

99046008000000

# Apply for legal aid (property rights) at the Bundesgerichtshof (Federal Court of Justice)

Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/6001085-99046008000000/L100009>

| Modul                     | Sachverhalt                                                                               |
|---------------------------|-------------------------------------------------------------------------------------------|
| Leistungsschlüssel        | 99046008000000                                                                            |
| Leistungsbezeichnung I    | Apply for legal aid (property rights) at the Bundesgerichtshof (Federal Court of Justice) |
| Leistungsbezeichnung II   | Apply for legal aid (property rights) at the Bundesgerichtshof (Federal Court of Justice) |
| Typisierung               | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug                                    |
| Quellredaktion            | Sachsen                                                                                   |
| Freigabestatus Katalog    | unbestimmter Freigabestatus                                                               |
| Freigabestatus Bibliothek | unbestimmter Freigabestatus                                                               |
| Begriffe im Kontext       |                                                                                           |
| Leistungstyp              |                                                                                           |
| Leistungsgruppierung      |                                                                                           |
| Verrichtungskennung       |                                                                                           |

| Modul                         | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SDG-Informationsbereich       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Lagen Portalverbund           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Einheitlicher Ansprechpartner |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Fachlich freigegeben am       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Fachlich freigegeben durch    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Handlungsgrundlage            | • §§ 130 bis 138 Patentgesetz (PatG)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Teaser                        | <p>Fees are incurred for proceedings in connection with property rights and their maintenance (e.g. for patent examination proceedings, opposition proceedings or renewal fees). Additional costs may be incurred if you seek advice or representation from a patent attorney. Not everyone has sufficient means to cover these costs themselves. To ensure that economically disadvantaged persons also have the opportunity to have their inventions protected, it is possible to apply for legal aid.</p>                                                                                                                                                                                                                                                                                                                                                                             |
| Volltext                      | <p>Legal aid before the German Patent Office pursuant to sections 130 et seq. Patentgesetz (PatG)</p> <p>Fees are incurred for proceedings in connection with property rights and their maintenance (e.g. for patent examination proceedings, opposition proceedings or renewal fees). Additional costs may be incurred if you seek advice or representation from a patent attorney. Not everyone has sufficient means to cover these costs themselves. To ensure that economically disadvantaged persons also have the opportunity to have their inventions protected, it is possible to apply for legal aid.</p> <p>It can be granted to the applicant of an IP right, but also to third parties (for example, someone who wishes to file an opposition against the grant of a patent).</p> <p>The amount of legal aid (VKH) depends on your personal and financial circumstances.</p> |

## Modul

## Sachverhalt

Please note:

- In addition to legal aid, there is also the possibility of deferment or remission in the case of renewal fees for patents.
- No legal aid is granted for proceedings under the Markengesetz

### Erforderliche Unterlagen

Proof of personal and financial circumstances (e.g. proof of income)

### Voraussetzungen

You can receive legal aid if you

- are unable to pay the costs of ongoing proceedings yourself due to your personal and financial circumstances or
- can only pay them in part or in instalments. You must provide appropriate proof of this.
- In addition, the project you are seeking must have a reasonable prospect of success.

As a third party, you must prove that you have an interest worthy of protection.

### Kosten

none

### Verfahrensablauf

- You submit the application for legal aid informally in writing to the Bundesgerichtshof (Federal Court of Justice).
- The application must state the proceedings for which you require assistance.

Please note! You must apply for legal aid separately for each stage of the proceedings (e.g. patent application, patent examination proceedings)!

- Submit the application and the required documents to the above-mentioned departments.
- The department responsible will check whether you are entitled to legal aid on the basis of your personal and financial circumstances.
- If you are granted legal aid, the costs of the proceedings and legal assistance will be covered in full or in part by the state.

| Modul                        | Sachverhalt                                                                                                                                                                                                                                                           |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bearbeitungsdauer            |                                                                                                                                                                                                                                                                       |
| Frist                        | You should submit your application for legal aid before the payment deadline for the fee in question expires - the deadline will then be suspended. This means that you do not have to pay anything until a decision has been made on your application for legal aid. |
| weiterführende Informationen |                                                                                                                                                                                                                                                                       |
| Hinweise                     |                                                                                                                                                                                                                                                                       |
| Rechtsbehelf                 |                                                                                                                                                                                                                                                                       |
| Kurztext                     |                                                                                                                                                                                                                                                                       |
| Ansprechpunkt                |                                                                                                                                                                                                                                                                       |
| Zuständige Stelle            |                                                                                                                                                                                                                                                                       |
| Formulare                    |                                                                                                                                                                                                                                                                       |
| Ursprungsportal              |                                                                                                                                                                                                                                                                       |