What is a notice of formal deficiencies?

The application does not meet the formal requirements
A notice regarding formal deficiencies means that you must rectify certain defects that the Swedish Patent and Registration Office (PRV) noted during the formalities examination of your application.

Certain significant deficiencies must be rectified within the time limit specified in the notice, or the application cannot undergo a substantive examination. Examples of such deficiencies are that the filing fee has not been paid or that the application form lacks your signature. If you only partially rectify these deficiencies, your application runs the risk of being rejected unless we find reason to issue a second notice.

Under the heading ”Information on other deficiencies” in the notice, we draw your attention to deficiencies that you may rectify later. If you choose not to rectify these deficiencies before the substantive examination of the application, you will be asked to do so in a later notice from PRV.

What happens if I fail to reply?
If you do not reply to the notice within the set time limit, your application will be dismissed. A dismissed application can be reinstated, provided that you pay an extra fee within four months from the time limit specified in the notice.

What happens if I do reply?
When PRV receives your reply to the notice, we check that the necessary formal requirements are now fulfilled. If so, the application will be examined with regards to its novelty and patentability, and you will receive the next communication from PRV approximately six months from the filing date of the application.

Further information
If you need more information, please visit our website www.prv.se, where you can read more regarding the patent process from filing of an application until grant of a patent, or use our e-services, download information material and search our registers and databases. You are always welcome to contact our Customer Support team by telephone +46 (0)8 782 2800 or e-mail kundsupport@prv.se.