

ITALY - IT

Jurisdiction - General Information

Italy has been a Contracting Party to the Paris Convention for the Protection of Industrial Property since July 7, 1884. It has also been a Contracting Party to the Patent Cooperation Treaty (PCT) since March 28, 1985. In addition, it is a party to the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure and the Patent Law Treaty (PLT).

Italy is a member of the European Patent Organization ([EPO](#)) and belongs to the “European patents with unitary effect” system, started on June 1, 2023, which provides a unitary effect for an European patent (EP) granted in 17 of the 27 European Union member countries (updated January 2024).

More legal information about intellectual property-related laws and regulations of Italy can be found on [WIPO Lex](#).

Online Patent Register and Online Gazette

Italy has an [Online Register](#). It does not have an **Online Gazette**.

Features and search functionalities

The Online Register has an **Italian interface**.

Through the Online Register you can retrieve information on PCT **National Phase Entry**, **Legal Status** and **Fee Payment**. It covers national patents, utility models, PCT applications entered in Italy and European patents validated in Italy.

It is also possible to access the **Dossier/File Wrapper Information** and the **Full Publications** of a set of granted patents which have been filed between July 2008 and June 2015, at this [link](#).

The Online Register can also be searched by **Applicant/Inventor Name**.

European patents designating Italy can be searched in the patent register or in the [European Patent Register](#).

Additional Information

Particularities of patent protection in Italy

Till 30 June 2020 Italy was only designable in a PCT via an European patent, since 1 July 2020 also directly by national route.

Protection through **SPCs** is available.

Due to an agreement with Italy, the national patents of San Marino can be enforced in the Italian territory and vice-versa.

Search tips

A new numbering format for IP rights was adopted in 2015, but the databases still accept both the old and the new format. Concordance lists between old and new format are accessible through the menu "Utilità". The same number is used for applications and granted patents without a kind code allowing to distinguish between the stage of the procedure.

An example of data reported as **Legal Status** is, eg., "Decaduta" (lapsed) given as "Stato domanda" for application number 102007901576480 (new format) / (MI2007A002226) (old format).

In other cases, if the status of granted is reported, to know the updated Legal Status it is suggested to check the situation of **Fee Payments**, which data are accessible from the patent record using the tag "Pagamenti".

Patents can be searched by selecting from the search menu on the top-left "Ricerca/Ricerca per numero" using the national application/patent number (if known), or "Ricerca/Ricerca per combinazione di criteri/Invenzioni" using several search fields selectable from the tab "Seleziona criteri" on the right.

For utility models the procedure is the same but from the search menu the item to be selected is "Ricerca/Ricerca per combinazione di criteri/Modelli di utilità".

For granted European Patents (EP) designating Italy the procedure is the same but from the search menu the item to be selected is "Ricerca/Ricerca per combinazione di criteri/Convalide rivendicazioni domanda di brevetto europeo e brevetto europeo per combinazione di criteri".

For SPCs the procedure is the same but from the search menu the item to be selected is "Ricerca/Ricerca per combinazione di criteri/Certificati complementari di protezione" using several search fields selectable from the tab "Seleziona criteri" on the right.

To know if an **SPC** has been granted (in Italian "CPC" for pharma and "CPCF" for phytopharma), a link is included in the patent record in the tag "Collegamenti".

Full Publications can be downloaded from the patent record by using the tag "Documenti allegati", however, in most cases only the PDF copy of the application is available.

To access the data of PCT entered in Italy by national route, choose the option "Ricerca/Ricerca per combinazione di criteri/Domanda di brevetto per invenzione industriale o modello di utilità da PCT. Richiesta di ingresso in fase nazionale". Search is possible by Application number in the format, eg. US2021/013694.

The PCT **National Phase Entry** date is reported as "Data presentazione", eg. 12/07/2022 for Application no. PCT/US2021/013694.

Access to the **Dossier/File Wrapper Information** can be made by searching at this [link](#) by application number (old format like "BO2013A000436" or new format like "102013902181342") in the field

"Numero Deposito", or by patent number ("0001419510" in the field "Numero Concessione"), then by selecting "Dettagli" and "Visualizza documenti fascicolo".