



PRACTICE NOTICE NO.05: PATENTS STAKEHOLDERS

PRACTICE NOTE: ISSUANCE OF NOTICES OF ACCEPTANCE & OFFICIAL ACTIONS IN RESPECT OF PATENT APPLICATIONS; AND e-FILING OF OUTSTANDING DOCUMENTS ACCOMPANYING PATENT APPLICATIONS

1. This Practice Notice is applicable to issuance of Notices of Acceptance & Official Actions in respect of patent applications; and e-filing of outstanding documents accompanying patent applications (i.e. late lodgement on form P5).
2. Regulation 38 of the Patents Act 57 of 1978 prescribes for the lodgement on form P5 of a document which did not accompany an application in terms of regulation 22(1). The Patents Division of the CIPC ("the Patent Office") will introduce new e-filing functionality on IPonline, to enable applicants to electronically submit outstanding documents accompanying patent applications with effect from **12 December 2022**. The new functionality will allow patent applicants to lodge documents listed in **Annexure A** of this Notice. The new e-filing functionality can be accessed at <http://iponline.cipc.co.za/>.
3. The Patent Office will, from **12 December 2022**, issue Notices of Acceptance and Official Actions in respect of patent applications via the email address functionality. Patent applicants will be able to use the e-mailed link to download Notices of Acceptance and Official Actions.
4. The operational requirements in respect of e-filing of outstanding documents are detailed at:
https://iponline.cipc.co.za/Publications/Notices/Patents_Lodge%20Documents_User%20Guide.pdf.
5. The operational requirements in respect of receiving Notices of Acceptance and Official Actions via email address functionality are detailed at:

The dti Campus (Block F - Entfufukweni), 77 Meintjies Street, Sunnyside, Pretoria | P O Box 429, Pretoria, 0001

Call Centre: 086 100 2472

Website: www.cipc.co.za

https://iponline.cipc.co.za/Publications/Notices/Patents_View%20Download%20via%20email_User%20Guide.pdf.

6. A transition period is provided until end of January 2023 in respect of this e-filing and e-mail address functionality. From **01 February 2023**, the Patent Office will no longer accept nor process late lodgements (P5 forms) which are not submitted via the new e-filing functionality.

7. Furthermore, from **01 February 2023**, the Patent Office will no longer issue hardcopies of Notices of Acceptance or Official Actions in respect of patent applications.



Adv Rory Voller

CIPC Commissioner

9 Dec 2022



Companies and Intellectual
Property Commission
a member of the dtic group

ANNEXURE A

Outstanding documents which may be electronically filed using the new functionality via IPonline (<http://iponline.cipc.co.za/>):

- (a) Declaration and Power of Attorney on Form P3
- (b) Form P8, including abstract and drawing(s)
- (c) A statement in terms of section 30(3A) on Form P 26
- (d) Proof in terms of regulation 33A(2)
- (e) Proof of assignment of invention
- (f) Proof of assignment of priority rights
- (g) Priority document(s)
- (h) Verified translation of priority document(s)
- (i) Specification which complies with regulations 13, 14, 15, 16, 17, 18 or 19
- (j) Translation of specification in terms of section 30(6)(c)
- (k) Translation of the international application in terms of section 43E(1)(b) and regulations 67C, 67D and 67E