

Sections 31 and 32 of the German Patent Act in effect before November 1, 1998

31 Patent Act

(1) The Patent Office grants to any one, upon request, an inspection of the documents as well as the models and samples belonging to the documents when and insofar as a justifiable interest can be shown to be credible. However, the inspection of the roll and the patent documents including the records of limitation procedures (§ 64) is available to every one; the same holds for inspection of the records of separated parts of a patent (§ 60).

(2) Any one can inspect the records of patent applications if

1. the applicant has given the Patent Office its consent to the inspection of documents and has designated the inventor, or
2. eighteen months have passed since the filing date or, insofar as an earlier date is claimed as authoritative for the application, since that date, and a notice has been published according to § 32 paragraph 5.

(3) Insofar as the inspection of the records is available to any one, the inspection of the models and samples belonging to the records is also available to any one.

(4) The designation of the inventor (§ 37 para. 1), if the inventor designated by the applicant so requests, can only be inspected in accordance with paragraph 1 clause 1; § 63 para. 1 clause 4 and 5 shall apply accordingly.

§ 32 Patent Act

(1) The Patent Office publishes

1. the applications laid open,
2. the patent booklets, and
3. the patent journal.

(2) The application laid open contains the documents of the application available to inspection by any one according to § 31 para. 2 (§ 35 para. 1 No. 2 to 4) in the originally submitted form or the form approved by the Patent Office for publication. The application laid open should also include the abstract (§ 36) if filed in timely manner. The application laid open is not published if the patent booklet has already been published.

(3) The patent booklet contains the patent claims, the specification and the drawings on the basis of which the patent has been granted. Furthermore, the patent booklet should indicate the publications

which the Patent Office has considered in judging the patent worthiness of the claimed invention (§ 43 para. 1). If the abstract (§ 36) has not yet been published, it should be included in the patent booklet.

(4) The application laid open or the patent booklet is also published under the conditions of § 31 para. 2 when the application is being withdrawn or rejected or when it counts as being withdrawn or the patent has expired, as long as the technical preparations for the publication were completed.

(5) The patent journal contains regularly appearing summaries of the entries in the register insofar as they pertain not only to the regular expiration of the patents, and notices as to the possibility of inspecting the records of patent applications, and notices of the possibility of inspection of the records of separated parts of a patent (§ 60).

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2. eighteen months have passed since the filing date (§ 35, para. 2) or, insofar as an earlier date is claimed as authoritative for the application, since that date, and a notice has been published according to § 32 paragraph 5.

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PARK
IP TRANSLATIONS

Certification

Park IP Translations

TRANSLATOR'S DECLARATION:

August 2, 2013

I, Ronald Radzai, hereby declare:

That I possess advanced knowledge of the German and English languages. The attached German into English translation has been translated by me and to the best of my knowledge and belief, it is a true and accurate translation of:

- Sections 31 and 32 of the German Patent Act in effect before November 1, 1998
- Sections 31 and 32 of the German Patent Act in effect after November 1, 1998

Ronald Radzai (AH)

Ronald Radzai

Park Case # 41840

