

99082005007000, 99082005007000

Patent Attorney Admission

Heruntergeladen am 04.07.2025

<https://fimportal.de/xzufi-services/9335011/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99082005007000, 99082005007000
Leistungsbezeichnung I	Patent Attorney Admission
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Rechtspflege (082)
Verrichtungskennung	Zulassung (007)
SDG-Informationsbereich	
Lagen Portalverbund	Anerkennung ausländischer Berufsqualifikationen (1040400), Prüfung und Nachweise für Sachkunde und Sicherheit (2120300), Befähigungs- und Sachkundenachweise (2010200)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	13.09.2018
Fachlich freigegeben durch	Lower Saxony Ministry of Justice
Handlungsgrundlage	http://www.gesetze-im-internet.de/patanwo/BJNR005570966.html#BJNR005570966BJNG000100311 http://www.gesetze-im-internet.de/patanwo/__5.html http://www.gesetze-im-internet.de/patanwo/__6.html http://www.gesetze-im-internet.de/patanwo/__7.html http://www.gesetze-im-internet.de/patanwo/BJNR005570966.html#BJNR005570966BJNG000502140 https://www.gesetze-im-internet.de/eupag http://www.gesetze-im-internet.de/patanwo/BJNR005570966.html#BJNR005570966BJNG000100311 http://www.gesetze-im-internet.de/patanwo/__5.html http://www.gesetze-im-internet.de/patanwo/__6.html http://www.gesetze-im-internet.de/patanwo/__7.html http://www.gesetze-im-internet.de/patanwo/BJNR005570966.html#BJNR005570966BJNG000502140 https://www.gesetze-im-internet.de/eupag
Teaser	
Volltext	<p>Patent attorneys may perform the following tasks:</p> <ul style="list-style-type: none"> • Advice on inventions, trademarks, design, know-how, plant variety protection and the like • Registration of all industrial property rights • Prosecution of infringements of property rights (insofar as representation by lawyers is not required) • Representation before the German Patent and Trademark Office, the Federal Patent Court, the Federal Plant Variety Office and other international industrial property authorities • Representation before the Bundesgerichtshof (Federal Court of Justice) in nullity proceedings <p>Patent attorneys may only act if they have been admitted to the patent attorneyship by the competent authority. Authorisation must be applied for.</p> <p>http://www.patentanwalt.de/downloads/pa/PAK_BB_1.pdf</p>

Modul

Sachverhalt

http://www.patentanwalt.de/downloads/pa/PAK_BB_1.pdf

Erforderliche Unterlagen

- Copy of the patent assessornurkunde,
 - copies of academic degrees and titles or publicly certified copies if academic degrees and titles are not included in the patent assessor certificate,
 - if applicable, proof of six months of activity with a freelance patent attorney in accordance with § 5 paragraph 2 of the Patentanwaltsordnung (PAO),
 - if applicable, employment contract and declaration of release by the employer, if there is a permanent employment relationship with a company,
 - Proof of professional liability insurance or a provisional confirmation of cover, in each case in the original (minimum sum insured 250,000.00 euros for each insured event)
- http://www.gesetze-im-internet.de/patanwo/_5.html
http://www.gesetze-im-internet.de/patanwo/_5.html

Voraussetzungen

Only those who

- obtains the qualification for the profession of patent attorney or
- has passed the qualifying examination for admission to the patent attorney profession as a citizen of an EU or EEA member state.

The qualification for the profession of patent attorney is acquired if the following points apply:

- Acquisition of technical competence, i.e. the applicant has: successfully completed a scientific or technical university degree and has been engaged in a practical technical activity for at least one year or can demonstrate that the required practical technical experience has been acquired by other means. A university degree in natural sciences or technology completed abroad also qualifies for the qualification if it is recognised in Germany or equivalent to studies in Germany.
- Passing the examination of the required legal knowledge
- Training with a patent attorney or a patent assessor. If the training was carried out by a patent attorney or a

Modul

Sachverhalt

patent assessor in a company, the applicant must have worked for a patent attorney in a law firm for at least half a year.

- Supplementing the training with a degree in general law at a German university

Admission to the Patent Attorney's Office is refused in the following cases:

- Forfeiture of a fundamental right following the decision of the Federal Constitutional Court
- criminal conviction and therefore no possession of the ability to hold public office
- Exclusion from the patent attorney or from the legal profession by a final judgment not more than eight years ago
- final decision in proceedings concerning the judge's charge for dismissal or in disciplinary proceedings for removal from the service of justice or from the service as a member of the Patent Office
- guilty conduct that makes the applicant appear unworthy of the profession of patent attorney
- Fighting the free democratic basic order in a punishable manner
- not only temporary health reasons leading to the inability to practise as a patent attorney
- Carrying out an activity which is incompatible with the profession of patent attorney and which may jeopardise confidence in independence
- Deterioration of assets. For example, insolvency proceedings must not have been opened against the applicant.
- the applicant is a judge, civil servant, professional soldier or temporary soldier, unless he or she is a volunteer or the rights and obligations are suspended.

Kosten

Fees are charged in accordance with the fee statutes of the competent authority.

Verfahrensablauf

The competent body shall verify that all the conditions for approval are fulfilled.

If the result of the examination is positive, the applicant will receive an invitation to the swearing-in. The swearing-in ceremony takes place at the office of

Modul	Sachverhalt
	<p>the competent authority in Munich. After the swearing-in, a certificate of admission will be issued. Only from this point in time may the professional title "Patent Attorney" or "Patent Attorney" be used.</p> <p>Upon admission, the applicant becomes a member of the Chamber of Patent Attorneys and is entered in the electronic register of patent attorneys after being sworn in.</p>
Bearbeitungsdauer	3 Monat(e) Section 30 (2) of the German Patent Attorney Act (PAO)
Frist	The admission procedure is usually completed within two months of application.
weiterführende Informationen	
Hinweise	Helpful links: http://www.dpma.de/amt/aufgaben/patentanwaltsausbildung/pruefung/index.html http://www.dpma.de/amt/aufgaben/patentanwaltsausbildung/wegueberdieausbildung/technisches/naturwissenschaftlstudium/index.html http://www.patentanwalt.de/downloads/pa/Zulassung_PA_2.pdf http://www.dpma.de/amt/aufgaben/patentanwaltsausbildung/pruefung/index.html http://www.dpma.de/amt/aufgaben/patentanwaltsausbildung/wegueberdieausbildung/technisches/naturwissenschaftlstudium/index.html http://www.patentanwalt.de/downloads/pa/Zulassung_PA_2.pdf
Rechtsbehelf	
Kurztext	Patent attorneys may only act if they have been admitted to practice as patent attorneys. Authorisation must be applied for.
Ansprechpunkt	<p>The competent authority lies with the Chamber of Patent Attorneys.</p> <p>This procedure can also be carried out through a "Point of Single Contact". The "Point of Single Contact"</p>

Modul	Sachverhalt
	<p>is a special service offered by municipalities and the state for service providers.</p> <p>https://service.niedersachsen.de/dlp/ea</p> <p>https://service.niedersachsen.de/dlp/ea</p>
Zuständige Stelle	
Formulare	
Ursprungsportal	<p>Patentanwältin/Patentanwalt Zulassung, Patent Attorney Admission</p>