

APPENDIX 3

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF
MICROORGANISMS FOR THE PURPOSE OF PATENT PROCEDURE (BP12)**

**REQUEST¹ FOR THE FURNISHING OF SAMPLES OF DEPOSITED ORGANISMS
Pursuant to Rule 11.3(a)**

TO

Provasoli-Guillard National Center for Marine Algae and Microbiota
Bigelow Laboratory for Ocean Science
60 Bigelow Drive
East Boothbay, ME 04544

THE UNDERSIGNED AUTHORIZED PARTY HEREBY REQUESTS THE FURNISHING OF A SAMPLE OF THE ORGANISM IDENTIFIED HEREUNDER, IN ACCORDANCE WITH RULE 11.3(a) OF THE REGULATIONS UNDER THE BUDAPEST TREATY

I. IDENTIFICATION OF THE ORGANISM

Accession number of the deposit:

II. PATENT APPLICATION OR PATENT REFERRING TO THE ORGANISM

² Patent application No.
Filed on
Filed by (name and address)

² International Application (PCT) No.
Filed on
Filed by (name and address)

² Patent³ No.
Granted on
Granted to (name and address)

¹ The request must be sent to the competent industrial property office which, in conformity with its own applicable procedure, will either transmit it directly to the international depositary authority or send it back to the certified party for transmission to the international depositary authority.

² Mark with a cross the applicable box.

³ References to a "patent" shall be construed as references to patents for inventions, inventors' certificates, utility certificates, utility models, patents or certificates of addition, inventions' certificates of additional and utility certificates of addition.

III. REQUEST FOR INFORMATION

The undersigned

² requests

² does not request

An indication of the conditions which the International Depositary Authority employs for the cultivation and storage of the microorganism.

IV. AUTHORIZED PARTY

Name

Address

Signature⁴

Date

² Mark with a cross the applicable box.

⁴ Where the signature is required on behalf of a legal entity, the typewritten name(s) of the natural person(s) signing on behalf of the legal entity should accompany the signature(s).

CERTIFICATION

It is hereby certified that:

- (1) ² the Patent application specified under II above, referring to the deposit of the organism identified under I above, has been filed with this Office for the grant of a patent and its subject matter involves the said microorganism or the use thereof.
- ² the International application specified under II above, referring to the deposit of the organism identified under I above, designates for the grant of a patent the State party to the Patent Cooperation Treaty (PCT) for which this Office is the “designated Office” within the meaning of the said Treaty, and the subject of that international application involves the said microorganism or the use thereof.
- ² the patent specified under II above, referring to the deposit of the organism identified under I above, has been granted by this Office and its subject matter involves the said microorganism or its use thereof.
- (2) ² publication for the purposes of patent procedure has been effected:
- ⁵ by this Office
- ⁵ by the International Bureau of the World Intellectual Property Organization as an international publication under the Patent Cooperation Treaty (PCT).
- or
- ² the certified party has a right to a sample before publication in accordance with⁶:
- (3) ² the certified party has a right to sample of the organism identified under I above under the law governing patent procedure before this Office and this Office is satisfied that the conditions, if any, prescribed by the said law have actually been fulfilled.
- ² the certified party has affixed his signature on a form before this Office and, as a consequence of the signature of the said form, the conditions for furnishing a sample of the organism identified under I above to the certified party are deemed to be fulfilled in accordance with the law governing patent procedure before this Office.

I have read, understood, and accept the “Terms and Conditions of Use.”

Signature

Print Name

Date

² Mark with a cross the applicable box.

⁵ If only one box applies, mark with a cross that box; if both boxes apply, mark with a cross one of the two boxes (choose one).

⁶ Cite the applicable provision of the law, including any court decision.