

# Terms of Use for Email Submissions

Legally binding submissions can be made to the Swiss Federal Institute of Intellectual Property (IPI) directly by email. However, the email addresses and terms of use provided by the IPI for this purpose must be observed. This document provides you with the most important information and explains the email submission process.

## 1 What are email submissions?

In addition to existing electronic communication channels such as e-trademark, submissions for administrative procedures can also be made by email to specially designated email addresses (see the following complete list of submissions and their corresponding email address according to IP right).

### **Please note:**

To have legal validity, submissions must be sent to the corresponding IP right-specific email address. Email submissions sent to other email addresses at the IPI are not considered as having legal validity and specifically not in observance of the time limit.

In addition, it should be noted that email submissions are only permitted for the submissions defined in this document. For other submissions (e.g. e-trademark), other electronic channels of communication are provided.

Formal correspondence from the IPI is sent by post. You also have the option of requesting electronic delivery for each IP right and procedure. This means that you will receive correspondence from the IPI electronically. You can find further information on the IPI's website under electronic delivery.

Formal correspondence includes all written communication from the IPI regarding a pending administrative procedure, and in particular, all decisions. The normal email channel is available for informal communication, particularly information not related to an administrative procedure.

If there is a problem with documentation submitted electronically, the IPI will contact the sender. In all cases, the IPI reserves the right to request a hard copy of a submission on justified grounds (e.g. if there is any doubt regarding the integrity or authenticity of the submission).

## 2 Which email addresses should be used for email submissions to the IPI?

Only the following email addresses should be used for email submissions to the IPI:

- For submissions relating to patents: [patent.admin@ekommm.ipi.ch](mailto:patent.admin@ekommm.ipi.ch)
- For submissions relating to trade marks: [tm.admin@ekommm.ipi.ch](mailto:tm.admin@ekommm.ipi.ch)

- For submissions relating to designs: [design.admin@ekommm.ipi.ch](mailto:design.admin@ekommm.ipi.ch)
- For submissions relating to PDOs/PGLs: [origin.admin@ekommm.ipi.ch](mailto:origin.admin@ekommm.ipi.ch)
- For submissions relating to copyright: [copyright.admin@ekommm.ipi.ch](mailto:copyright.admin@ekommm.ipi.ch)

Submissions can only be made to one of the above-mentioned IP right-specific email addresses.

Submissions concerning authorisation to debit an IPI customer account should be sent to [finance@ekommm.ipi.ch](mailto:finance@ekommm.ipi.ch).

Please note that the use of several of these email addresses within the same submission email can lead to technical rejections and/or delays in processing.

### 3 For which procedures is email submission permitted?

Below you will find the categories of IP rights for which submissions can be made with legal effect by email using one of the above-mentioned email addresses.

#### **Please note the following points:**

Due to legal regulations for specific submissions, a signed copy of the request and/or copies of additional documents of proof may have to be submitted to the IPI. These submissions are therefore only considered complete when the relevant documents are attached to the email submission.

Examples:

- Requests for the division of a trade mark must be signed and attached to the submission email.
- Requests concerning the transfer of an IP right must have a certificate of transfer attached to the email.
- The withdrawal of a patent application, the surrender of a patent, the partial surrender of a patent, the surrender of a supplementary protection certificate (SPC) and the filing or rectification of the designation of an inventor, as well as the waiver of the right to be mentioned as the inventor still require a signature and can therefore only be submitted by email as a PDF attachment.

An [overview of the various submission channels](#) can be found on the IPI website.

Requests and/or documents of proof, which must be sent by post because two or more hard copies must be submitted, should not be submitted more than once by email.

#### **3.1 Submissions relating to trade marks**

Basic principle: email submissions to the address [tm.admin@ekommm.ipi.ch](mailto:tm.admin@ekommm.ipi.ch) are permitted for all procedures regarding Swiss and international trade marks.

Please note that applications for registration can also be submitted electronically as follows:

- Swiss trade mark registration applications via [www.ipi.ch/e-trademark](http://www.ipi.ch/e-trademark)
- International trade mark registrations via [www.ipi.ch/ironline](http://www.ipi.ch/ironline)

#### **3.2 Submissions relating to patents**

Basic principle: email submissions to the address [patent.admin@ekommm.ipi.ch](mailto:patent.admin@ekommm.ipi.ch) are permitted for patent application and granting procedures as well as for all procedures following the granting of the patent.

Please note that international patent applications can only be submitted electronically to the IPI via the [ePCT portal](#).

European and international patent applications can also be submitted electronically to the relevant office directly:

- European patents applications (EPO): <https://www.epo.org/applying/online-services.html>
- International patent applications (PCT): <http://www.wipo.int/pct/en/filing/filing.htm>

### **3.3 Submissions relating to designs**

Basic principle: email submissions to the address [design.admin@ekommm.ipi.ch](mailto:design.admin@ekommm.ipi.ch) are permitted for application and registration procedures and for all procedures following registration.

### **3.4 Submissions relating to PDOs/PGIs**

Basic principle: email submissions to the address [origin.admin@ekommm.ipi.ch](mailto:origin.admin@ekommm.ipi.ch) are permitted for all procedures for PDOs/PGIs (registration procedure, opposition procedure, modification of the specification).

### **3.5 Submissions relating to copyright**

Basic principle: email submissions to the address [copyright.admin@ekommm.ipi.ch](mailto:copyright.admin@ekommm.ipi.ch) are permitted for all procedures concerning the supervision of the collective rights management organisations.

## **4 How do email submissions to the IPI work?**

The party to the procedure (hereafter ‘the sender’) prepares their submission and sends it by email to the relevant designated email address.

The IPI’s email inbox checks the mail contents for readability and validity (i.e. the correct email address, valid format, valid encryption, no viruses and not spam). With this check, one of the following two results can occur:

1. The email is legible and valid:
  - The date of receipt (time stamp) is in the header of the email
  - The email is forwarded internally and processed
  - Receipt of the email is communicated to the sender via an email containing a digitally signed confirmation in PDF format. The confirmation records the date of receipt by the IPI.
2. The email is not legible or the contents are not valid:
  - The email is deleted
  - The sender is informed that the email has been deleted
  - Exception: if an email is classified as ‘high spam’, the sender is not informed.

## **5 What are the mandatory format requirements?**

### **5.1 Valid file types**

The IPI allows submissions (including attachments) with the following filing types:

- pdf, jpg, bmp, tif, psd, pcd, eps, gif
- txt
- MS Office 2003-compatible formats
- ODF formats (Open Office)

Submission emails with other file types, in particular executable files, will be automatically deleted (see above).

For technical reasons, the IPI cannot accept submissions with the following file types. Submissions with such file types as attachments will also be automatically deleted:

- PDF files with write protection activated or PDF portfolio files
- Archive files (e.g. zip, gzip, bzip, tar)
  - Exception: ZIP files can still be submitted to [design.admin@ekommm.ipi.ch](mailto:design.admin@ekommm.ipi.ch)
- Email files (e.g. xyz.eml) as an attachment
- XML files
  - Exception: XML files can be submitted to [patent.admin@ekommm.ipi.ch](mailto:patent.admin@ekommm.ipi.ch)

## 5.2 Permitted file size

Submission emails must not be larger than 20 MB and must not contain more than 10 files. If the email size or number of attachments are exceeded, the submission email is automatically deleted (see above explanation).

# 6 What must be observed regarding encryption and signatures?

## 6.1 Sending encrypted emails

Encryption is not necessary for sending submissions. If the email is to be encrypted, however, please note the following: in order for the IPI to be able to read an encrypted email submission, the sender must encrypt the email using the IPI's public key before sending it. Further technical information about encrypting with the IPI's public key can be found on the IPI's website page [security certificates](#). All submission emails not encrypted with the IPI's public key are automatically deleted due to illegibility (see above).

### **Please note:**

All email submissions containing only some encrypted attachments (e.g. password-protected PDF files) are also automatically deleted.

## 6.2 Receiving an encrypted confirmation email

In order to receive an encrypted confirmation email to an encrypted email submission, the sender must include a digital signature in the email submission before sending it.

If the digital signature is missing or the email submission is sent unencrypted, an unencrypted confirmation mail will be sent.

## 6.3 Digital signature

The IPI does not require a digital signature on submission emails or individual attachments in order for them to be considered legally valid.

If the sender does digitally sign their email submission, the signature is automatically checked for correctness by the IPI's email inbox. If there is an error, the email submission is deleted. In this instance, the sender is informed of the deletion by email.

Further technical information about digital signatures can be found on the IPI's website page [security certificates](#).

## 7 What applies to the observance of time limits?

The time stamp is used for observing time limits. This means that the time and date the submission enters the IPI's computer system is the relevant time and date. The time stamp is entered into the header of the email submission.

**Please note:**

Only submissions sent to the email address provided for such submissions (see the list above) are considered as observing the time limit.

If you do not receive an email confirming receipt of your submission where time limits are involved, this means that the IPI has not received it within the time limit. In this instance, it is imperative that you resend your submission to the IPI by post.