

## Patents Department

### “Algeria”

Code	DZ
Country	Algeria
National phase entry deadline	31 months.
Documents required BY the national phase entry/filing deadline	Publication - copy of the international search report (ISR).
Documents required AFTER the national phase entry/filing deadline	Original Power of Attorney simply signed by the applicant.
Translation requirements	Arabic translation.
Allowance of voluntary claim amendments at national phase entry	<p>Are claim amendments allowed at national phase entry? Or must the application be entered with the PCT claims? <b>Yes, Claim amendments can be filed upon entering the national phase.</b></p> <p>If a Chapter II demand was filed, must you enter with the Chapter II claims? Or can you elect to enter either the Chapter II claims, or the PCT. claims? <b>If a Chapter II demand was filed the national phase should be entered with Chapter II claims.</b></p>
Excess claims fees / page fees	<p>Any excess pages fees? When are they due? Does the sequence listing count towards the page fees? <b>Excess claims fees are not applicable in Algeria.</b></p>
Requesting examination deadline	Not applicable.
Deadline for filing voluntary claim amendments	Voluntary claim amendments should be filed within 30 days as from the local filing date.

<p><b>Prosecution procedure information</b></p>	<p>Any other information about the prosecution procedure?</p> <p>Are there any additional useful tips, for example is there a limited number of rounds of examination, is there a significant backlog currently?</p> <p>Are post-allowance or post-grant amendments allowed?  <b>post-allowance or post-grant amendments are not allowed in Algeria.</b></p>
<p><b>Novelty only prior art</b></p>	<p>If a prior art patent document is filed before, but published after the filing date of the application being examined, is it relevant for novelty only? Or not relevant at all? What are the rules around novelty-only prior art?  <b>Algeria doesn't have this special practice.</b></p>
<p><b>Method of treatment / medical use claims</b></p>	<p>Are method of treatment/diagnoses/surgery claims allowed?  <b>Method of treatment claims are not patentable in Algeria.</b></p> <p>Are first and second medical use claims allowable? If so, in what format – e.g. Swiss type, of EPC 2000 'compound for use' format? If multiple formats are allowable is it preferable to have them all – is the scope considered different?  <b>First and second medical use claims are patentable including Swiss type, of EPC 2000 'compound for use' format.</b></p> <p><b>Multiple formats are patentable as there are no rules or regulations that limit such practice.</b></p>
<p><b>Claim drafting information</b></p>	<p>Is it important to list the preferred subject-matter first in case of a lack of unity objection?</p> <p>Can the pending claims be broadened during examination, though obviously not beyond what is taught by the application?</p> <p>Can claims be added during examination?</p>



	<p>Are optional features allowed in claims?</p> <p>Can multiply dependent claims depend on other multiply dependent claims?</p> <p>Must claims include 'characterised in that' language, or a purpose of some kind?</p> <p>Are there any specific points that you think we should know about for drafting claims that conform to local practice?</p> <p><b>There are no rules or regulations that limit such practice in Algeria.</b></p>
<p><b>Divisional applications</b></p>	<p>If a lack of unity objection is raised – can the divisional be filed to one of the non-unified inventions?</p> <p><b>Yes, the divisional application can be filed to one of the non-unified inventions.</b></p> <p><b>A divisional application should be filed within 6 months as from the local filing date.</b></p> <p>Are there any changes to the prosecution procedures for divisionals?</p> <p><b>No, there are there no changes to the prosecution procedures for divisional applications.</b></p> <p>Are second and subsequent generation divisional applications allowed?</p> <p><b>Second and subsequent generation divisional applications are not allowed in Algeria.</b></p>
<p><b>Double patenting</b></p>	<p>Are there any restrictions, and if so do the restrictions apply to co-pending applications, parent/divisional applications, or both?</p> <p>What is the advice regarding double-patenting restrictions? Do the restrictions apply to overlapping claim scope or only identical claim scope?</p> <p><b>There are no rules or regulations that limit such practice in Algeria.</b></p>
<p><b>Accelerated examination</b></p>	<p>Are there any methods of acceleration available? What are their deadlines?</p> <p><b>Not applicable in Algeria.</b></p>



<b>Other comments</b>	<p>Anything unique to local practice that it would be useful to be aware of?</p> <p><b><i>The ISR and WO are used for substantive examination purposes, if positive, the Algerian Patent Office will grant the patent application, and if negative, an office action will be issued, citing the same prior art documents cited in the ISR.</i></b></p>
<b>Renewal fees deadline</b>	<p>Is there a grace period to allow for late payment?</p> <p><b><i>A 6-month grace period with a fine is allowed for late payment of the annuity in Algeria.</i></b></p>

