

Law on Patent Office of the Republic of Poland

of May 31, 1962, as amended on March 17, 1993

(Dziennik Ustaw 1993, No 26 item 118)

1.—

(1). Patent Office of the Republic of Poland shall be a central government agency in matters of industrial property.

(2). Patent Office shall be submitted to the President of Council of Ministers.

2.—

(1). Patent Office of the Republic of Poland, hereinafter referred to as the “Office”, shall act in matters of industrial property as specified in this Law, in other regulations and in international agreements to which the Republic of Poland is party.

(2). The powers of the Office shall include in particular:

- i) receiving and examination of applications relating to subjects of industrial property, such as inventions, utility models, ornamental designs, trade marks, filed in order to obtain protection,
- ii) deciding in matters concerning granting of the exclusive rights to domestic and foreign entities to exploit the subjects of the industrial property within the territory of the Republic of Poland,
- iii) keeping of registers of granted rights as public registers, subject to restrictions in their accessibility as specified in special regulations,
- iv) issuing the official gazette under the title “Wiadomosci Urzedu Patentowego”, containing official notices concerning the rights in matters of industrial property within the territory of the Republic of Poland,
- v) settlement of disputes in matters of industrial property as specified in special regulations,
- vi) participation in the works of international bodies by virtue of membership of the Republic of Poland to the Paris Convention for the protection of industrial property and to other international agreements on industrial property protection,
- vii) keeping of the central collection of Polish and foreign patent specifications.

(3). When exercising its authority the Office shall act in agreement and cooperation with the relevant central government agencies, in particular in matters relating to international cooperation and elaboration of drafts of legal regulations concerning industrial property.

3.—

(1). The Office shall be headed by the President of the Office.

(2). The President of the Office shall be appointed and recalled by the President of Council of Ministers.

(3). Deputies of the President of the Office shall be appointed and recalled by the President of Council of Ministers at the request of the President of the Office.

4.—

(1). Civil officers employed in the Office and authorized in writing by the President of the Office shall decide in matters concerning the exclusive rights referred to in section 2(2)(ii).

(2). When taking decisions, the civil officers referred to in section (1), shall only be liable to the provisions of law and general instructions and guidelines of the President of the Office.



(3). When preparing documents in individual cases relating to industrial property, the Office shall use a round seal with the image of an eagle in a crown bearing in the rim the following inscription: “Urzed Patentowy Rzeczypospolitej Polskiej” (Patent Office of the Republic of Poland).

5.–

The Council of Ministers shall, by way of regulation, determine powers of the Office, its scope of activity and cooperation with central government agencies as well as cooperation between the Office and social organizations as well as trade unions in matters covered by the powers of the Office.

6. (deleted).–

7.–

The provisions of the Ordinance of March 22, 1928 on protection of inventions, designs and trade marks (Journal of Law No 39, item 384 with the later amendments) concerning:

- i) powers and organisation of the Patent Office,
- ii) procedure before the Patent Office in matters of trade marks, shall be repealed.

8.–

This Law shall come into force on October 1, 1962.