

decided on by the President of the European Patent Office shall be notified by registered letter with advice of delivery. All other notifications by post, except those referred to in paragraph 2, shall be by registered letter.

(2) Notifications in respect of addressees not having either a residence or their principal places of business within the territory of one of the Contracting States and who have not appointed a representative in accordance with Article 133, paragraph 2, shall be effected by posting the document to be notified as an ordinary letter bearing the last address of the addressee known to the European Patent Office. Notification shall be deemed to have been made when despatch has taken place, even if the letter is returned to the sender owing to the impossibility of delivering it to the addressee.

(3) Where notification is effected by registered letter, whether or not with advice of delivery, this shall be deemed to be delivered to the addressee on the tenth day following its posting, unless the letter has failed to reach the addressee or has reached him at a later date; in the event of any dispute, it shall be incumbent on the European Patent Office to establish that the letter has reached its destination or to establish the date on which the letter was delivered to the addressee, as the case may be.

(4) Notification by registered letter, whether or not with advice of delivery, shall be deemed to have been effected even if acceptance of the letter has been refused.

(5) To the extent that notification by post is not covered by the provisions of this Rule, the law of the State on the territory of which the notification is made shall apply.

Rule 79

Notification by delivery by hand

Notification may be effected on the premises of the European Patent Office by delivery by hand of the document to the addressee, who shall on delivery acknowl-

af præsidenten for Den europæiske Patentmyndighed bestemte dokumenter tilstilles pr. rekommanderet brev med modtagelsesbevis. Al anden tilstilling af meddelelser pr. post med undtagelse af den i stk. 2 nævnte finder sted pr. rekommanderet brev.

2) Tilstilling af meddelelser til modtagere, som hverken har bopæl eller sæde i en af de kontraherende stater, og som ikke har udnævnt en fuldmægtig i henhold til artikel 133, stk. 2, finder sted ved afsendelse af det dokument, der skal tilstilles, som almindeligt brev, adresseret til modtageren på den sidste adresse, som er Den europæiske Patentmyndighed bekendt. Tilstillingen af meddelelsen betragtes som foretaget, når afsendelsen har fundet sted, selv om brevet returneres til afsenderen som uanbringeligt.

3) Ved tilstilling af en meddelelse pr. rekommanderet brev med eller uden modtagelsesbevis anses forsendelsen for at være leveret til adressaten på den tiende dag efter afsendelsen, medmindre forsendelsen ikke er kommet frem til adressaten eller er kommet frem på et senere tidspunkt; i tvivlstilfælde påhviler det Den europæiske Patentmyndighed at påvise, at forsendelsen er kommet frem til bestemmelsesstedet, eller i givet fald at påvise dagen for fremkomsten.

4) Tilstilling af en meddelelse pr. rekommanderet brev med eller uden modtagelsesbevis betragtes som foretaget, selv om modtagelsen af forsendelsen er blevet nægtet.

5) I det omfang tilstilling af meddelelser pr. post ikke er omfattet af bestemmelserne i denne regel, finder lovgivningen i den stat, i hvilken tilstillingen af meddelelsen er foretaget, anvendelse.

Regel 79

Tilstilling af meddelelser ved direkte udlevering

Tilstilling af meddelelser kan finde sted hos Den europæiske Patentmyndighed ved direkte udlevering af det pågældende dokument til modtageren, der skal anerkende