

# **The Electronic Submission Process by E-mail**

## **Terms of use**

The IPI is expanding its capabilities with regards to electronic communication. Submissions that are legally binding can now also be made directly by e-mail. In order to do this, however, the IPI's specified e-mail addresses and terms of use must be observed. This document gives you the most important information and shows you the electronic submission process by e-mail with the IPI.

## What does the IPI electronic submission process involve?

The Swiss Federal Institute of Intellectual Property (IPI) has expanded its electronic communication capabilities. In addition to the existing electronic communication options such as e-trademark, for example, other administrative submissions (see the following complete list of submissions for each IP right area) can now be undertaken through specific e-mail addresses especially set up for this purpose (see the following complete list of e-mail addresses for each IP right area).

### Please note

Valid submissions can only be carried out using the specifically-identified IP rights e-mail addresses. E-mails to other e-mail addresses at the IPI are, as previously, not considered as valid submissions and therefore as not having met the required time limit.

In addition, it should be noted that the new electronic submission process may only be used for the applications mentioned below. For any submissions not listed, either other electronic communication options are available (e.g. e-trademark).

Formal correspondence from the IPI will continue to be sent via the postal service. Formal correspondence includes all written communication by the IPI regarding a pending administrative procedure, in particular, all instructions and dispositions. Informal communication, in particular information not related to an administrative procedure, can be submitted via normal e-mail as usual.

If there is a problem with an electronically submitted document, the IPI will contact the sender. The IPI reserves every right to request a hard copy of a submission in justifiable situations (i.e. doubt regarding the integrity or authenticity of a submission).

## Which e-mail addresses should be used for the electronic submissions process by e-mail to the IPI?

Only the following e-mail addresses may be used for the electronic submissions process by e-mail to the IPI:

- For submissions relating to patents: → [patent.admin@ekomm.ipi.ch](mailto:patent.admin@ekomm.ipi.ch)
- For submissions relating to trade marks: → [tm.admin@ekomm.ipi.ch](mailto:tm.admin@ekomm.ipi.ch)
- For submissions relating to designs: → [design.admin@ekomm.ipi.ch](mailto:design.admin@ekomm.ipi.ch)
- For submissions relating to PDO-PGI: → [origin.admin@ekomm.ipi.ch](mailto:origin.admin@ekomm.ipi.ch)
- For submissions relating to copyrights: → [copyright.admin@ekomm.ipi.ch](mailto:copyright.admin@ekomm.ipi.ch)

Submissions may only be made by using one of the above designated e-mail addresses at a time. The use of several of these e-mail addresses in the same mail may lead to technical rejections and/or delays in its processing!

## Which procedures allow for submissions via e-mail?

Below you will find the domains for which e-mail submissions can be made legally effective using one of the above-mentioned e-mail addresses.

Please note the following points:

Due to legal stipulations for certain submissions, it is possible that a signed copy of the request and/or copies of additional documents of proof must also be submitted. These submissions are therefore only complete when the relevant documents are attached to the e-mail submission.

Examples:

- Requests for a trade mark division should be signed and attached to the e-mail submission.
- Requests concerning the transfer of an IP right should have a certificate of transfer attached to the e-mail.
- Withdrawing a patent application, waiving claim to a patent or a partial waiver, waiver to an SPC and submitting amendments to the inventor and waiving the declaration of the inventor still require a signature and therefore must be submitted as a PDF attachment via e-mail.

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

Requests and/or documents of proof sent by post because two or more copies must be submitted should not be sent via multiple e-mails.

### ***For trade marks***

Basic principle:

E-mail submissions to [tm.admin@ekommm.ipi.ch](mailto:tm.admin@ekommm.ipi.ch) are permitted for all procedures regarding Swiss and international trade marks.

Please note:

Applications for registration may also be electronically submitted as follows:

- For Swiss trade mark registration applications:  
<https://e-trademark.ige.ch>
- For international trade mark registrations:  
<https://www.ige.ch/en/trademarks/protection-abroad/electronic-deposit.html>

### ***For patents***

Basic principle:

E-mail 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:

International patent applications can only be submitted electronically to the IPI via the ePCT portal:

- <https://pct.wipo.int/>

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

- <http://www.epoline.org/portal/public> (EP)
- <http://www.wipo.int/pct/en/filing/filing.htm> (PCT)

### ***For designs***

Basic principle:

E-mail submissions to the address [design.admin@ekomm.ipi.ch](mailto:design.admin@ekomm.ipi.ch) are permitted for design application and granting procedures as well as for all procedures following registration.

### ***For PDO-PGI***

E-mail submissions to [origin.admin@ekomm.ipi.ch](mailto:origin.admin@ekomm.ipi.ch) are permitted for all procedures regarding PDO-PGI procedures.

### ***For copyrights***

Basic principle:

E-mail submissions to [copyrights.admin@ekomm.ipi.ch](mailto:copyrights.admin@ekomm.ipi.ch) are permitted for all procedures regarding the supervision of the of the collective rights management organisations.

## **How does the electronic submission process with the IPI work?**

The party legitimately entitled to a procedure (hereafter 'Sender') prepares the submission and sends it by e-mail to one of the designated e-mail addresses.

The IPI mail receiver checks the mail contents for readability and validity (i.e. correct e-mail address, valid format, valid encryption, no viruses and no spam). The check can result in one of three results:

1. The e-mail is readable and valid:
  - the date of receipt (time stamp) is entered into the header of the e-mail;
  - the e-mail is internally forwarded and further processed;
  - receipt of the e-mail is communicated to the sender via an e-mail containing a digitally signed confirmation (PDF). The confirmation contains the official IPI date of receipt.
2. The e-mail is readable but is labelled \*SPAM\* by the mail receiver:
  - the e-mail is marked SPAM and the sender is informed by e-mail;
  - the sender has 10 days in which to release the SPAM designated e-mail; a link to the required website is in the information e-mail;
  - the released e-mails are marked with the date of receipt (time stamp), internally forwarded and further processed;
  - receipt of the e-mail is communicated to the sender via an e-mail containing a digitally signed confirmation (PDF). The confirmation contains the official IPI date of receipt.

Note:

Every sender address of an e-mail which has been released is automatically entered into the IPI "white list". Any e-mail submission sent from an e-mail address on the "white list" has the SPAM heading automatically removed.

It is also possible to have oneself whitelisted as a sender. Further information can be found at: <http://ekomm.ipi.ch/content/en/faq.html>

3. The e-mail is not readable or the contents are not valid:
  - the e-mail is deleted;

- the sender is informed of the delete;
- exception - if an e-mail is recognised as "HIGH SPAM", the sender is not informed.

## **What requirements concerning format must be observed?**

### ***Valid file types***

The IPI allows the following types of data (including attachments):

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

E-mail submissions with other types of files, particularly executable files, will be automatically deleted (see above explanation).

### ***Allowable file size***

Submissions may not be larger than 10 MB and may not contain more than 10 attachments. If e-mail size or the number of attachments is exceeded, the e-mail submission is automatically deleted (see above explanation).

## **What should be observed regarding encryption and signatures?**

### ***Sending encrypted e-mails***

Encryption is not necessary for sending submissions. Should the e-mail be encrypted, however, please be aware of the following:

In order for the IPI to be able to read an encrypted submission e-mail, the sender must encrypt the e-mail using the IPI public key before sending it.

Further technical information about encrypting with the IPI public key can be found at the following website: <http://eKomm.ipi.ch/content/en/certificates.html>

All submission e-mails not encrypted with the IPI public key are automatically deleted because of unreadability (see above explanation).

Please note!

All submission e-mails with only some encrypted attachments (e.g. password protected archive data) are also automatically deleted.

### ***Receiving encrypted confirmation mail***

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

If the digital signature is missing or the submission e-mail is submitted unencrypted, an unencrypted confirmation mail will always be sent.

### ***Digital signature***

The IPI does not require digital signatures on submission e-mails or individual attachments in order for them to be valid.

However, if the sender does digitally sign the submission e-mail, the signature is automatically checked for correctness by the mail receiver and the submission e-mail deleted if wrong. In this case, the sender is informed of the deletion by e-mail in this case.

Further technical information about digital signatures can be found at the following website:  
<http://ekommm.ipi.ch/content/en/certificates.html>

### **What applies in the case of meeting time limits?**

The time stamp is the cut-off. This means that the moment of entering the IPI's IT system is the relevant point in time. The time stamp is entered into the header of the e-mail.

Please note:

- Only those submissions sent to the actual e-mail address set up for such submissions (see above listing of such) can be regarded as meeting the time limits.
- For submissions with time limits, no confirmation receipt means that the IPI has NOT received the submission! If this happens, immediately resend your submission to the IPI via the postal service or fax!