

Leaflet Patents in Austria

Duration

The patent has a duration of 20 years from the date of filing of the application, provided that annual fees are paid in due time.

EU member countries

Austria is a member of the European Union (EU). As far as patents are concerned, this has the consequence that once products protected by the patent are sold by or with the permission of the patentee in one EU member country, shipment of these products into and out of other EU member countries basically cannot be prevented.

Compulsory use

The patented invention must be worked in Austria to an adequate extent within 3 years from the date of publication of the grant of the patent or 4 years from the date of filing - whichever term ends later. Importation into Austria is considered to be relevant working.

Marking

Marking of patented articles is not required, and marked products have no implications for awarding compensation in case of past infringement. Whoever uses an indication for objects in such way as to suggest that these are protected by patent, must on request furnish information on the exclusive right on which the indication is based.