

QUICK REFERENCE GUIDE ON PATENT LAW

Have you created a new product or devised a new approach to producing something? Then, as the inventor, you alone may exploit the product. In the Netherlands, this is regulated by the Dutch Patent Act. The guide on this page explains how patent law is defined. In this guide we solely discuss patent law.

HOW DO YOU APPLY FOR A PATENT?

If you are an inventor we talk about the intellectual property of the invention. You are the only one allowed to market and exploit it. This right must be recorded in a patent to avoid breaches or make it possible to impose fines on the infringing person. If a patent is granted to the inventor, he or she shall have sole rights to it for a maximum of twenty years. This right is transferable.

You apply for a patent at the [Netherlands Patent Office](#). This registration - a patent certificate - is extremely important. Without that registration you have no exclusive rights. The registration takes place at a national and European level; a patent registered in the Netherlands often also applies within the Benelux, but not in Asian countries, for instance. Investigating this properly (of having this investigated) is important, if you intend to market a product internationally. For more information on this, see [Apply for which countries](#) at the Netherlands Enterprise Agency (Rijksdienst voor Ondernemend Nederland - RVO).

WHAT HAPPENS IN THE EVENT OF AN INFRINGEMENT OF YOUR PATENT RIGHT?

If you find out that a person has infringed your exclusive patent rights, you may claim compensation. You must first inform the person or body that committed the infringement. A judicial agent will draw up a so-called "declaration of awareness" and serve this to the person or body. The Netherlands Patent Office can give you more information about the procedure to be followed if you want to hold someone legally liable for the damage suffered.

QUESTIONS? GET IN TOUCH WITH YOUR COPYRIGHT INFORMATION POINT (AIP)

Do you have further questions about this quick reference guide? Please contact one of the members of staff at the [Copyright Information Point \(AIP\)](#) of your institution.

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