

(Dis)closure – The DSMZ as Patent Depository & Safe for Microorganisms



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Patent Deposit

Needs of a Patent

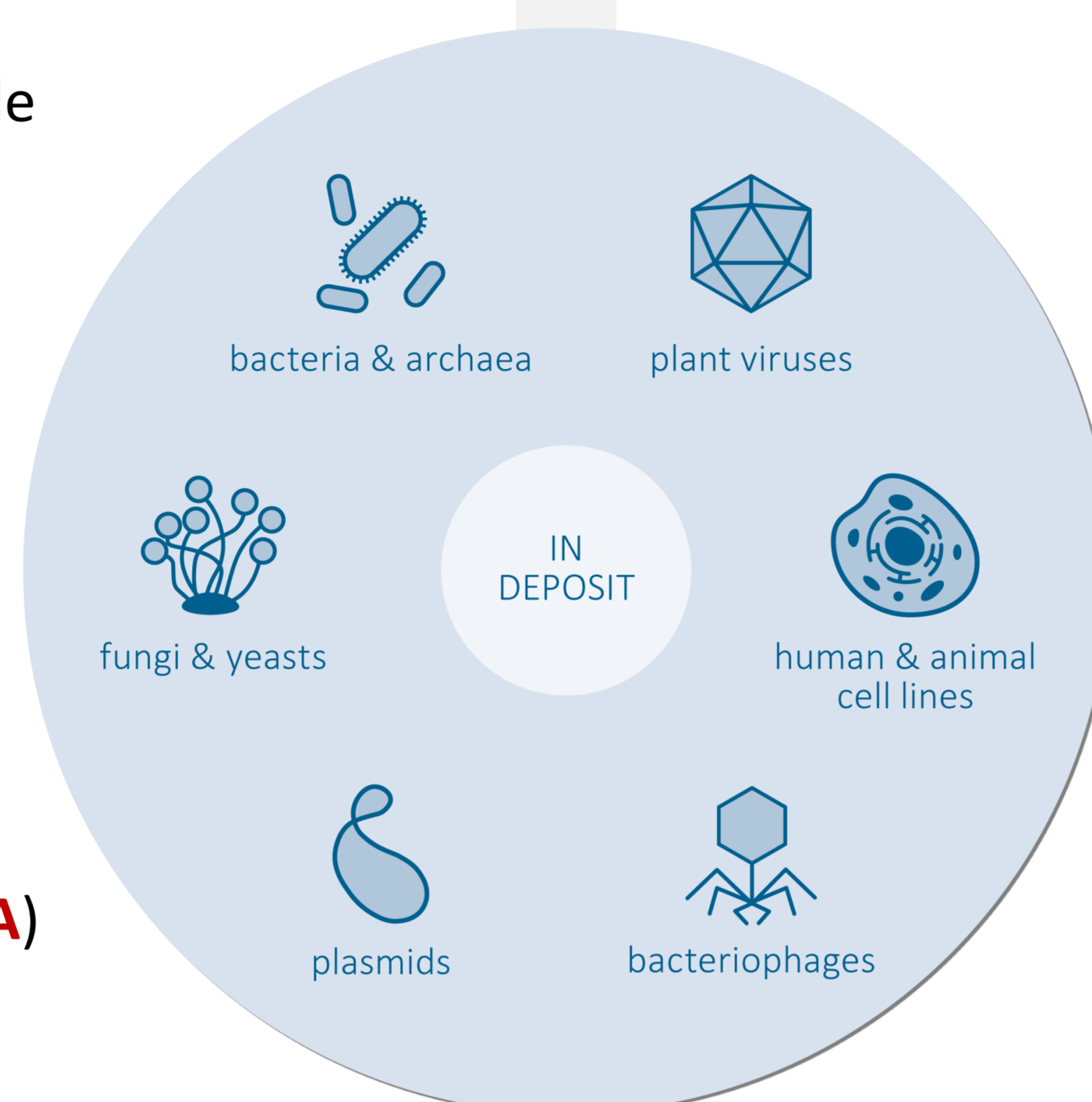
- ✓ **New** or **novel** and non-obvious
- ✓ **Useful** purpose (commercial applicability),
- ✓ Must be **disclosed** in the application in a manner sufficiently clear and complete for an expert to be able to carry it out
- Disclosure by depositing microorganism with a specialized institution
- 1977: Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure

DSMZ as Patent Depository

- > 45 years
- First patent strain in 1972
- Recognized as **I**nternational **D**epository **A**uthority (**IDA**) according to the **Budapest Treaty** since **1981**
- Total > 9000 patent deposits

Tasks of an IDA

- 48 depository institutions in 26 countries
- **Deposit** of microorganisms and the **furnishing** of samples under the Budapest Treaty
- Secrecy, impartiality and objectivity



Safe Deposit

Biobanking

- ✓ **Maintain valuable biological resources** for future research, public health and the bioeconomy
- ✓ Potential **risks**: pandemic situations as recently experienced during the Covid-19 outbreak, crisis, disasters
- ✓ Aim: **Avoid** the loss of material via staff shortage, infrastructure-related supply problems and disasters
- Spatially separated **back-up** solutions strongly recommended and often mandatory for biobanks

DSMZ as Safe for Microorganisms

- Safe deposit as a special service for the **long-term preservation** and **safe storage**
- Not included in the DSMZ catalogue
- Only passed on with a written request by the depositor

Providing Safe Storage & Controlled Access

Furnishing of Samples - When? To Whom?

Budapest Treaty Rule 11

11.1

To whom?

- Interested **industrial property offices**

When?

- At **any time** on request to the DSMZ

11.2

To whom?

- **Depositor** and with the authorisation of the depositor to third parties

When?

- At **any time** on request to the DSMZ

11.3

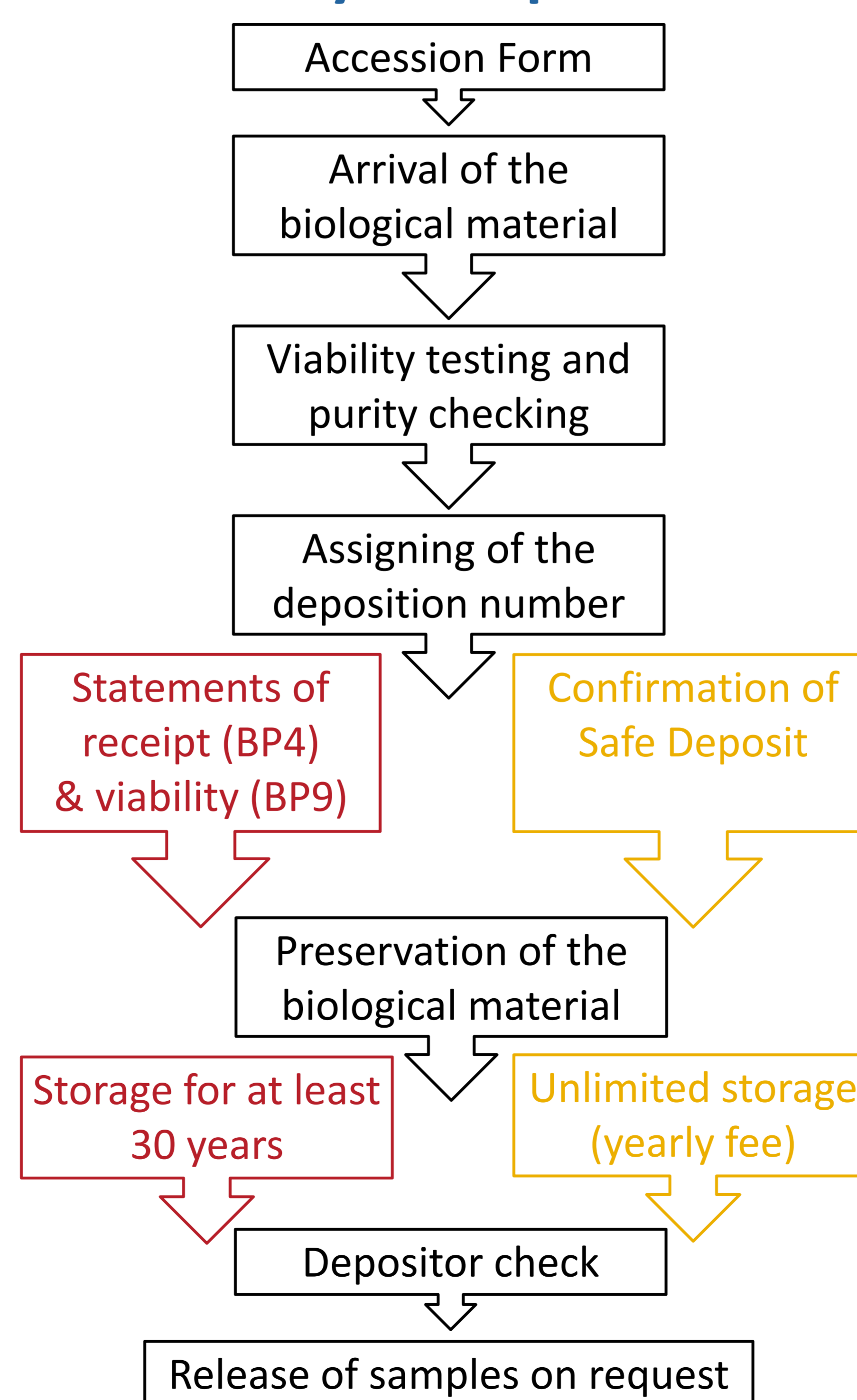
To whom?

- Parties **legally entitled**

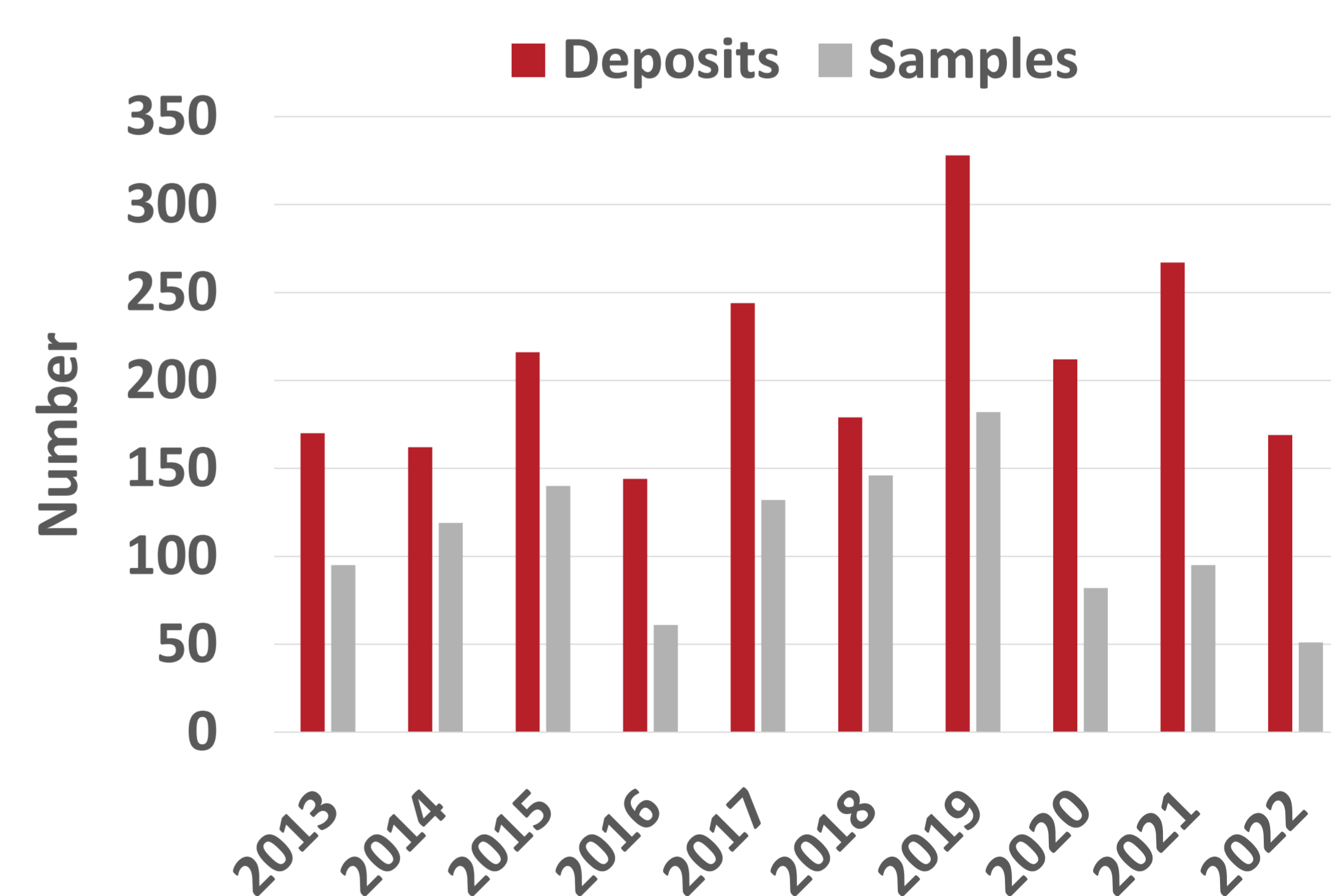
When?

- A) By **confirmation** of the request by the responsible **patent office**
- B) In respect of **patents granted** and **published** by any industrial property office

Way of Deposit



Patent Deposit in Numbers



Learn more about **Patent Deposit**



Learn more about **Safe Deposit**

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