**Rules of Notice Concerning Handling of Deposited Micro-organisms by the Chinese Patent Office**

To Foreign-related Patent Agencies and Micro-organism Depositary Institutions:

These Rules are formulated in order to implement Paper No.117 (1990) of the Chinese Patent Office in respect of "Notice Concerning Handling of Deposited Micro-organisms by the Chinese Patent Office"(hereinafter referred to as the Notice):

1 For any micro-organism related patent applications involving micro-organisms required to be deposited under the Notice, micro-organisms that are listed in the catalogue of commodities required to be submitted , or micro-organisms in a patent application whose date of publication or date of grant in the foreign Patent Gazette is certified in the documents,  the "Request Form For Micro-organism related Patent Applications" shall be used. For all other patent applications, normal Request Forms shall be used.

2 Where the "Request Form For Micro-organism related Patent Applications" is used, the applicant shall  submit either the certificate documents as provided in the Notice or the receipt of deposit of micro-organism within three months from the date of filling of the Chinese patent application concerned. If the certificate documents are not submitted within the specified time limit, the application shall be deemed to have been withdrawn.

3 Where, at the time of filling the patent application, if the catalogue of commodities concerning micro-organisms is submitted or the document  indicating the date of publication or date of grant of the patent concerned in the gazette is submitted, such information shall be indicated in the annex column in the "Request Form For Micro-Organism Related Patent Application".  Where the catalogue of commodities concerning micro-organisms or the document indicating the date of publication or date of grant of the patent concerned in the gazette is not submitted at the time of filling, but within three months from the filling date, the "Form of Amendment" shall be used and the title of the document shall be indicated in it.

4 where the catalogue of commodities concerning micro-organisms is submitted for purposes of certificate, it shall be notarized.

5 The grace period under the Notice for making amendments relating to deposit of micro-organisms shall expire on December 31, 1990. No amendments shall be accepted for whatever reason from January 1, 1991.

6 These Rules shall enter into force at the same time as the Notice.