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EPO Extends Most Deadlines in Response to COVID-19 Pandemic

March 20, 2020

The European Patent Office (EPO) has announced that it will be extending *some* deadlines to 17 April 2020, and that this date may be further extended. The extension will apply to periods expiring on or after 15 March 2020. The extension would apply to some deadlines for both European applications and to international applications (i.e. applications under the Patent Cooperation Treaty) that are the subject of proceedings before the EPO.

It is very important to note that *not all deadlines* will be extended according to the above remedy. The rules that determine whether the extension applies are, unfortunately, complex and so we would not advise relying on this remedy *unless necessary*. The spirit of this law is to assist applicants where the disruption might prevent a deadline from being met, and so we would encourage that responses are filed in the normal time period if possible.

In particular, this extension will *not* apply to deadlines for filing divisional applications.

If a party has missed a time limit due to problems caused by COVID-19, legal remedies may be available in addition to those discussed above. Hence, if a deadline before 15 March 2020 has been missed, it may still be possible to respond and advice should be sought from a European patent attorney.

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