

Leaflet European Patent in Ireland

National patent number

No national patent number is assigned to the Irish part of the European patent.

Duration

Provided that the annual national renewal fees are paid, the patent has a duration of 20 years from the European filing date.

Compulsory use

A patented invention should be commercially worked in Ireland, or by importation from a WTO Member State, to the fullest extent that is reasonably practicable within 3 years from the date of publication of the notice of grant. If a demand for the invention in Ireland is not being met or is not met on reasonable terms, the patent will become liable to the grant of compulsory licenses.

Marking

Marking should be done by giving the indication 'Patent' or 'Patented', followed by the number of the patent concerned. It is essential that said number is mentioned. The reason for this is that according to the law no damages will be awarded and no account of profits be ordered against a defendant who proves that at the date of infringement he was not aware and had no reasonable grounds for supposing that the patent existed.

EU member countries

Ireland 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. Please do not hesitate to contact us if you have any questions on this issue.