New coronavirus – information for applicants, customers and visitors

Status per 24.3.2020

The IPI has taken the necessary measures to keep its operations running during the current extraordinary situation and to ensure that procedures are unaffected. The IPI remains closed to visitors until further notice.

On this page, we will keep you informed about all sections affected by the extraordinary situation. We are monitoring the developments very closely and we will adapt the measures at any time if necessary.

We are happy to provide further information. As many of our employees are currently working from home, we would appreciate it if you would contact us by email at info@ipi.ch. You can of course still contact us by telephone at +41 31 377 77 77 (Mon. – Fri., 8am to 12pm and 1pm to 5pm).

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IP rights procedures

We will support applicants and rights holders where possible if they are threatened with procedural disadvantages due to the new coronavirus.

Regarding requests for an extension of a time limit, we will exercise our discretionary powers within the framework of national and international law. For all procedures, we will now grant an extension of two months for the first and second extension of the time limit. If important reasons are presented, we will grant a third
extension of an **appropriate duration**, without the agreement of any opposing party.

These regulations also apply to the extension of time limits in opposition and cancellation procedures on the grounds of non-use of trade marks. Deadlines for payment not prescribed by law will only be extended for important reasons.

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**What to do if you have missed a time limit**

If you have **not observed a time limit**, you have the following options:

**Request for further processing (trade mark, patent and design procedures):**
The request must be filed within two months of receiving notification of the expiry of the time limit, and at the latest within six months of the expiry of the time limit. In addition, you must carry out the omitted action and pay the necessary fees.

You can find the detailed requirements in the relevant provisions:

- **Trade marks:** Art. 41 TmPA and Art. 17a TmPO (in German, French and Italian)
- **Patents:** Art. 46a PatA and Art. 14 PatO (in German, French and Italian)
- **Designs:** Art. 31 DesA

**Request for reinstatement (only in trade mark and design procedures):**
The request must be filed within 30 days of the removal of the cause of non-compliance with the time limit. You must state the reasons why you were prevented from acting within the time limit through no fault on your part. In addition, you must carry out the omitted act.

The detailed requirements are set out in Art. 24 APA.

**Request for re-establishment of rights (only in patent procedures):**
The request must be filed within two months of the removal of the cause of non-compliance with the time limit, at the latest within one year of the expiry of the unobserved time limit. You must provide prima facie evidence that you have been prevented, through no fault on your part, from observing the time limit. In
addition, you must carry out the omitted act.

The detailed requirements are set out in Art. 47 PatA and Art. 15 PatO (in German, French and Italian).

You can find more information in our fact sheet on extending time limits and further processing.

Suspension of time limits for procedures before the IPI

Please note that the majority of time limits for procedures before the IPI will be suspended from 21 March until 19 April 2020.

Detailed information on the suspension of time limits

The suspension for time limits is based on the Federal Council decision of 20 March 2020 to extend legal holidays in civil and administrative proceedings.

What does this mean specifically?

* Time limits set by the IPI with a specific end date between 21 March and 19 April 2020 will now expire on 20 April 2020.
* Time limits for the payment of renewal fees and annual fees with a specific end date between 21 March and 19 April 2020 will also now expire on 20 April 2020.
* Statutory time limits or those set by the IPI that are stipulated in days are suspended until 19 April 2020 and will run again starting 20 April 2020. This also concerns time limits for appeals.

The following time limits are not affected by the suspension:

* Time limits determined by months or years (e.g. priority periods, the time limit for filing an opposition or for the payment of the opposition fee) are not affected by the suspension.
* Time limits with a specific end date after 19 April 2020.
The suspension has no influence on the period of validity of IP rights. IP rights that expire between 21 March and 19 April 2020 will therefore not be extended as a result of the suspension.

Training and courses

Until further notice, no courses will take place at the IPI. We will provide information on courses scheduled for later dates as soon as possible.

Assisted patent searches and assisted patent landscape analyses

Until further notice, no assisted patent searches and assisted patent landscape analyses will be carried out at the IPI. However, you are still welcome to send an request. If necessary, and if you can meet the technical requirements, we can carry out an assisted search with you via an online meeting solution.