION PRODUCTS | ALL PRODUCTS SUBJECT TO REGULATORY APPROVAL FOR MARKETING | OTHER |
|--|--------------------|---------------------------|---|-------|
| Request (application) for an SPC or PTE filed | X | X | | |
| SPC or PTE granted | X | X | | |
| SPC or PTE not granted | X | X | | |
| SPC or PTE opposed by third parties | | | | X |
| SPC or PTE came into force | | | | |
| SPC or PTE ceased because of a lapse or expiry | X | X | | |
| Extension of SPC term requested | X | X | | |
| Extension of SPC term granted | X | X | | |
| Extension of SPC term not granted | X | X | | |

Comments:

9. 8a. In what form is the corresponding event published?

as part of an Official Gazette

through public online databases (please indicate the name and the URL of the database): www.inpi.fr

by opening the document for public inspection

by delivering a copy of the publication on request

10. 8b. What are the minimum elements that this publication must contain?

application number

filing date

name and address of the applicant

number of the relevant patent

title of the invention

name of the product

authorization details

date of the SPC or PTE authorization

other elements (please specify):: datr d'expiration, révocation de la prorogation

11. 8c. What is the planned timetable for publishing this information?

aucun délai légal

12. 8d. Please attach an example(s) of published events and/or of corresponding announcements.

Comments: <https://bases-brevets.inpi.fr/fr/document/FR16C0001.html?p=5&s=1545038793916&cHash=f2994d022820e27a351f55b334a09ef7> <https://bases-brevets.inpi.fr/fr/document/FR16C0001/publications.html?p=5&s=1545038793916&cHash=b865e7b3c95ef7ae0b6300103d08e28b> <https://bases-brevets.inpi.fr/fr/document/FR16C0001/publications.html?p=5&s=1545038793916&cHash=b865e7b3c95ef7ae0b6300103d08e28b> <https://bases-brevets.inpi.fr/fr/document/FR15C0097/publications.html?p=5&s=1545038914470&cHash=6f17c973b229aeee6227a3b3acc21902>

13. 9. Does your Office/Organization or other relevant national authority publish (or intend to publish) the announcement of state changes for an SPC or PTE as defined in WIPO Standard ST.27?

| | MEDICINAL PRODUCTS | PLANT PROTECTION PRODUCTS | ALL PRODUCTS SUBJECT TO REGULATORY APPROVAL FOR MARKETING | OTHER |
|-------------------------|--------------------|---------------------------|---|-------|
| Changed to "Active" | | | | |
| Changed to "Not active" | X | X | | |
| Changed to "Terminated" | X | X | | |

14. 10a. In what form is the announcement related to the state change published?

as part of an Official Gazette
through public online databases (please indicate the name and the URL of the database): <https://bases-brevets.inpi.fr>
by opening the document for public inspection
by delivering a copy of the publication on request
other (please specify):: le cas échéant, inscription au registre

15. 10b. What are the minimum elements that this publication must contain?

registration number allotted to the SPC or PTE, which has come into force
name and address of the SPC or PTE holder
number of the relevant patent
title of the invention
name of the product
authorization details
date of SPC or PTE authorization
duration of the SPC or PTE
other elements, e.g. patent classification (please specify):: mention du rejet, notification de l'acceptation de la prorogation ou du rejet de la prorogation

16. 10c. What is the planned timetable for publishing this information?

pas de délai légal

17. 10d. Please attach a specimen(s) of corresponding announcements.

