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this communication:**

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Date

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| Reference | Application No./Patent No. 08873805.9 - 1218 PCT/IT2008000532 |
| Applicant/Proprietor Pascucci Maddalena | |

Entry into the European phase before the European Patent Office

The following information describes the procedural steps required for entry into the European phase before the European Patent Office (EPO). You are advised to read it carefully because failure to take the necessary action in due time can lead to a loss of rights.

1. The above mentioned international patent application has been given the **European application No. 08873805.9**.
2. Applicants **without a residence or their principal place of business** in an EPC Contracting State may themselves initiate European processing of their international applications, provided they do so before expiry of the 31st month from the priority date.

During the European phase before the EPO as designated or elected Office, however, such applicants **must** be represented by a professional representative (Art. 133(2) and Art. 134(1) and (8) EPC).

Where, at the expiry of the time period laid down in Rule 163(5) EPC, the requirements of Article 133(2) EPC have not been complied with, the European patent application will be **refused**, pursuant to Rule 163(6) EPC.

Please note that a professional representative authorised to act before the EPO and who acted for the applicant during the international phase does not automatically become the representative for the European phase. Applicants are therefore strongly advised to appoint in good time any representative they wish to initiate the European phase for them; otherwise the EPO has to send all communications directly to the applicant.

3. Applicants **with a residence or their principal place of business** in an EPC Contracting State are not obliged to appoint for the European phase a professional representative authorised to act before the EPO. However, in view of the complexity of the procedure it is recommended that they do so.
4. Applicants and professional representatives are also strongly advised to initiate the European phase using **EPO Form 1200**. It is available free of charge from the EPO or via the EPO website at <http://www.epo.org>. Similarly, it can be generated with the epoline® Online Filing Software, obtainable free of charge from the EPO (<http://www.epoline.org>) The use of the form is not compulsory.

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5. Where the EPO acts as designated or elected Office (Art. 22(1) and (3) and 39(1) PCT), to enter the European phase before the EPO, the **following acts** must be performed by the applicant within **31 months** from the date of filing of the international application or (where applicable) the earliest priority date:
- a) Supply a translation of the international application into an EPO official language, if the International Bureau did not publish the application in such language (Art. 22(1) PCT and R. 159(1)(a) EPC);
 - b) Specify the application documents, as originally filed or as amended, on which the European grant procedure is to be based (R. 159(1)(c) EPC);
 - c) Pay the filing fee and, where applicable, the additional fee for a European patent application comprising more than 35 pages (R. 159(1)(c) EPC, Art. 2, items 1, 1a Rules relating to Fees);
 - d) Pay the search fee where a supplementary European search report has to be drawn up (R. 159(1)(e) EPC);
 - e) Pay the designation fee if the time limit laid down in Rule 39(1) EPC (i.e. six months after publication of the international search report) has expired before the 31-month period pursuant to Rule 159(1) EPC (R. 159(1)(d) EPC);
 - f) File the written request for examination and pay the examination fee if the time limit laid down in Rule 70(1) EPC has expired before the 31-month period pursuant to Rule 159(1) EPC (R. 159(1)(f) EPC);
 - g) Pay the renewal fee in respect of the third year, if the fee has fallen due (see Rule 51(1) EPC) before expiry of the 31-month period pursuant to Rule 159(1) EPC (R. 159(1)(g) EPC);
 - h) File, where applicable, the certificate of exhibition referred to in Article 55(2) and Rule 25 EPC (R. 159(1)(h) EPC);
 - i) Pay the claims fees for the sixteenth and each subsequent claim when the application documents on which the European grant procedure is to be based comprise more than fifteen claims (R. 162(1) EPC). For applications entering the European phase on or after 1 April 2009, a higher amount is payable for the 51st and each subsequent claim (Decision of the Administrative Council of 14 December 2007 amending the Rules relating to Fees, OJ EPO 2008, 10).

If either the translation of the international application or the request for examination is not filed in time, or if the filing fee, the additional fee, the search fee, the designation fee or the examination fee is not paid in due time, the application shall be deemed to be withdrawn (R. 160(1) EPC).

6. Payment of fees

The amounts of fees are set out in the Schedule of fees and expenses, which is published from time to time as a supplement to the Official Journal of the EPO. Applicants should always check the fee amounts applying at the time of payment.

Payments can be validly made by any person. Permissible methods of payment are laid down in Article 5 RFees. Please note that payment cannot be made by cheque sent to the EPO.

For information on the calculation of the additional fee for applications comprising more than 35 pages, see Notice from the European Patent Office dated 26 January 2009 concerning the 2009 fee structure, OJ EPO 2/2009, 118, and Guidelines for Examination in the EPO, April 2009, A-III, 13.2. For an overview of search and examination fees, see Notice from the European Patent Office of 11 February 2008 (OJ EPO 2008, 130).

The above and further fee-related information is available on the EPO website (<http://www.epo.org>).

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7. If the applicant had appointed a representative during the application's international phase, the present Form will be sent to the representative, asking him to inform the applicant accordingly.

All subsequent communications will be sent to the applicant, or - if the EPO is informed of his appointment in time - to the applicant's European representative.

8. For more details about time limits and procedural acts before the EPO as designated or elected Office, see the EPO brochure "How to get a European patent", Guide for applicants - Part 2, PCT procedure before the EPO - "Euro-PCT".

This brochure, the list of professional representatives before the EPO as well as Form 1200 are available on the Internet under <http://www.epo.org>.

Receiving Section

