German Utility Model (Gebrauchsmuster) Online Manual

May 2025

(law firms)



GLOBAL IP & CONSULTING FZ LLE

German Utility Model Manual

German Utility Models (Gebrauchsmuster) are easily filed online through the GlobalIPCo.com online filing system.

Rights

A German Utility Model provides the same rights as a German patent for 10 years from the date of filing.

PCT path or direct filing with priority claim

There are two paths for obtaining a German Utility Model:

A) National Phase of a PCT patent application:

A German Utility Model can be filed by entering the national phase of a PCT patent application within 31 months from the earliest priority date (or the PCT filing date, if no priority is claimed).

A German translation of the PCT patent specification and a German translation of any amendments under Art. 19 PCT or Art. 34 PCT is needed for filing the German Utility Model application. It is not possible to file the German translation after the 31 months time limit.

If the German Utility Model is filed before the PCT patent is published by WIPO, Forms PCT/RO/101 and PCT/RO/105 must be submitted on filing.

B) Convention Utility Model with priority claim:
Instead of taking the PCT route, a German Utility Model can also be filed directly, and may optionally claim priority from one ore more patent applications or utility models filed during the previous 12 months. No extension of the 12 month period is permitted.

The German Utility Model specification (description, claims, figures) must be filed in German language together with a pdf copy of each priority application. All documents must be submitted together when filing the application.

Summary: From filing to grant

During the filing process, the GlobalIPCo system prompts you for information and documents required.

German Utility Models processed by the GlobalIPCo system are filed by Prisma IP, a German patent law firm. All instructions for filing are reviewed by a German patent attorney prior to filing.

The system will email you a filing receipt on the same day the German Utility Model is filed. If the German Utility Model is the national phase of a PCT patent application, a separate notification with the German application number follows after 3-4 business days. If the German Utility Model is not the national phase of a PCT patent application, the German application number is directly assigned on the day of filing and emailed to you.

The German Patent and Trademark Office conducts only formal examination of German Utility Models, and the Utility Model is immediately granted after successful formal examination. German Utility Models are not subject to substantive examination.

The registration certificate (paper version) is usually issued 2-3 months after filing. A scan of the certificate is emailed to you. You may order postage of the original paper certificate.

The publication of the Utility Model takes place 6-8 weeks after registration, concluding the grant procedure.

To maintain the Utility Model, renewal fees are payable (discussed below).

Novelty and inventive step

A German Utility Model is not subject to substantive examination regarding novelty and inventiveness. After mere formal examination, the German Utility Model is granted (registered), usually 2-3 months after filing and sometimes even within a few weeks. To be enforceable, the German Utility Model must nevertheless be novel and inventive over the prior art. Prior art includes:

- prior written disclosure anywhere in the world; and
- prior use within Germany.

Prior use of the invention outside Germany is not detrimental to novelty and inventive step. Furthermore, any disclosure or use by the applicant within 6 months before the time rank (i.e., filing date or priority date) of the German Utility Model does not form part of the prior art.

Priority

A German Utility Model may claim priority from one or more patent applications or utility models filed during the previous 12 months. No extension is permitted.

Required documents:

- Where the German Utility Model is a PCT national phase application, no priority documents are required, provided that the priority documents were provided to WIPO.
- Where the German Utility Model is a convention application, a copy of the priority document (in pdf format) is required. Either the "as filed" application (preferably, with the filing receipt as page 1) or a certified copy of the priority document should be uploaded. The German Patent and Trademark Office does not accept published copies of the priority document.

For the validity of the priority claims, the content of the convention German Utility Model specification does not need to be strictly identical to the priority document. If content is added, the principle of partial priority applies: The priority claim is valid for the content of the German Utility Model that is also disclosed in the priority application, whereas added content not supported by the priority application does not enjoy the priority date but has the time rank of the filing date of the German Utility Model.

Preparing application documents

General Requirements:

- Description, claims and figures must be in German language.
- Margins: upper 2.5cm, left 2.5cm, right 1.5cm, bottom 1cm.
- Do not use line numbers.
- Do not use paragraph numbers in the description.
- Use only SI units.
- Do not refer to brand names / trademarks.
- Use typed text only (no handwritten text).

Drawings:

- Black & white or grayscale, no colour.
- Use reference numbers (referred to in description and claims).
- Drawing numbers and reference numbers must be at least 0.32cm high, i.e., at least as high as the text of the description and claims.
- No handwritten text.
- No text apart from figure and reference numbers.

Claims:

Allowed:

- multi-dependent claims;
- multiple independent claims (albeit that unity of invention is required); and
- reference numbers in claims.

The requirement of unity of invention is not very strict, compared with unity of invention requirements in other countries.

Method claims and plant / animal variety claims are not allowed. If the German Utility Model is the national phase of a PCT patent application that includes such claims, you need to file amended claims in which the method claims or plant / animal variety claims are deleted.

There is no limit on the number of claims. Costs are fixed, irrespective of the number of claims.

Amended application documents

Where the Convention Utility Model is amended relative to the priority application:

You may need to amend the German Utility Model specification relative to a priority application, in particular to delete method claims. To do so, simply upload the German version (description, claims, figures) in <u>clean</u> form as the application text. It is not necessary to submit a tracked version showing amended pages (showing changes made) .

Amendment upon national phase entry of PCT patent application:

National phase German Utility Models may without additional cost be amended on filing, e.g. to remove method claims, to correct errors in the description and/or to delete figures. To do so, simply upload clean sheets of the amended documents. Do not upload a tracked versions of the amended claims (showing changes made).

If a claim is deleted, all subsequent claims must be renumbered. For example, if original claim 5 is deleted, original claim 6 must be renumbered to 5. The references to antecedent claims must also be adjusted accordingly.

New claims may be added, if they are supported by the original PCT description/claims (i.e. subject to fair basis).

It is not allowed to add new matter that was not disclosed in the original PCT patent application. For example, it is not allowed to add new figures. However, you can correct a figure, e.g., to correct reference numbers.

In addition to the amended German document in clean form, you need to upload a German translation of the original (unamended) PCT patent specification.

Change of Applicants

You can easily change the applicant(s) for the German Utility Model from the applicant(s) of the priority application or the PCT patent application. Simply enter all (i.e. new and old) applicant names and addresses, as shown below in the section "How

to file a national phase German Utility Model" and the section "How to file a direct / convention German Utility Model". Convention German Utility Model applicants may be changed (when compared to the applicants on the priority document) on filing to add applicant(s) at no additional cost or to remove applicant(s) for \$80.

No signed documents or other proof (e.g. deeds of assignment) need to be uploaded. However, it is advisable that proof of any assignments is kept by the applicant.

The cost to record an assignment of a national phase German Utility Model is US\$80, if made on filing the German Utility Model. The cost is directly applied by the GlobalIPCo.com online filing system.

For national phase German Utility Models, no information of the priority applicants is required. If the national phase German Utility Model applicants are the same as the PCT applicants, no additional charges apply, regardless whether any priority applicants differ from the PCT applicants.

Changes to applicants' names or addresses may also be made after filing and after grant at additional cost.

Notes:

- The German Patent and Trademark Office automatically re-orders applicants (typically alphabetically) on filing, ignoring the order in which applicants are listed on the GlobalIPCo.com online filing system.
- The German Utility Model registration certificate does not display the entire address of the applicants. Only the applicant's name, city and country is displayed.
- The applicant's address must be a residential address (not a work address).

Delay of grant and publication

Grant and publication of national phase German Utility Models cannot be delayed. However, a request to delay grant and publication of convention / direct German Utility Models by up to 15 months is possible.

If you wish the grant and publication to be delayed, please indicate the number of months for the delay on the GlobalIPCo.com online filing system. An additional charge of US\$50 is automatically applied.

Sequence listing

The GlobalIPCo system does not provide for lodging of sequence listings.

Review on filing

Prisma IP will conduct a cursory review of all German Utility Models prior to filing. During such cursory review, Prisma IP may (without notice to you) make non-substantial changes to your German Utility Model application and such other changes required to comply with DPMA rules prior to filing. Despite such review, neither GlobalIPCo nor Prisma IP guarantees that no office action will be issued by the German Patent and Trademark Office in respect of German Utility Models filed using the GlobalIPCo system.

Office actions

If formal defects in your German Utility Model results in the German Patent and Trademark Office issuing an office action, you will be notified of the office action and requested to submit substitute documents for filing. The fixed cost to respond to an office action is \$200.

GlobalIPCo Pricing

Filing to grant:	\$390 (inclusive of Euro 30 / Euro 40 in official fees)
(optional) Delay of	\$50
publication/grant:	
(optional) Postage of	\$110 per parcel (up to 6 German Utility Model
certificate:	certificates may be included in a single parcel)

A change of the national phase German Utility Model applicant relative to the PCT applicant or priority applicant costs US\$80, if made on filing of the German Utility Model. And, a response to an office action is fixed at \$200.

Pricing is fixed, irrespective of the number of priority claims, claims, pages, etc.

Note: Postage of the German Utility Model certificate is optional. Upon receipt of the certificate, a scanned copy will be emailed to you without charge.

Renewal

A German Utility Model must be renewed on the 3rd, 6th and 8th anniversary of the (earlier of) the PCT filing date / German Utility Model filing date to maintain the German Utility Model in force for a period of 10 years.

Renewal cost:

-	Annuity	Official fee	Total PayAnnuity fee (inclusive of official fee)
	3	Euro 210	\$344
	6	Euro 350	\$511

8	Euro 530	\$726	

^{*} Additional \$25 is charged if the renewal is not processed online

Late-payment:

Renewals may be paid during a 6 month grace period on payment of a penalty.

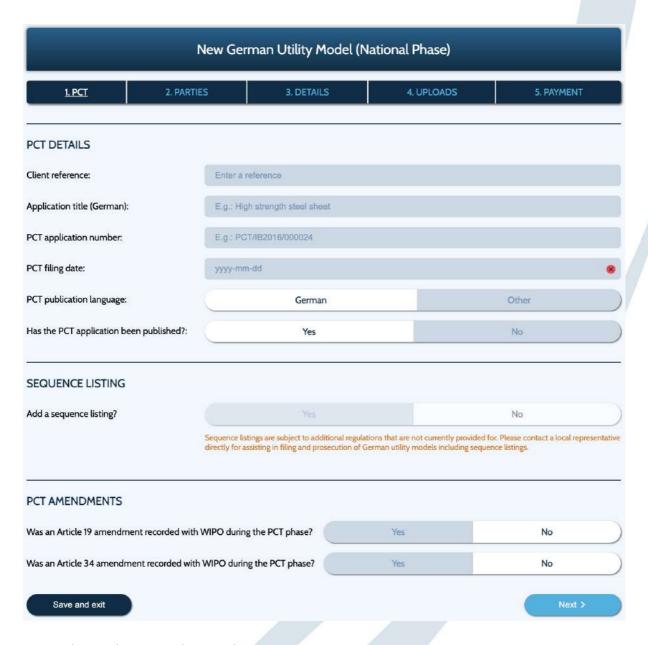
How to file a national phase German Utility Model

- 1. Register on GlobalIPCo.com (there is no subscription / license fee. You are only charged for actions instructed);
- 2. Receive a discount code that reduces pricing for law firms and add this to your profile; and
- 3. Complete the national phase German Utility Model application form shown below.

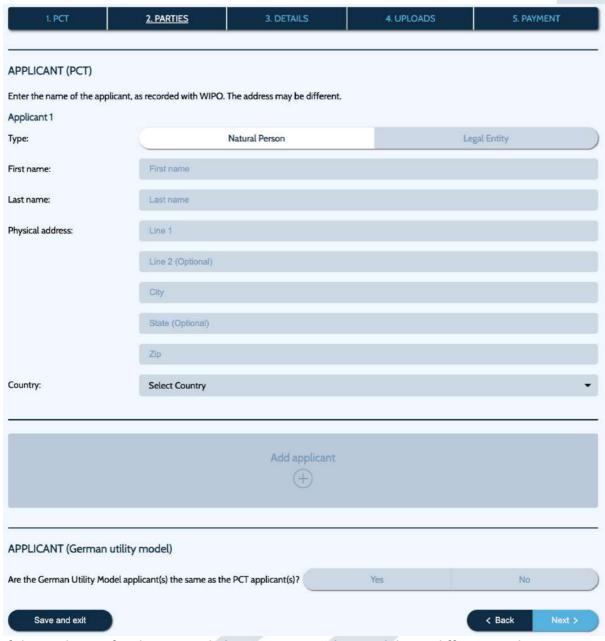
Requirements for completing the national phase German Utility Model application:

- German translations:
 - German translations of original PCT Claims, Description and Figures (pdf files);
 - German translation of Article 19 and/or Article 34 PCT claims and/or description pages, in clean version without marked amendments (if any);
 - Title of the invention (in German);
- Basic information on the PCT patent application, namely:
 - PCT application number and PCT filing date;
 - Applicant's name (as recorded at WIPO) and physical address;
 - Number of Claims of the original PCT specification (irrespective of multidependencies);
 - Number of Figures of the original PCT specification;
 - Earliest priority date (if any).

<u>Not</u> required for a national phase Utility Model application is a German translation of the abstract, the inventor data, a signed power of attorney, copies of priority documents or translations of priority documents.



Note: The application title must be in German.



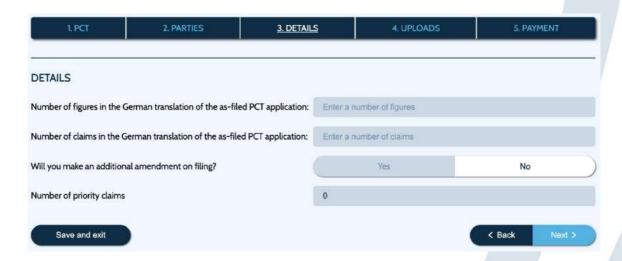
If the applicants for the national phase German Utility Models are different to the applicants of the PCT patent application as recorded at WIPO, select:

"Are the German Utility Model applicant(s) the same as the PCT applicant(s) = NO"

Then enter all intended applicants for the German utility model. The order of applicants in this section will be the same as the order of applicants on the certificate.

The cost to record this assignment is US\$80, if made on filing the German Utility Model.

Example: Company A is the sole applicant of the PCT patent application. For the German utility model, an additional applicant Company B is to be added. In this case, you should enter Company A as Applicant 1 of the PCT application; then also enter Company A as Applicant 1 of the German Utility Model, and add Company B as Applicant 2 of the German Utility Model.



Enter the number of figures and claims of the original PCT specification / the German translation of the original PCT specification.

If the figure numbering includes letters, please ignore the letters for the number of figures. For example, if the drawings includes the figures: FIG. 1, FIG. 2, FIG. 3A, FIG. 3B, FIG. 3C, you should indicate "3" as the number of figures.

Should you wish to amend the claims, description and/or figures, please answer "Yes" to the question "Will you make an additional amendment on filing?". You will then be able to upload amended documents in section "4. UPLOADS".

The number of claims is the number of actual numbered claims, irrespective whether the claims include multi-dependent claims.



Upload three separate pdf files for the German translation of the description, claims and drawings of the original PCT specification.

Ensure that the number of claims in the German translation is identical to the number of claims of the original PCT specification.

Also, ensure that all drawings of the original PCT specification are included in the German translation.

No German abstract is needed.

If the German Utility Model is filed before the PCT patent is published by WIPO, Forms PCT/RO/101 and PCT/RO/105 should also be uploaded. Should the Form PCT/RO/101, Form PCT/RO/105 or the original PCT specification not be available, we may still file the application but the German Patent and Trademark Office will only be able to process the application and issue the German Utility Model application number with a delay of a few months.



Amended claims, description pages or figures for the German Utility Model can be uploaded if you have answered "Yes" to the question "Will you make an additional amendment on filing?" in section "3. DETAILS".

If you wish only to amend the claims but not the description and figures, only upload "Amended claims for on-filing amendment" and do not upload any files for "Amended description for on-filing amendment" or "Amended drawings for on-filing amendment".

Amendments (claims, description and/or figures) must be submitted in clean form, without tracked changes.

The amended documents must be complete: For example, if only a sentence on description page 1 is changed, you must still upload all description pages as "Amended description for on-filing".

If the PCT application includes method claims, you must file a German claim set without the method claims as "Amended claims for on-filing amendment".

New German Utility Model (National Phase) 2. PARTIES 4. UPLOADS 5. PAYMENT PAYMENT SUMMARY Filing, prosecution and grant (excluding courier of certificate of grant) of a German utility model Unit cost (USD) Description 570.00 Filing, prosecution and grant (excluding courier of certificate of grant) of a German utility model Discount GIPCO01 (180.00)USD 390.00 Total cost USD 0.00 Currency conversion cost TOTAL PAYABLE USD 390.00 **PAYMENT METHOD** VISA Credit card GLOBAL | CO. User account TERMS AND CONDITIONS Prisma IP will conduct a cursory review of your German Utility Model and file the application with the German Patent and Trademarks Office (DPMA). $Subject to the review, we should send you a filing receipt within three business days. This cursory review is not comprehensive and is not intended to 100×10^{-5} and 100×10^{-5}. This cursory review is not comprehensive and is not intended to 100×10^{-5}.} \\$ identify all non-compliance issues that may be objected to by the DPMA. Confidentiality: We confirm that all information we receive from you will be held in confidence, and that we will neither use nor disclose this information to third parties (apart from Prisma IP and the German Patent and Trademark Office). [1] You agree that the GloballPCo system and Prisma IP will file this application, subject to our Terms & Conditions and policy documents. (2) You agree that Prisma IP may make non-substantial changes to your application and such other changes required to comply with DPMA rules. Save and exit < Back

How to file a direct / convention German Utility Model

- 1. Register on GlobalIPCo.com (there is no subscription / license fee. You are only charged for actions instructed);
- 2. Receive a discount code that reduces pricing for law firms and add this to your profile; and
- Complete the direct / convention German Utility Model application form shown below.

Requirements for completing the direct / convention Utility Model application:

- German application documents:
 - Claims in German (pdf file);
 - Description in German (pdf file); and
 - Figures (if any) in German (pdf file);
- Title of the invention (in German);
- Applicant's name and physical address;
- Priority number, date, country and priority applicant name (if priority is claimed);
- Copy of priority document (pdf file) (if any).

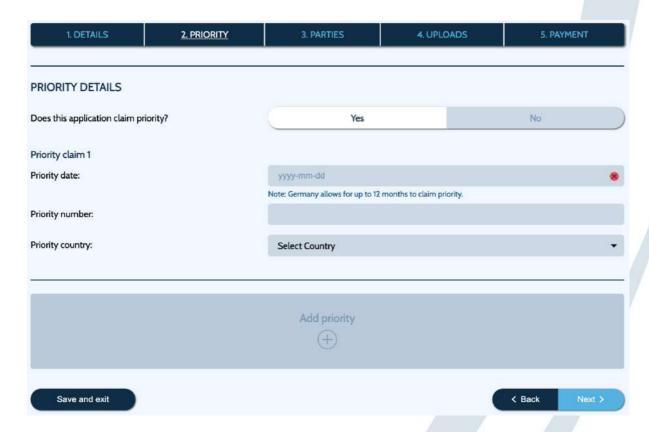
<u>Not</u> required for a direct / convention Utility Model application is a German translation of the abstract, the inventor data, a signed power of attorney, or translations of priority documents.

New German Utility Model (Direct Convention)					
1. DETAILS	2. PRIORITY	3. PARTIES	4. UPLOADS	5. PAYMENT	
DETAILS					
Client reference:	Enter a refere	ence			
Application title (German):	E.g.: High str	E.g.: High strength steel sheet			
SEQUENCE LISTING					
Add a sequence listing?		Yes		No	
	Sequence listings a directly for assistin	are subject to additional regulation of General grand prosecution of General G	ens that are not currently provide man utility models including se	ed for. Please contact a local representative quence listings.	
SPECIFICATION DETAILS					
Number of figures in the German specification:		Enter a nu	Enter a number of figures		
Number of claims in the German specification:		Enter a nu	mber of claims		
Save and exit				Next >	

Note: The application title must be in German.

If the figure numbering includes letters, please ignore the letters for the number of figures. For example, if the drawings includes the figures: FIG. 1, FIG. 2, FIG. 3A, FIG. 3B, FIG. 3C, you should indicate "3" as the number of figures.

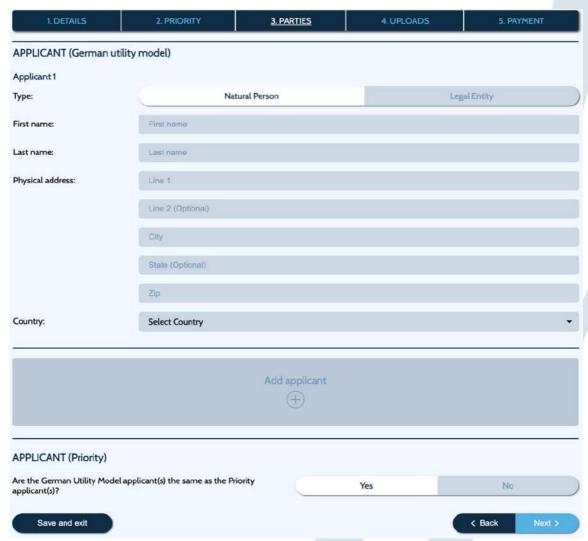
The number of claims is the number of actual numbered claims, irrespective whether the claims include multi-dependent claims.



Format of priority number: Spaces are allowed. As an example, permitted formats for the priority application CN 10 2023 123 456.7 are:

10 2023 123 456.7 102023123456.7

Do not omit the dot before the last digit (i.e., before "7").



If the applicants of the German Utility Model are different to the applicants of the priority application, select:

"Are the German Utility Model applicant(s) the same as the Priority applicant(s)? - No"

Then enter all applicants of the priority application(s).

Example 1: If the applicants of the priority application are Company A and Company B and the applicants of the German Utility Model are Company B and Company C, enter Company A and Company B under *APPLICANT (Priority)* and enter Company B and Company C under *APPLICANT (German utility model)*.

Example 2: If two priorities are claimed; applicant of the first priority application is Company A and applicant of the second priority application is Company B; and only Company A is the applicant of the German Utility Model. You should enter Company A and Company B under APPLICANT (Priority) and enter only Company A under APPLICANT (German utility model).

You do not need to upload any documents (e.g. deeds of assignment) for changing the German Utility Model applicant(s) relative to the priority application applicant(s). Adding an applicant does not incur additional cost, but deleting an applicant costs \$80.



Upload the German description and German claims for the German Utility Model. If the German Utility Model includes figures, first indicate the number of figures in section "1. DETAILS" and then upload the German figures.

No German abstract is needed.

For each priority claimed, a pdf copy of the priority document is required. You can upload a certified priority document, a scan of a certified priority document, or an uncertified copy of the priority application as originally filed. No translation of the priority document is required.

New German Utility Model (Direct Convention) 3. PARTIES 4. UPLOADS 5. PAYMENT **DELAY PUBLICATION** If no delay is requested, the utility model will be published by the German Patent and Trademark Office approximately 3 months after filing the Yes No PAYMENT SUMMARY Filing, prosecution and grant (excluding courier of certificate of grant) of a German utility model Unit cost (USD) Description 570.00 Filing, prosecution and grant (excluding courier of certificate of grant) of a German utility model Discount GIPC001 (180.00)Total cost USD 390.00 Currency conversion cost USD 0.00 TOTAL PAYABLE USD 390.00 PAYMENT METHOD VISA Credit card GLOBAL P CO. User account **TERMS AND CONDITIONS** Prisma IP will conduct a cursory review of your German Utility Model and file the application with the German Patent and Trademarks Office (DPMA). Subject to the review, we should send you a filing receipt within three business days. This cursory review is not comprehensive and is not intended to identify all non-compliance issues that may be objected to by the DPMA. Confidentiality: We confirm that all information we receive from you will be held in confidence, and that we will neither use nor disclose this information to third parties (apart from Prisma IP and the German Patent and Trademark Office). [1] You agree that the GlobalIPCo system and Prisma IP will file this application, subject to our Terms & Conditions and policy documents. (2) You agree that Prisma IP may make non-substantial changes to your application and such other changes required to comply with DPMA rules. Save and exit < Back

Delay Publication: If you wish grant and publication of the German Utility Model to be delayed, answer "Yes" to "Delay Publication" and enter the number of months that the grant and publication are to be delayed.

How to arrange postage

1. Select a German Utility Model and click "Request courier"



2. (optional) Click "Group others with this certificate":



3. Select certificate(s) you wish to be grouped in the courier parcel:



4. Add cases until the parcel includes up to 6 German Utility Models certificates(i.e. the original case plus up to 5 added cases). Then click "Save".

Note: The mass shown is used by the system to determine the number of German Utility Model certificates that may be included in a parcel and does not necessarily represent the actual mass/weight of the certificate.

5. Entering the address where you wish to receive the parcel and click "Request courier". Tip: update the courier address in your profile to populate the address field automatically:



[Prepared by Prisma IP]

Tariff of fees (2025) – German Utility Model

	Official fee	Total fee
File national phase / convention German Utility Model	Euro 40/	\$390
(using GlobalIPCo system)	Euro 30	
Delay grant and publication up to 15 months		\$50
Post (using GlobalIPCo system) (optional)		\$110 per parcel
		- up to 6 Utility
		Model
		certificates may
		be included in a
		parcel
Response to office action (if any)	Euro 0	\$200
Renewal	1	
- Pay first renewal (3 rd year) (using PayAnnuity system)	Euro 210	\$344
Surcharge if not processed online through PayAnnuity		
- Pay second renewal (6 th year) (using PayAnnuity	Euro 350	\$511
system)		
- Pay third renewal (8 th year) (using PayAnnuity system)	Euro 530	\$726
Cession of right to claim priority (convention application)	Euro 0	\$0
by adding an applicant		
Cession of right to claim priority (convention application)	Euro 0	\$80
by deleting an applicant		
Change of applicant's name (assignment) (national	Euro 0	\$80
phase application)		

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