

DEPOSIT FOR THE PURPOSES OF PATENT PROCEDURE APPLICATION FORM

I/We request NCMA to accept the following sample(s) of biological material for deposit for the purposes of patent procedure:

Description of biological material and depositor's strain or cultivar designation (if any)

I/We understand that if after examination of the biological material and/or the information contained in the Accession Form(s) enclosed herewith, NCMA shall find the biological material not to be of a kind which it accepts for deposit for the purposes of patent procedure, NCMA shall refuse to accept the biological material and shall notify me/us forthwith of such refusal. In such cases, unless I/we request the return of the biological material within 28 days of such notification, NCMA shall be entitled to destroy it. If NCMA agrees to accept the biological material, I/we agree to be bound by the following terms and conditions:

1. I/We have provided all the information and indications requested by NCMA on the Accession Form(s) established by NCMA for that purpose and enclosed herewith.
2. I/We may replace at my/our expense, according to the relevant patent regulations, the deposited biological material, if it (they) should deteriorate or cease to exist, so that NCMA is no longer able to furnish samples, following receipt from NCMA of notification of such inability to furnish samples.
3. I/We will pay to NCMA all fees charged for the storage of the biological material and the supply to me/us of samples thereof.
4. I/We will indemnify NCMA against all claims that may be brought against NCMA as a result of the release of samples of the biological materials unless such claims arise of account of the negligence of NCMA, its servants or agents.
5. I/We will not require the return of the biological material to me/us, for a period of 30 years after the date the biological material is accepted for the purpose of patent procedures, or 5 years after the date of the last request for a sample thereof, whichever is the latter, during which period NCMA shall retain the biological material as required under rules 6.1(a)(i) and 9.1 of the Budapest Treaty.
6. I/We will authorize NCMA to release samples of the biological material only in accordance with the provisions of Rule 11 of the Budapest Treaty in any case where the deposit is intended to serve for the purposes of patent procedure for any State which has ratified the Treaty, or organization which has made the declarations referred to in Article 9 of the Treaty.

Please state if the "Expert Witness" clause will be requested:

Yes

No



An expert witness is

- Any natural person provided that the requester furnished evidence, when filing the request, that the nomination has the approval of the applicant.
- Any natural person recognized as an expert by the President of the USPTO.

The nomination of the expert witness must be accompanied by a declaration from the expert vis-a-vis the applicant in which he/she enters into the undertaking given pursuant to Rule 33 EPC until either the date on which the patent expires in all the designated States or, where the application has been refused, withdrawn or deemed to be withdrawn, until the date referred to in Rule 32(1)(b) EPC, the requester being regarded as a third party.

7. I/We will abide by the above terms and conditions, which may be varied from time to time for the purpose of compliance with any Treaty or Convention to which the United States of America is a party.

Name

Signed on behalf of

Signature

Date

For more information about what we do with your personal information, please see our [privacy notice](#).