

be calculated on the basis of the common scale; the minimum amount referred to in Article 39, paragraph 1, shall apply to the unitary patent. Article 39, paragraphs 3 and 4, shall apply *mutatis mutandis*.

Article 148

The European patent application as an object of property

(1) Article 74 shall apply unless the group of Contracting States has specified otherwise.

(2) The group of Contracting States may provide that a European patent application for which these Contracting States are designated may only be transferred, mortgaged or subjected to any legal means of execution in respect of all the Contracting States of the group and in accordance with the provisions of the special agreement.

Article 149

Joint designation

(1) The group of Contracting States may provide that these States may only be designated jointly, and that the designation of one or some only of such States shall be deemed to constitute the designation of all the States of the group.

(2) Where the European Patent Office acts as a designated Office under Article 153, paragraph 1, paragraph 1 shall apply if the applicant has indicated in the international application that he wishes to obtain a European patent for one or more of the designated States of the group. The same shall apply if the applicant designates in the international application one of the Contracting States in the group, whose national law provides that the designation of that State shall have the effect of the application being for a European patent.

PART X

INTERNATIONAL APPLICATION PURSUANT TO THE PATENT COOPERATION TREATY

denne fællestarif; det i artikel 39, stk. 1, omhandlede mindstebeløb gælder ligeledes for enhedspatentet. Artikel 39, stk. 3 og 4, finder tilsvarende anvendelse.

Artikel 148

Den europæiske patentansøgning som genstand for ejendomsret

1) Medmindre gruppen af kontraherende stater har bestemt andet, finder artikel 74 anvendelse.

2) Gruppen af kontraherende stater kan bestemme, at en europæisk patentansøgning, for hvilken disse kontraherende stater er designeret, kun kan overføres, pantsættes eller gøres til genstand for tvangsfuldbyrde for alle de kontraherende stater i gruppen og kun i overensstemmelse med bestemmelserne i den særlige overenskomst.

Artikel 149

Fælles designering

1) Gruppen af kontraherende stater kan bestemme, at de pågældende stater kun kan designeres samlet, og at designeringen af en eller flere af disse stater skal betragtes som designering af alle gruppens stater.

2) Hvis Den europæiske Patentmyndighed i henhold til artikel 153, stk. 1, fungerer som designeret myndighed, finder bestemmelserne i stk. 1 anvendelse, såfremt ansøgeren i den internationale ansøgning har angivet, at han ønsker at få meddelt et europæisk patent for en eller flere af de designerede stater i gruppen. Det samme gælder, såfremt ansøgeren i den internationale ansøgning har designeret en af de kontraherende stater i gruppen, og denne stats nationale lovgivning foreskriver, at en designering af den pågældende stat har virkning som en ansøgning om europæisk patent.

TIENDE AFDELING

INTERNATIONAL ANSØGNING I HENHOLD TIL PATENTSAMARBEJDSTRAKTATEN